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CHILD WORKERS
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AMERICA

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AND
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CHILD WORKERS IN AMERICA
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AND DOROTHY WOLFF DOUGLAS
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PREFACE

As students of labor problems the authors have long been interested in the course of child labor and the attempts at its control in this country. It has seemed to us that recent treatments of the subject lack the discipline of economic method. Here is a mass phenomenon, almost a social institution, long established in this as in other countries, and here are attempts at modifying it by political and economic pressures. Yet writers on the subject almost entirely treat it on a level of the individual adjustment of the individual child to school and job, or else in terms of the history of existing regulations. (We do not refer here to the many indispensable field studies of child labor conditions by public and private agencies.) The place of child labor in the general system of our economic life, both in those fields where it has been to a considerable extent curbed and in those where it is still allowed to flourish, has not been treated fully at all. This then is the task we set ourselves in this book.

The book appears in one of the most critical years that child labor regulation has at any time faced. Although the Child Labor Amendment seems at this writing near ratification, and undoubtedly has an overwhelming American opinion in favor of it, we may not assume that its adoption is assured. Anyone who has followed the history of reform measures back to the year-after-year struggles around them, knows that the Amendment is not won until the thirty-sixth state has ratified it. Now opposition groups have once more advanced against the Amendment, this time by throwing their influence behind a patently unworkable substitute proposal. Friends of child protection need to be quite clear in their own minds about

what the Amendment itself is, so as to see the undesirability of any substitute.

As we show at length in the pages of this book, the fight for adequate child labor regulation has necessarily to center about the struggle for federal as opposed to mere state legislation. Left to forty-eight competing jurisdictions, child protection will never be adequate: it is too easy for opponents of regulation to play off one state against another, to plead, in the classic illustration here in New England, that "industry will move South"—and so on all along the line. To remedy this situation federal laws have already twice been enacted, once in 1916 and once in 1919. These laws were conservative in their standard—14 years for work in industrial employment, an eight-hour day for children aged 14 to 16, and no protection to children in all the other and far larger child-employing occupations. Nevertheless they were bitterly fought by all the opponents of reform, the same groups that had managed to make state laws nugatory during the preceding decades—and the opponents won: the federal laws were both declared unconstitutional by the Supreme Court, the first in 1918, the second in 1922.

But during the brief periods that the federal laws were in operation, so much progress toward adequate enforcement had been made that their backers were encouraged to try the method of a constitutional amendment. This is what we have before us today. Approved by Congress in 1924, it has lately received sufficient impetus to pass in a majority of state legislatures, leaving at this writing only nine more ratifications needed.

The Child Labor Amendment is not itself a child labor law; it sets no standards which Congress has to follow; it is merely an enabling act, giving Congress power to legislate in this field. The words of the Amendment run:

"Section 1. The Congress shall have power to limit, regulate and prohibit the labor of persons under eighteen years of age.

"Section 2. The power of the several states is unimpaired by this article except that the operation of state laws shall be suspended to the extent necessary to give effect to legislation enacted by the Congress."

Opponents of control have made dire predictions about the amazing extremes to which Congress might go if the Amendment were adopted. With such broad powers, they say, Congress might forbid all young people under 18 from helping their parents with the dishes and the stove wood . . . ! We might dismiss these absurdities as campaign material, but apparently they have really aroused fears in some minds. The opponents object to the 18-year upper limit, saying 16 is old enough: but already a number of state laws recognize what experts have long since known, that boys and girls at least up to 18 require special protection in hazardous occupations. The opponents say "labor" is too sweeping a term, that "employment" should have been used. But the term "labor" is most necessary to cover those occupations in which tens of thousands of children are engaged, such as commercial agriculture or industrial homework or many canneries, where the child is not himself paid a wage: his parent is employed to do as much work as he together with his family's labor can manage; the children's working for nothing is simply made a condition precedent to hiring the parent.

Far from needing to fear rash action from Congress, in reality the danger would be all the other way, that Congress might confine its action to very limited laws. Assuming that the Amendment is ratified, our own prophecy is that laws for the present will certainly not go beyond the standards set by the NRA codes—which left, as the readers of the ensuing chapters will see, the majority of America's previously laboring children under 16 still at work. The great army of children in commercial agriculture, we prophesy, will remain untouched; so will the children in industrial homework and probably even in street trades.

But we shall have a beginning, a real beginning toward the necessary conditions for regulation. And this is what the opponents would defeat at all costs. At this critical time an unfortunate measure was introduced by well-meaning Congressional friends of reform, hurriedly conceived, no doubt as some kind of a stop-gap. The proponents of the Amendment immediately saw the danger and published an unanswerable criticism of the bill. But the bill was seized upon by the opposition groups as a substitute and

volubly supported as such. Opposition history repeats itself. President Roosevelt had just sent his letter of January 8 to the Governors of nineteen non-ratifying states urging them to push the Amendment. At this moment when victory for the Amendment appeared imminent, we see the opposition rushing to support a measure, unworkable in itself, that is yet of a kind to confuse and deflect wavering opinion.

Quite probably by the time this book is published the substitute measure will have disappeared from view—let us hope because the Amendment will have triumphed! Even if it goes as quickly as it came, it remains a brilliant illustration of opposition reasoning that should not be lost to view.

For the opposition groups the substitute has this great merit—that it does not attempt to set up any federal standards at all; it is merely a bill to “reenforce” state laws. Modeled upon a successful prison goods measure that had lately passed the test of the Supreme Court, it attempted to provide that “. . . Goods produced by child labor, when imported . . . into any State, shall be subject to the laws of that State . . . the same . . . as if produced there . . .” (*New York Times*, Jan. 11, 1937). Putting its emphasis upon goods, not children, it would of course involve a new child labor law in each of the forty-eight states (an appealing prospect to the opposition, no doubt); it would touch only manufacturing and only a part of that. But above all it is absurdly unworkable. As the National Child Labor Committee points out, “Industrial firms would have to operate under 48 different standards depending upon the destination of the goods manufactured at the moment . . .” with labels for each state of destination!

Picture the effort to get the correct labels for the labor of young children (still legal in their own state, but illegal in the port of final entry) who scar the trees and collect the gum for the vast turpentine industry in the South. Turpentine is a product, we learn, that in one form or another is used eventually in the manufacture of soap, printer’s ink, paints and varnishes, linoleum, wax, insulations and plasters, chemicals, drugs, shoe polish, matches, oils and greases, automobiles and wagons, iron, steel and brass, and what not. Follow this child labor turpentine, legal in its place of origin—

South Carolina or Alabama or Florida—to the hundreds of different industrial establishments in Michigan or Kansas or Virginia or Connecticut or whatever state, where it may or may not have legal entry depending upon that state's laws, and then follow the final product, automobile, paint, shoe polish, soap, and so on *ad infinitum*, until the finished merchandise approaches its ultimate destination—let us say Massachusetts. (By the way, has any other child labor, meanwhile, gone into processing or packing the merchandise on its way?) Picture yourself as the federal receiving agent in Massachusetts . . . or better still, as the agent at points of origin, seeing that the labeling is correctly done in South Carolina for Chicago, Detroit, Omaha, Hartford, and any and all other points east or west to which it is desired a package should go. Is it possible that a proposal so obviously contrary to common sense will stay long in the public eye? Soon, we hope, it will have become a museum piece.

The Child Labor Amendment, then, is the obvious step. No substitutes will do. But the most it accomplishes is to make federal regulation possible: adequate federal laws must still be achieved. If the history of child labor legislation teaches us anything, it is that that will mean another long, uphill struggle.

As materials for our book we have used both all the results of former studies that are accessible to the general student and also the data from a special field study of our own undertaken in 1931-32. To these we have added recent data from current news, and reports on child labor under the New Deal. The methods used in our own field study are described in the Appendix.

While acknowledgment to all the persons to whom we are indebted in pursuance of our own sample study of child workers must wait for publication of that material, we cannot refrain at this time from expressing a special debt to Dr. Susan Kingsbury of the Graduate Department of Social Economy of Bryn Mawr College, who gave us valuable advice and through the work of some of her students added to our sample of schedules.

We wish to express acknowledgment of the courtesy extended to us by the National Child Labor Committee in furnishing us with many helpful pieces of source material. Miss Margaret Wiesman

PREFACE

of the Consumers' League of Massachusetts was also most kind in furnishing us with unpublished material of her organization.

In bringing the present book to completion we also wish to thank a number of friends who have given us of their time in looking over portions of the manuscript on which they were specialists. Special thanks go to our research assistant, Edith Howard Neilson, who has given us valuable help in preparing the manuscript for publication.

Northampton, Mass.

February 12, 1937

K. D. L.

D. W. D.

PREFACE TO THE SECOND EDITION

Great progress has taken place in the labor movement since this book was written. In 1936 we were saying that the trade union movement was still dominated by craft union exclusiveness, that with the bulk of American workers unorganized, workingclass political demands—among them those for child protection—were not respected. We were also saying that progress for the children was to be expected to the degree that labor and progressive forces organized themselves strongly along industrial union and political lines.

That very winter the C.I.O. launched its large-scale union drive, and the long-pent-up forces of workers in the mass production industries asserted themselves. Also many thousands of professional workers came into the labor movement. Today (September, 1938) the C.I.O. membership outnumbers that of the A. F. of L., and the total number of organized workers is more than double what it was when we first wrote. Political organization, to be sure, has not kept pace with the economic. But important realignments, many of them within the old Democratic Party, are obviously taking place. Clearly the trend is toward a sharper division between the large body of relatively progressive groups with a readiness to campaign for general welfare measures, and the forces seeking to preserve special interests and the status quo.

These changes should mean renewed progress in the child labor field from now on. Indeed we have one notable step to record already. Far more, we are certain, will be accomplished so soon as the inevitable final consolidation of C.I.O. and A. F. of L. into one solid and powerful national organization shall have taken place.

The notable step in child labor control is of course the Wages and Hours Act, passed by Congress in June of this year. It contains a section regulating some branches of child labor, and is thus important in establishing the principle of federal regulation, even

though the numbers affected are small. The National Child Labor Committee estimates that some 30,000 children under 16, chiefly in factory occupations, will be protected. (This in addition to young people under 18 in such occupations as shall be declared hazardous by the Children's Bureau.) The half million or more children under 16 in agriculture, however, the hundreds of thousands in street trades and industrial homework, and the many thousands more in the growing mercantile and service trades, in stores, offices, hotels, restaurants, laundries, etc.—the great bulk, in other words, of all working children—will remain largely unprotected as before.

This is because the Wages and Hours Act, resting as it does upon Congress' power to regulate interstate commerce, confines itself to prohibiting interstate shipment of goods made in establishments in which child labor has been employed. Also because Congress deliberately chose to exempt children "employed in agriculture while not legally required to attend school." Apparently this will rule out the many thousands of migratory child workers who are not subject to local school attendance laws, and all the residents for whom state laws have purposely left agricultural labor loopholes, as well of course as all the children of whatever group or age who labor in the fields when school is not in session. Bear in mind that some rural schools in the South are in session only four or five months.

For reaching the bulk of working children, accordingly, we still need above all the Federal Child Labor Amendment, an explicit grant of power to Congress to legislate throughout this field. Today ratification of the Amendment is little further along than it was when we wrote. In fact new obstacles have been devised by the opponents in two states, in the shape of suits brought against the legality of ratification at so late a date. These legal points will soon be settled one way or the other by the Supreme Court. In the worst case, if the Court's decision should be unfavorable, the whole process of amendment can and will have to be gone through with again. If it is favorable, the present period ought to see a most active campaign to push ratification through to a conclusion.

September 23, 1938.

K. D. L.
D. W. D.

CONTENTS

	Page
PREFACE	v
PREFACE TO THE SECOND EDITION	xi

PART I

CHILDREN ON THE MARKET

Chapter	
I CHILDREN AT WORK	3
II AMERICA'S OPEN MARKET	16
III INDUSTRIAL CHILD LABOR—AT ITS BEST	26
IV STREETS, SWEATSHOPS, AND HOMES	45
V AGRICULTURE UNCONTROLLED	59
VI THE "FORGOTTEN" CHILD	82
VII WHEN REGULATION DOES NOT REGULATE	105

PART II

DEMAND AND SUPPLY

VIII ARE CHILD WORKERS MENTALLY INFERIOR?	117
IX "SOME CHILDREN WANT TO WORK"	140
X WHEN POVERTY STRIKES HOME	162
XI THE DEMAND FOR CHILD LABOR	182

PART III

PROSPECTS FOR CONTROL

Chapter	Page
XII OPPOSITION TO CONTROL	195
XIII THE OPPONENTS' CASE	218
XIV THE MOVEMENT FOR CONTROL	247
XV THE MOVEMENT FOR CONTROL (CONTINUED)	267
XVI CAN CHILD LABOR BE ABOLISHED?	280
APPENDICES	293
REFERENCES	301
BIBLIOGRAPHY	307
INDEX	315

Part I

CHILDREN ON THE MARKET

CHILDREN AT WORK

TODAY we are in the curious position of a country with a vast problem of child labor, which yet, through the voice of many of its leading citizens, denies that the problem exists. "Child labor has practically disappeared in the United States today," declared the President of Columbia University not many months ago. "This fact I have tested by personal observation. . . ."

Where, we must wonder, were industry and agriculture hiding the two and a quarter million working boys and girls under 18 when President Butler went his rounds? True, one might choose to omit the million and a half of 16 and 17. But there were nearly two hundred and fifty thousand between 10 and 13 years of age, and well over four hundred thousand of 14 and 15. Nor does this count any of the tens of thousands who work in street trades, homework and agriculture, who are under ten years of age. These latter little ones even the Census does not "observe."

Of course, for a brief time there was the NRA. Its codes prohibited child labor under 16 in many non-agricultural occupations; hence they were hailed, even by some with a reputation for integrity, who had no political or pecuniary axe to grind, as the end of child labor. What really was the case? The codes affected, to be generous, less than one hundred thousand children out of the seven hundred thousand under 16 gainfully employed. And what a sorry spectacle they make now!

Today, with the codes abolished, regulation is right back to where it was before the NRA, and the great mass of child labor, unaffected in any case by the codes or even by regulatory state laws, goes on as before.

Consider the children in agriculture. The great majority of them

are the children of the sharecroppers and tenants, black and white, working on cotton in our southern states; and after that, the children of contract laborers in our beet fields and of migratory and other "family labor" groups in all the other great commercial crops, from strawberries to tobacco. These are the groups for whom housing and living conditions for adults, rates of pay and labor relations are probably worse than for any other section of our entire population. Yet these are the very groups whose children are allowed to continue to labor unprotected. Can they lightly be dismissed from our minds? Not by those who have seen and known them, and have no stake in keeping them at work.

Tom is a sharecropper's child, black, in Alabama. His family (father, mother, and four children old enough to make "hands") all work for the landowner, are all collectively continually in debt to him (they get \$75 worth of supplies for the growing season and he keeps the books), and all live in a two-room cabin furnished by the landowner.

The cabin sits close to the ground, with a single layer of boards for a floor; one window, or rather window hole, in each room (no glass, a wooden shutter instead); a roof that leaks so badly that when the last baby was born, the mother said, her bed had to be moved three times; walls without paper or plaster, of course—indeed you can see daylight through their cracks; no stove, only an open fireplace; no fence or garden outside (the landlord decrees that the cotton must be grown "up to the doorstep"); no well, because "the creek is so near"; and for outhouse a hole in the ground with sacking on poles rigged up by the family themselves.

Here Tom lives and labors. He is now 12 and old enough to be counted by the Census. (The Census enumeration begins at age 10.) But even six years ago in the year of the last Census Tom was at work, though officially nonexistent, along with the thousands of his little fellow laborers, at age 6, beginning to pick cotton.

Tom gets up, or is pulled out of bed, at 4 o'clock in summer, by his older brother, who is quicker than he to hear the landlord's bell. Work for the entire plantation force is "from can see to can't see" (i.e., from daylight to dark), and the bell is their commanding timepiece. The "riding boss"—what a foreman is to a doffer in a textile mill—sees to

that. Little Jenny, aged 5, is being left at home today to care for the baby, because it is so hot; on cooler days the baby is carried along to the field and laid on a pallet under the tree, and Jenny can play among the cotton rows with the other children who are too young to work. (There are plantations where mothers of young infants are given fifteen minutes nursing time, no more, morning and afternoon. Then they must take the baby along: there is not enough time to go home.)

Tom is a good, steady chopper and can do over half a man's work. At picking he can do two-thirds. Peter, aged 9, does considerably less than that. In fact when his father asked to stay on at the beginning of the growing season, the landlord told him he didn't see how he could keep him on another year raising a crop on so many acres and living in such a good house, with his family so "no-account."

Tom has been to school part of three grades. The Negro school in his district runs four months "normally" (the white school runs six); but in the year 1932-33 it closed altogether, and since then it has been averaging less than three months. Besides, cotton-picking season in Alabama runs well into November, and after that it is often too cold to go to school without shoes. So from January on Tom and Peter have been taking turns in one pair.

The older brother did a little better. He was a "prosperity" child, and during several of the 1925-29 seasons he got the full four-months school term. By the time he was 13, however, he had stopped going altogether, having finished the fifth grade (twenty months of education for a lifetime of work) and being, in the view of the riding boss, "plenty big for a man's work and likely to get uppity soon if he don't quit school."

Tom's work this year began in February (aside from five days hauling wood in January, which we shall not count). In February Tom plowed and cut sprouts for half the month and harrowed one day. In March he harrowed and planted all but one week. In April he and his older brother started cultivating, and this continued at intervals until July. In May he put in two weeks planting and, beginning May 25, fifteen days chopping cotton. Later in June it will be mostly hoeing again, and in July a week or more of cultivating. Part of August will go to cutting wood, and then comes the real heart of the year's labor, picking cotton. Last year it lasted for three and a half months.

In picking cotton Tom is not so much "smarter" than some of the

younger children. At age 12 he can keep going longer, of course, at the end of a twelve-hour day with the thermometer still close to 100°, than he could when he was 7, but he can hardly pick faster. All the children pick with both hands, and by the end of the first season the lifetime rhythm of pluck, pluck, drop-in-the-bag is long since established. But now that Tom is taller he has to stoop so much, or move along on his knees, while the littlest fellows scramble by with "hardly a bend to them." The cotton plants often grow shoulder-high, to be sure, but the cotton bolls on them grow nearly all the way to the ground; so, for all but a tiny child, this means "stooping, stooping all day." But Tom can manage the big sack that he drags after him by a shoulder strap better now than when he was a little fellow. It grows so heavy dragging along after the smallest pickers all day that it nearly makes up for the "bends" of the older ones.

Chopping cotton is much harder and is done under greater pressure for time, for the growing season will not wait. The 6- and 7-year-old children do not engage in this, but Tom has long since become experienced. He handles the heavy hoe with a ready swing, cutting out the superfluous plants with a steady chop, chop, from sunrise to dark.

The ordinary hand hoeing after this is easier (Tom began with that as a little fellow, next after the picking), but still it is heavier than picking. It too requires a stooping position all day long, and the weight of the hoe and the earth are not inconsiderable.

What is Tom—and what are all the hundreds of thousands of his fellows in the cotton belt of the South—getting for this investment of his childhood? An outlook for the future, a foundation for something better for him later on, an immediate financial return even in his own pocket, for his present wretched and stultifying toil? On the contrary, Tom is not only burying his own childhood in this cotton patch, he is drawing in return not a dollar of pay, from year's end to year's end. The landlord's account simply chalks up so many acres cultivated against the family's debts for the coming year, and if Tom or his brothers did not work, their father would not get his farm for the next season. Tom's and his family's reward is that he continue shoeless and abominably fed, oppressed and half-illiterate from those first months in the fields when he was 6 until he shall be an old man.

What of the other children in agriculture, the thousands upon thousands in fruit and berries and truck farming and tobacco and beets? Let us look at Rosa, who in 1936 as in previous years worked in tobacco.

Rosa is 14 and works in the Connecticut Valley. Her tobacco is all shade-grown and goes only to make cigars. If you break a single leaf, the boss will scold you. Like so many other things in the Connecticut Valley, the demand for it has fallen off in recent years, and the tobacco companies for which men like Rosa's father work, while the AAA lasted, were thankful to get their government checks in lieu of sales; but for such of the crop as could be sold they have tried to cut costs to the bone. The company for which Rosa's family works is trying to get six people to do the former work of ten, and paying them less.

Rosa works before and after school and on Saturdays in the spring, and during the summer season all day. (She is a year retarded in spite of fairly regular school attendance; the seventh grade teacher says that during the spring months and again in the fall hardly any of the tobacco and onion children can be got to do their homework properly and that they act "dopy and half-asleep.") For the harvest extra children, mostly older, come out from the city (high school can wait). All are paid a day wage, and the hours are nine or ten, but with a good deal of overtime.

Harvesting is the hardest time, Rosa thinks. The sun beating on the outside of the great cloth under which the tobacco is grown makes the atmosphere stifling. The cloth is just a little higher than the tallest plants, which run about eight feet and are set so close that the leaves of adjoining rows extend well past each other. You have to move just so and pick with the greatest care so as not to break a leaf. The first picking starts with the lowest leaves, and for that you have to crawl or move bent double all the time. Rosa thinks she is getting too big for this: really young children, under 10, the kind they have not been using the last three years, are best at that job, they can "wiggle along so fast." (Shade-grown children—out of the sun with the pale gold tobacco plants, delicately bleached for a consumers' market . . .) For the next picking you can kneel at least, and during the last two or three you stand and reach, and that is where it is best to be tall: the little ones used to "stretch and

stretch and couldn't always make it." (Rosa herself began at 7.) You always pick from two rows at once, fast, turning from side to side, under the eye of the boss, and the leaves and dust get in your face.

Perhaps newspaper selling or bootblackening would be a pleasant trade for a child? Plenty of fresh air, opportunity for enterprise and thrift, only a few hours' work a week, adjustable to school, comfortable earnings a help to the family, character training, first rung on the ladder to success, the "little merchant" . . .

Has the reader ever sat in a restaurant at 8:30 or 9 o'clock for a belated evening meal, and heard the familiar voice at his elbow, "Paper, Mister?" (Of course on the street or in the subway would do as well, and the hour might be later. This particular lad came into the restaurant, and his hours were better than many.) A boy selling papers and "almost through" for the night. (This was a winter night.) He appeared to be well known by the manager, and apparently often ended up his rounds there. He was 10, he said, but he looked not over 8 and his whole development was very juvenile. In the third grade in school and apparently not doing too well. Four brothers and sisters. His little brother of 6 had been trying to sell papers (the story was somewhat confused), but had stolen candy from the corner stand man, "and the police brought him home and scared him good," so his mother is not letting him sell any more just now; "but he's awful smart, you can't do nothing with him." He himself has been selling for two years. He begins after school about 4:30 and gets through about 8 or 8:30. His mother saves some supper for him and he eats about 9 and goes right to bed. Sometimes if it has been cold and he gets home late, he sleeps in the kitchen by the stove. His father is a tailor (unemployed) and has made him this cap ("it's awful warm"), also this coat (less so). Yes, he generally has milk for breakfast; "coffee makes you skinny." However, if it's cold and he gets coffee downtown, he can "go to sleep right after it and never know the difference."

What do such little boys earn from their broken rest and neglected schooling? In 1934 when the NRA was at its height and child labor supposedly abolished, the "little merchants" swarming over the streets of our cities were averaging less than nine cents an hour for

those over 12 years of age, about four and a half cents for those under 12. The youngest children sold the longest hours and earned the least; the average child under 12 all over this country was working eighteen hours a week and earning eighty-two cents.

In the eyes of the Census of course none of these little workers exist so long as they are of school age and do not play truant altogether; they are counted as "attending school and having no occupation."

Some children naturally earn more, by working impossibly long hours: for instance, a 12-year-old boy who in 1934 was on the street regularly from 8 o'clock in the morning on Saturday to 2 A.M. Sunday morning without interruption, except for one hour off for meals (seventeen hours at a stretch). This same child sold papers on school days from 4 P.M. until midnight (eight hours on top of school) and on Sundays from 9 P.M. until midnight. (In other words, bed after midnight six days a week and after 2 o'clock in the morning the seventh day.) For this mind- and body-destroying routine the child had the previous week earned \$2.75—about five cents an hour.

Conditions of work? At best, meals at off hours, saved over, away from the rest of the family—suppers very late, breakfasts (if any) either exceedingly early or a bite after several hours of early morning selling on an empty stomach. Often, especially on Saturday nights, a meal away from home. At best, sleep badly cut short below a health minimum for all but the oldest boys. At best, normal time for school work broken.

At worst? Nights spent in newspaper distributing rooms or garages, or at newspaper agents', in basements, down alleys, with snatches of sleep on tables or benches or the bare stone floor "with newspapers or burlap bags over you"; trips home (maybe) in the newspaper truck at 2 or 3 A.M.; the company of disreputable older men in the distributing rooms; selling in disreputable neighborhoods or to the after-theater crowds where a "drunk" may be generous with his change. An extreme example is that of New Orleans, where in 1929 an investigator reported that many of the newsboys, even as young as 11, selling in the downtown districts late at night, were visiting prostitutes and contracting venereal diseases. The investigator's chief concern, incidentally, appeared to be that "through the handling of the newspapers which so

many people bring into their own homes [*sic!*] they may probably help to spread these." ¹

If the street is not the nicest possible place for children, how about a little industrial homework to keep them busy? That surely is something that keeps them off the street, with their mothers, in, as one judge put it, "the hallowed associations and sacred influences of the home." And the work so adjustable to school hours. And to the aptitudes of different ages.

Mary does not understand all these explanations. But she knows she loathes what she has to do with all her heart, and that is string tags or cut threads after school and again after supper until she goes to bed, every evening, rain or shine, dark winter night or radiant spring with the sun still up. Mary is 8, and lives in Newark, and so do her mother and her four brothers and sisters, and her grandmother, and her father when he is not away from home looking for work as he is now. They occupy a four-room flat in a two-family house, and the kitchen where they do their industrial homework is also where they live and eat.

Mary's mother has tried all kinds of homework for her family. Finishing men's clothing paid the best for a while, but the bundles were so terribly heavy for John (the oldest, aged 11), and he had to cross the track to get them, and Grandma worried about him all the time he was out, and the boss was awfully mean and would just as soon keep him waiting two or three hours for the next bundle. So lately they have been working on powder puffs and stringing tags and finally making doll clothes. "Powder puffs make me sick. I had to have a change," says Mary. (She is a determined young woman and knows her mind—she means the monotony of turning and filling the puff ready for its final closing. Her little fingers are not adroit enough for the more difficult sewing.) Tags lasted for a while, until the market became overcrowded and the only kind of knots they wanted you to make were the meanest ones. Mother and Grandma tried bead work for a time and found plenty to do on it, but the children not so much. Finally for a number of months it has been doll clothes. Here all the family can work, though the rates are terribly low. Mary would not mind it so much if she could do all the four different processes that the children do: cutting the

threads, clipping apart the trimming from one dress to the next (Mother stitches them on the machine in batches, to save time), turning the finished garments right side out, and packing them in a box. But Mother finds it goes faster if each child does just one thing. And there is a big pile in front of each of them. Also, the hours on this have to run extra long, to make up for the low pay. Mary works from 3:30 to 5 in the afternoon and again from 6 to 9 o'clock after supper. So do her sister and brother of 10 and 11. Even little Jackie, aged 4, does a little off and on in the afternoon and after supper, then Grandma puts him to bed. Mother works on, as late as she may have to, under pressure, to finish the lot. "Sometimes I think I will go crazy," she says, "the work is so tedious."

There is a notion abroad that children of 14 and 15 no longer work in factories. They are not there by the hundreds of thousands, of course, nor have they ever been. They are there by the tens of thousands, however, and in those occupations and localities where they get least protection.

If the reader has not seen a child at work in a cotton mill, he should find an opportunity to do so. Only let him not bother unless he goes with an open mind. Let him not go as did a southern social scientist recently who, while "passing through a number of cotton mills in the Piedmont," "did not notice . . . but one instance of anything approaching child labor" (a youngster reputedly 14 who looked not more than 12). But, continues our informant, he "saw many young men and young women of the ages between fourteen and eighteen years."² He who does not consider it child labor to work at 14 or 15 will probably not see any "child labor" if he goes through a cotton mill down South. Nothing is easier than by definition to dispense with an unwelcome fact.

As for ourselves, we are seeing child labor when young Henry Dickinson at 14 goes to work in the same mill as his father, to become a doffer instead of a schoolboy. True, it was a slightly worse form of labor when his father began in a cotton mill as battery boy at 12, and his mother too. They had only two or three years of schooling, and Henry has had eight. They worked eleven hours a day, and until he is 16 Henry must

work eight. But what privileged-class mother and father would think their "young men and women" of 14 old enough to be launched into full-time manual labor in a cotton mill? Is there some peculiar physical difference between children born in the working class and children born in comfortable circumstances that makes workers' children of 14 immune to the detrimental effects of too little sleep, poor diet, and eight hours a day on their feet in the spinning room, carrying heavy loads constantly, surrounded by noisy machines, and often breathing in lint-laden air? If we look upon our 14- and 15-year-olds as children still, though wisely and cautiously to be allowed more and more self-direction and independence, is a contradictory regimen advisable for the worker's child, who yet is plunged into the adult life of a mill, strange celebration of the turn of 14? Does it make Henry any less a child because he is a wage earner at 14, giving his mean little earnings of \$5 a week to help buy food for the four children younger than himself? It does make him less a child, of course, by the time he has been there a few weeks. How could it not?

Henry is awakened at 3 o'clock every morning, along with all his family, because his father, instead of earning \$17 as formerly, has been cut twice and now earns only \$14 except when he does overtime. So Henry's father goes to work at 5 in the morning as soon as the mill doors open, and stays until they close at night: he is on piecework and tries to do all the overtime he can to bring up his earnings. "Of course in a few years we will have plenty of help, if we can just make it that long," Henry's mother is wont to remark: there are four younger than Henry, who has reached working age now, and he has a sister who has but two years to go. Lately Henry's family had the misfortune of a new baby—they speak of it with great affection, it is true—and Henry's wage goes to pay the doctor's bills, and there is another mouth to feed. Henry cannot long stay a child in feeling when with each pay envelope he hands to his mother he watches her try to figure out how, together with his father's, to make it stretch to get the next week's supplies, pay on the doctor's bill, and keep their stomachs halfway satisfied. Dried peas and other dried vegetables now take the place of any fresh vegetables they may have had, before his father's pay cut and the new baby came. He craves meat, but they get it rarely, except pork now and then; and sweets, except molasses, are virtually unknown.

Henry has plenty of time to think his own thoughts now he is a doffer, not a schoolboy, as he pushes his long heavy box mounted on small wheels up and down the great rows of spinning frames, up one alley and down another. He must keep the spinners supplied with full spools, and stoop to pick up the empty ones dropped by the spinners. When his box is emptied of its last full spool, he must hurry to the twister room for a new supply, leaving there his "empties" to be filled. Some of the doffers are boys, some are girls. All of them usually begin work in this village at 14.

A girl who began working at 14 tells us what her job was like.

I am seventeen years old, but look to be fifteen or younger. When I was twelve, I was hurt by an automobile. Because of the injuries I received, I could not go to school. That was a bitter blow, not only to me but also to my parents. They had worked hard in factories so that I could get an education. At the time of the accident, my mother was working in a cotton mill. Being tired and over-worked, the terrible shock of my accident caused her to have a nervous breakdown. She could not work. The few hundred dollars that they had saved, dwindled to nothing. I knew this, and worried.

So, at the age of fourteen, I went to work. The doctor who took care of me said that I was in no condition to work, and if I did I would pay for it in a few years. Because I had no training in any kind of work, I always got jobs that were the most monotonous and the poorest paid. I finally got work in a knitting factory as a scamer.

This is my daily program.

At 5:30 it is time for me to get up. I am tired and sleepy. After I get up, I hurriedly eat my breakfast, and I am ready to go to work. It is a chilly winter morning, but I know that it will be hot in the mill. I start on my three mile walk to the factory. As I walk, I see others hurrying to work. I look at the older people and wonder if they, too, feel the resentment every morning that I do, or if as the years go by their spirits are deadened.

I arrive at the factory. The sight that I dread to see meets my eyes: the line of unemployed people waiting for the boss to come and hoping for work.

As I open the door, a force of hot stuffy air greets me. I rush to my machine, as all the girls do, to get ready, so that when the whistle blows we can start working. When doing piece work, every minute counts.

I seam men's heavy underwear. After I finish twelve union suits, I get a check for 6 cents for size fifty, and 4½ cents for the smaller sizes. At the end of the week, I paste my checks in a book and give the book to the boss, who pays according to the number of checks I have. After I finish a dozen union suits, I tie them up and carry them to the bin. The dozens are heavy, and grow heavier as the day goes on. The bin is usually full, and as I throw my dozen up on the top it very often comes down on me. Of course I fall. Rupture is quite common from carrying the heavy dozens.

One woman who has worked in this mill for seven years is home now with a rupture and a strained back. She cannot do her own housework. A girl of eighteen came to this mill from high school. She got the same job that I am doing. In one of the processes of seaming, you start and stop the machine with your foot. The motion is very jerky. This girl, not used to hard work, strained her legs through this motion. Now, she cannot walk without a cane. The city doctor—she could not afford a specialist—cannot cure her. Now, at the age of nineteen, she leads the life of a recluse, alone, bitter and hating life. Only last year she was an eager, healthy child, loving life, and having wonderful plans for the future. There are many like this woman and this girl and myself who are seaming men's underwear.

Nothing much has happened today. My machine has broken twice, and because the machinist has not been very busy, I have had to wait only about three-quarters of an hour. After my many trips to the bin for my work, and after finishing each dozen, tying it up, signing my number on the check, then carrying it to the next bin, I am so tired that my body and mind grow numb. To arouse myself, I go to the ladies' room. The toilet does not flush very well, but it never does anyway. When I come to the water fountain, no matter how tired and numb I may feel, I am always angry and disgusted. The water is lukewarm; the fountain is rusty and filthy. But my trip to the fountain serves as a stimulant because I am always glad to get back to my bench.

As usual, half of my lunch has been spoiled. I can either put it on the

table where I keep my work and where it becomes squashed, or I can put it in a box under my bench and give the rats the first choice.

After a monotonous afternoon, it is almost time to go home. We have three minutes to put our coats on; then we wait in our respective aisles. All eyes are on the boss, waiting for the signal. Then we rush out. This race track scene is part of the working day. When I come out, a force of fresh air meets me, the air that I have been longing for all day. My subconscious mind is aware of this, but I am so tired that I only feel my aching bones and my tired eyes. . . .

If our eyes are open we cannot fail to see child labor all over the United States today. In agriculture, in street trades, at industrial homework, in factories, in the service trades, in stores, as servants in private houses, children are at work. Not only boys and girls of 14 and over are at these tasks. At many of them thousands of little children not more than 13 and some as young as 6 can today be found.

AMERICA'S OPEN MARKET

GOING back of the abnormal crisis years, is it not significant that child labor in the younger brackets has shown a decline in recent decades? Let us examine this fact.

The number of child laborers began to decline after 1910. The decennial counts of 1890, 1900, and 1910 each showed no less than 18 per cent of all children aged 10 to 15 at work. The 1910 figure was a fraction higher than that of the two previous decades. Then when the 1920 figures appeared they revealed a sharp drop to a little over 8 per cent, and again between 1920 and 1930 there was a drop to 4.7 per cent. These figures include agricultural work. For nonagricultural work the peak in child employment was reached earlier, in 1900, with fewer children at work in each decade since.

But the figures, we learn from the Census, are misleading. There was not so large a decrease between 1910 and 1920 as they seem to show.

In 1920 the census was taken on January 1 instead of as in 1910 on April 15. "The change of the census date from a busy farming season in 1910 (April fifteenth) to a very dull season in 1920 (January first), undoubtedly resulted in fewer children being enumerated in 1920 as engaged in agricultural pursuits," says the Census report. Is it any wonder that there was a drop in agricultural child employment of over 50 per cent? It is not until early April that children in all the great commercial crops, especially cotton, begin their several months of labor in the fields. At all times the Census misses the tens of thousands of youngest children who work chiefly in the harvest periods of late summer and fall. But in 1920, by taking the count at the one time when farm work is virtually at a standstill, it missed

many thousands more. And children in agriculture are the largest proportion of all children employed.

Nor was this the only discrepancy. The Census mentions another. Enumerators in 1910 were especially instructed on making returns for occupations followed by children; but no such emphasis was given in 1920. "The difference in instructions . . . probably affected considerably the number of children returned as gainfully employed."

This is not to say that there was not a decline of some size between 1910 and 1920. We are certain that there was. But it was very much less than the Census figures would show. Moreover, if our surmises are correct, only a small part of this can be considered a lasting drop. That is the second point to note about the decrease in numbers of child laborers. The factors making for a temporary decrease in child employment are quite as significant as those making for a permanent one.

Let us look at the permanent factors first. Obviously some reduction in nonagricultural occupations has occurred through the limits set by the better state laws. In manufacturing, mining, stores, and clerical work a considerable degree of control was established: large numbers of children under 14 during the decades from 1900 to 1930 were prohibited from working at these occupations altogether. In some states regulations for those of 14 and 15, limiting their work to eight hours a day and forty-eight a week, prohibiting night work, and requiring continuation school attendance, have tended to cut down the numbers of this age group: it is not always economical to employ them when such restrictions are enforced.

In addition to protective legislation there have been technological factors. Consider the remarkable increase in output per person which has been taking place. It has been greatly accelerated during the last ten years, but before that time it was marked. One index of manufactures taking 1919 as 100 shows an output per person by 1929 of 153.¹ We can be sure that these changes have affected some of the processes on which young workers were employed, permanently displacing some children. But the numbers eliminated from industry by these two factors must be considered small compared with the numbers temporarily dropped owing to passing conditions.

When the last two censuses were taken, conditions existed which

decidedly cut down the number of children at work at the time. In 1920 the second federal child labor law was in force. Passed in 1919 and not declared unconstitutional by the Supreme Court until 1922, its effect was to reduce the number at work in factories and mines during its lifetime. But as it turned out, this was not a permanent change. Of greater effect were conditions of employment both in 1920 and in 1930. The Census of 1920 was taken on the eve of the post-war economic depression. Child labor certificates issued in 1920 show a marked drop from the preceding years. (They dropped still further later, of course.) When the 1930 Census was taken the country was again in advancing depression. Unemployment for all ages of workers was widespread; available jobs were diminishing daily; many children who ordinarily would have stopped school for work now stayed on, or went back to school when no jobs could be found. Figures of child labor taken during periods of large-scale unemployment, while they show a great drop in the number employed, are no indication of how much child labor there is.

It is our conclusion that some permanent reduction in the total number of younger children at work has been effected in the past two decades, a reduction due in part to legislation and in part to technological changes. But the size of this lasting reduction, we believe, is far from striking. The apparently large drop in numbers has been due chiefly to temporary factors. Advocates of child labor abolition can take only small comfort in recent trends. Given favorable conditions for child labor, another rise in numbers could quickly occur.

That last is the crux of the matter. As yet children are prohibited from only a few of the occupational markets in which the demand remains strong. Nor are the conditions of their work regulated. In very few of the greater child employing or potentially child employing occupations are children restricted in any way from working unlimited hours or under precisely the same conditions of labor as adults. Consider the estimates of the United States Children's Bureau: 90 per cent of working children 10 to 13 years of age are employed in unregulated occupations—that is, occupations that are subject to no limitation of hours or conditions of work for juveniles; 70 per cent of those 14 and 15 are in unregulated occupations. No estimates exist

for the 16- and 17-year-olds, but we know that laws touching them are few and far between. And working children under 10 years are not even counted when the census taker goes his rounds.²

Now we see why the numbers of children at work can fluctuate so strangely. Because child employing occupations are so largely unregulated, the numbers respond to the demands of employers to a very great degree.

We have but to pose the probability of another world war, which would draw into the army vast numbers of adult men, to see the hazards that face children so long as their employment remains as uncontrolled as it is today. Witness the years 1915 to 1919. An "unprecedented rise" took place in the employment of children. "Heavy increases" were taking place practically everywhere in 1916 and 1917 even before the entry of the United States into the war. Of course after the United States was a participant the number of children going to work, as shown by work certificates, continued on the increase, reaching its peak in 1918. In 1918 the increase "was so striking as to arrest attention even in that year of generally large increases."³ In Boston the number of employment certificates issued to 14- and 15-year-olds more than doubled from 1915 to 1918. It began to fall away again in 1919.⁴ But for that generation of children of working age the harm had been done.*

No proper understanding of the serious extent of child labor can be had unless we break down the problem to see what is happening in different occupations and in different sections of the country. For the tragedy of our child labor laws is their incompetence to control, owing to the forty-eight different sets of standards in forty-eight different states.

For example, the number of children under 16 working in textile mills in the United States as a whole decreased by 59.3 per cent between 1920 and 1930. That looks fine. But in South Carolina, children in textile mills increased 23.7 per cent, and in Georgia 11.9 per cent in the same decade.⁵

* While the numbers of children employed in 1920 were still abnormally large, the peak of the movement had passed when the Census was taken.

New employment certificates issued by the Superintendent of Schools of Boston showed the following changes from 1915 to 1925 (and this in spite of an increase in the population).

In some localities where child employing industries predominate, we find a large portion of children employed; in others where heavy industries are the rule, the proportion of employable children at work is small. One investigation showed this for a group of Pennsylvania cities. In Reading, for example, according to Census data, 50 per cent of the boys and girls 14 and 15 years of age were employed, in Allentown 40 per cent, in Wilkes-Barre and Lancaster under 30 per cent, and in Harrisburg and Pittsburgh, only 5 per cent. "The five 'low proportion' cities (Altoona, Harrisburg, Pittsburgh, Erie, Johnstown) are without exception west of the Allegheny Mountains. Four of them are steel and heavy machine cities. Children do not work in steel mills, foundries, heavy machine shops, because the law prohibits some employments, because the work is too heavy for immature children, and because children cannot profitably be used by employers in those districts. The eight 'higher proportion' cities (Reading, Allentown, Wilkes-Barre and Lancaster are the highest), are all east of the Alleghenies in the textile and light machinery district." Here of course the labor of children is considered profitable, and is found to occur in large numbers.⁶

In certain states and sections where business men and large-scale farmers want child workers, and where the laws have the least adequate coverage and are unenforced (all these conditions tend to coincide), there will be found concentrated the greatest proportion of working children. The most notorious example of this is the South. Twenty-five per cent of Mississippi children aged 10 to 15 were at work in 1930, 18 per cent in South Carolina, 17 per cent in Alabama, 15 per cent in Georgia, 12 per cent in Arkansas, and so on down the line. But in Maine and New York it was under 2 per cent, in Massa-

Year of Issue	New Employment Certificates
1915	3,686
1916	7,086
1917	7,033
1918	8,689
1919	6,497
1920	6,118
1921	3,078
1922	4,420
1923	5,276
1924	3,435
1925	3,964

chusetts and New Jersey under 3 per cent, and in Rhode Island and Connecticut it was just 3 per cent.

Proportionately far more Negro children than white are found at work. Negro children are not welcomed in most factory and store occupations, the only ones regulated. In South Carolina almost a third of all Negro boys aged 10 to 15 worked, and a sixth of the Negro girls; in Mississippi it was two-fifths Negro boys and well over a fourth of the girls. The proportion of white boys and girls in each case was half as much or less. In all the states where Negroes constitute a large proportion of the population the same tendencies are to be found.⁷

In addition, while the number of young children employed fell off in most occupations in the last decade, the number of newsboys under 16 showed a decided increase—44 per cent more aged 14 and 15 than ten years before.⁸ Similarly for delivery boys. Here is an extremely hazardous occupation for a young child. The number aged 10 to 13 increased by 124 per cent in the last decade, those aged 14 and 15 increased by 49 per cent. There was a slight decrease in the number of domestic servants aged 10 to 13, but a few more in the 14- and 15-year class. All of these occupations where material increases have occurred, or where children are chiefly employed, are in the unregulated fields. Taken together they cover four-fifths of all the younger children at work.

* * *

If America's market is as open as all this, then how was it that we were flooded with so much optimism only a year or two ago? There still rings in our ears the claim, voiced even by some who undeniably had the highest intentions, that the end of child labor was in sight, that regulation was to prevail.

Those friends of control who said this had, of course, no manner of justification for their view. Lest some still hold the illusion, let us see that clearly. All that they really intended, we hope, was to point dramatically to some tendencies and some momentary achievements. A number of states did suddenly take up the Child Labor Amendment and approve it. Whereas in the years immediately following its passage by Congress only a few legislatures ratified the Amendment, in the years between 1930 and 1936 the total had reached twenty-six.

Meanwhile, however, the opposition to the Amendment had time to rally its forces to renew a fight that it thought for a time had gone its way. Two crucial industrial states, New York and Massachusetts, again defeated the measure ingloriously; and defeats elsewhere, especially in the southern states, stopped progress in that direction.

Most of the claims of a "new deal" for child workers, however, were based upon the provisions of the NRA codes—now no more, owing to the adverse decision of the Supreme Court. But even when the codes were in effect, what they accomplished was given so exaggerated an emphasis as completely to misrepresent the real state of affairs.

Let us go back briefly to the scope of these once-upon-a-time codes. Assuming that the occupational proportions were much the same in 1933 as at the time of the 1930 Census, then the picture is roughly as follows.⁹ Of the children aged 10 to 17 years who were reported gainfully occupied in 1930, well over two-thirds were 16 to 17 years of age. Except for a small number of the 16- and 17-year-olds who were prohibited from certain dangerous occupations, all this body, comprising some 68 per cent, fell outside the protections afforded by the codes. In addition, virtually all of the children in agriculture were unaffected. Having already counted those aged 16 and 17 above, we find that the agricultural children under 16 comprise another 22 per cent of the total number of young wage earners. Beside that, none of the children in domestic service received protection: those 15 and under made up between 1 and 2 per cent of the total. Then there were those 15 and under who worked as newsboys or in other street trades; they made up nearly 2 per cent more. We cannot list separately the other occupational groups of children who remained unprotected; but leaving them aside, we find ourselves with approximately 94 per cent of the children in the several occupational and age classes named above unprotected by the codes.

Or, to show the claims for NRA accomplishments in their best light, let us leave aside the 16- and 17-year-old child workers and consider only those 15 and under. A total of 197,621 were in non-agricultural work, 69,828 of them in factories and mines; the Census counted 469,497 in agriculture. All told about 71 per cent were

in agriculture in 1930, between 5 and 6 per cent were in domestic service, not less than 5 per cent were in street trades (we cannot figure street trades precisely because they are not clearly shown): all these occupations lay outside code regulations. Again, attempting no estimate for occupations employing smaller numbers which were not included in the provisions of the codes, we yet have fully 80 per cent and probably more of the working children from 10 to 15 years of age in occupations regulated neither by the codes nor, according to the testimony of the United States Children's Bureau, by state laws.* This was the situation when the codes were in effect. And we were told that the end of child labor was at hand! Now even the small proportion protected by the codes are back where they were before the NRA.

Not only are they back where they were so far as legal protection is concerned, but these children of under 16 are increasingly back in the factories. So soon as the NRA was nullified by the Supreme Court in May 1935, the children who had been banned by the codes from certain manufacturing industries and stores found themselves in demand. In New York City between September 1934 and February 1935, while the NRA codes were in force, 2,044 work permits were issued to children aged 14 and 15. But in the corresponding period after the codes went out more than three times that number were issued—7,063. Strikingly enough, the permits issued to youths of 16 decreased after the NRA came to an end. Apparently children of 14 and 15 were taking the jobs formerly held by the older boys and girls. In Maryland the regular employment certificates issued to children of 14 and 15 numbered only a handful for the six-months period of 1934 under the codes, but they multiplied seventeen times their former number in the six months after the codes went out. In North Carolina in the seven months following the Supreme Court decision against the NRA a number of permits were issued to 14- and 15-year-olds for full-time work in textile mills and other factories, and in addition

* This does not take account of the children under 10 years of age who are employed. "Although the number of steady year-round workers under 10 years of age is not large, and although statistics for this group are not available, it is known that considerable numbers are intermittently employed in agriculture, in newspaper selling and in other street trades, and in industrial home work." (*Child Labor Facts*, Bulletin No. 197, U. S. Children's Bureau, 1933, p. 3.) All of these children, moreover, are in the unregulated occupations.

almost three times as many permits as before were issued for work in the "service trades." Reports from New Jersey, Massachusetts, Michigan, Texas, and Indiana indicate that children were being increasingly employed. And this was only at the beginning of the period of nonregulation.

The United States Children's Bureau obtained reports from six states and 102 cities on employment certificates. In the twelve months of 1934 these localities and states reported the issuance of seven thousand regular employment certificates to children aged 14 and 15. But in a far shorter period—the seven months following the Supreme Court decision—eleven thousand certificates were taken out:* on an annual basis that would be an increase of approximately 100 per cent.¹⁰ While the codes were in force only a few of these certificates were issued for work in factories and stores. After the NRA 12 per cent of all certificates were for factory work and 17 per cent for work in stores.

This tendency is particularly serious now, in view of the economic condition of the working class and the general trends in government relief policies.

In the last two years there has been a swelling and insistent chorus (not emanating from the unemployed or labor unions, of course) calling upon the federal government to withdraw from the field of relief. Both major political parties have been quick to respond to this demand, so influential are its exponents; in the words of President Roosevelt to Congress in 1935, they agree that the federal government should "quit this business of relief." The FERA was liquidated and the burden of all outright relief returned to the States and localities, while work relief under the WPA was placed upon a more limited basis. That this policy has resulted in a critical human situation no one can doubt. We can hardly exaggerate the bearing that it has on the problem of child labor.

The effects of depression unemployment on child labor we shall discuss later at some length. But let us consider a few facts now. Varying reliable estimates of unemployment in 1936 put the figure of

* The reader is reminded that these figures on employment certificates are no indication of the number of children employed even in those cities and states. Certificates are required only for certain occupations.

those still unemployed at not less than ten or eleven million workers. When the process of "tapering off" federal relief began, twenty-two million persons, one-sixth of our population, were reported by the Federal Emergency Relief Administrator, Mr. Hopkins, to be receiving public relief. Every informed person knows that even if conditions improved at a rate anticipated only by the most optimistic, we should still have an appalling number in poverty for years to come.

This is the case for urban children. It is to a more extreme degree the case for children in rural areas. Rural communities were the last to get relief while the federal program lasted; they were the first to be taken off the relief rolls. Yet we shall see that the great mass of child laborers are in agriculture, that they are virtually unprotected by our existing child labor laws, and that they go into wage earning from conditions of severe economic distress.

Had the federal government continued and developed its relief policies, concentrating on the areas where the greatest need exists, a check might have been placed upon these tendencies. But the trend has been in the opposite direction.

The result was bound to be deplorable, and the end is not in sight yet with the beginning of the business upturn. The poverty-stricken state of families devastated by years of depression could not but result in their effort to put to wage earning even under bad conditions all members old enough to labor. Children tend to come in for their full share, especially since in so far as they are wanted at all it is because they are cheap. We cannot predict the scale of this movement, but the size of America's present pool of poverty resulting from the past seven years is an ominous index.

All this can mean but one thing to the problem of child labor. We are confronted with a peculiarly favorable economic situation for a supply of cheap child labor on a wide scale. In such circumstances the movement of children into wage earning will be limited—except for the inadequate checks placed by state regulatory laws—only by the demand.

When the facts in America are these, is it not the acme of irony that we must argue the matter at all? Whence came this strange nonsense about the nonexistence of child labor in the United States? The opponents of control must answer that.

INDUSTRIAL CHILD LABOR—AT ITS BEST

MANY Americans whose children are not at stake do recognize that child labor exists and that child laborers are numerous. That is something. In the minds of many of them, however, there has lodged a subtly nurtured assumption—fostered by those who would defeat control—that the harmful aspects of child labor have virtually been wiped out.

Of course, they reason, it would be better if no children had to begin work at 14 or even 15. But the world being what it is, not all children can be in a fortunate position. If and when circumstances (and by that they usually mean family need, or the child's alleged lack of fitness for further schooling) require early work, at least under our benevolent reign of regulation most of the evils of the system are a thing of the past.

Some proponents of control have themselves played into this current of thought. However innocently, they have tended to exaggerate the attainments of control thus far, and in one whole area of the problem have underestimated the abuses: witness their unjustifiable capitulation to the notion that unpaid child labor in agriculture is outside the need (or possibility) of control. More about that presently.

In consequence of this state of affairs, we find ourselves under the incongruous necessity of explaining how very harmful all child labor is.

Child labor, even under the best conditions that obtain in the United States, is seriously detrimental to child welfare. Under the worst conditions it effects incalculable and irremediable harm. The vast majority of children who labor do so under the worst conditions.

Let us first see child labor at its best. By that we mean child work in the regulated occupations. Perhaps as many as 20 per cent of employed younger children are in these trades. Here there are restrictions upon the age at which the child may start, some limitation of hours, sometimes a physical examination to determine the fitness of the child for work, sometimes provisions for health and sanitation in the work place, sometimes provisions for continuing school after a full-time certificate is secured, and so on. What is to be said for child labor under these circumstances?

One thing all child work today obviously means, and that is the cutting off or curtailing of the schooling which supposedly is available from public funds for American children. The public system of education in our country ostensibly provides free schooling, paid for out of taxes, up to and including the high school period. The normal age for graduation from high school in this country is 18 years. But most states permit children to stop school and go to work at 14. For the child who has reached his normal grade, that would mean completion of the elementary school only. We know that when enforcement provisions are lax, many children stop without permits, so that even that much schooling may not be had.

Even when city child workers supposedly are under compulsory school laws, they sometimes have their schooling interfered with. Even for those children who work before and after school, while there may be no actual overlapping of work hours and school hours, schooling nonetheless suffers, as students of child welfare have frequently shown.

Now if the education of the schoolroom were being supplanted by another form of education, and this is sometimes suggested, it would be one thing. But can any informed person claim that such is really the case? Obviously children are hired by private enterprise, not with a view to their education, but with a view to their productive utility. They are employed to put out goods, goods that are sold with the hope and expectation of profit. Private enterprise, which avowedly operates under the profits impetus, cannot be expected to hire children with any other aim than this in view.

Is it not possible, however, some would say, that incidentally children may gain much of educational value from their labor for

private enterprise, even though this is not the object of their employment? Do they not gain in experience and sense of responsibility and sometimes even in skill? Are these not useful in preparing them for "life"? So thinks the National Industrial Conference Board, research organ of the manufacturers of the country. "Participation in the economic life of their environment before adult age is desirable and necessary for complete education and maturity of development of the young people of the nation, as well as for the promotion of good citizenship and of the social and economic welfare."¹

Yes, very often people learn things, even from devastating and largely destructive experiences, but that does not mean that the experiences are desirable. Is it not preferable that they should learn the same things, and far more, from what is useful and constructive? Is it not a question of whether the harmful features of early wage earning are not the major features? And if that is so, then it is of no particular social value to go searching about, as do some opponents of control, for instances of the poor widow's son who supports his mother and sisters from the age of 13, and then becomes the leading business man of his community.

When we bring the matter down to concrete terms, when we examine child labor as it actually exists, we cannot but see how barren is the attempt to look for educational "benefits" from early wage earning that are not completely outweighed by the obvious deleterious features.

What in actual fact is the nature of the child's work experience today under private enterprise? What are its characteristics when viewed from the standpoint of child welfare? What does the young person stand to lose if complete prohibition should be put upon his gainful employment? Even a partial answer to these questions for children in regulated occupations will show us the utter futility of child labor, even at its best.

Take the several hundred thousand children 14 or 15 years of age "normally" in urban, or regulated, employment. Privileged-class parents would consider it startling, to say the least, for a son or daughter of theirs to stop school so young. And for him to go into a vocation without a plan and without any training would be almost unheard of.

Not so for the young worker. The group of boys and girls whom we studied—over four hundred of them from Massachusetts in the North and Alabama in the South—showed only a tenth to have had any vocational training, a handful in commercial high school, a few in trade school, and a few apprenticed to learn a trade. The remaining nine-tenths went into the labor market for any work they could get. And these were boys and girls up to their grade in school or better when they stopped at 14 or 15. But, we are asked, how could it be otherwise? For they were only at the normal age to complete the eighth or ninth grade, and up to that time they must do the regular work of the school: there is no time for training. Precisely; yet most of our states permit just this by allowing full-time wage earning at 14.

To make the point emphatic it should be said that it makes a great difference if children have the opportunity to stay longer in school. The young person who continues into high school materially increases his earning capacity. "The United States Bureau of Education says, 'Every day in school after you are 14 adds \$9.00 to your wages.' . . . The boy who leaves school for work at 14 has only half the earning capacity at 25 that the boy has who stays in school until he is eighteen."² Children who leave school at an early age have no vocational training, nor are their chances good of going into a trade of their choice. A government investigation pointed this out years ago. They observed the boys who they felt were "intelligent enough" to have a definite plan, and in two-thirds of the cases found that the work the boy was doing was in no way related to his plan. Nor did it afford him any opportunity of realizing his vocational interest. A boy of 15 who had planned to be a wood turner was a cleaner in a cotton mill; a lad who had expected to learn the plumbing trade was an errand boy in a woolen mill; a 14-year-old weaver wanted to be a farmer. "A 15-year-old door tender in a mine, working in solitude and darkness at as uninteresting and purely mechanical a task as the mind of man can conceive, longs to be an electrician."³

Now it seems a fairly reasonable requirement that child welfare should demand both advice and training in the vocation undertaken, together with some assurance that the child can pursue the work fitted to his interests and capacities. Yet experience indicates an al-

most complete absence of these essential elements for the children who go to work as early as 15.

Most of the jobs at which children work are routine and noneducative to an extreme. This is another major count against early work for children, no matter how safeguarded their occupations may be. "Packing and wrapping in candy factories; 'turning,' 'covering,' and 'binding' and 'tying' in box factories; pulling bastings and brushing clothes in tailor shops; serving as cash girls, inspectors, stock boys and messengers in stores and other establishments; tying and cutting threads, polishing and cleaning shoes, lacing and assembling parts of shoes in boot and shoe factories; counting and sorting and tying tags in novelty shops; and shaking and marking clothes in laundries."⁴ Even the National Industrial Conference Board recognized that such children have insufficient education or experience to get employment other than unskilled and low-grade semiskilled manual work. There is "little opportunity for advancement" at such work; the only skill it teaches is speed.

The particular group of children we studied showed 35 per cent at unskilled tasks. Forty-seven per cent were listed as performing "semi-skilled" operations, but this was undoubtedly a rosy view, as many of the jobs were really unskilled. At least one-fifth of all the jobs of these particular children were out-and-out blind-alley tasks.

Some blind-alley jobs that children go into are probably worse than others. Consider the educational value of hooking hooks and eyes together day in and day out, or separating buttons, or shaking out laundry, or pasting labels on bottles, or a thousand and one other tasks learned in a moment and leading nowhere. But let us take one of the better types of job—employment at "table work" in a shoe factory. It is blind-alley work because the child can learn it within a very short space of time, it trains her for nothing, and it is a step to no other process. But more status is likely to attach to work in a shoe factory, even unskilled work, than to clerking in a ten-cent store, or being errand boy or stock girl or doing unskilled work on paper boxes.

Let us follow 14-year-old Sarah into her factory.

Sarah has had one other job already, bunching artificial flowers for two months at \$2.50 a week. Then a friend told her that they needed another "table girl" at the shoe factory where she worked.

Sarah arrives just before 7 in the morning. Some of the men workers stand about on the sidewalk waiting until time to go in. It is summer, and already in the city the heat rises up from the pavement and hits her in the face. Sarah asks one of the men where the office is. Her knees feel unsteady as she goes up to the small window in the wall. The clerk behind is stirring about getting her things together for the day. Sarah has to wait a moment. Has she any experience? Go see the forelady in the stitching room.

This is a small factory. Table girl work is in the same long low room as the two double rows of power machines for stitching uppers. The table girls are at one end. Even the skiving machine is in this room. The manager-owner wants a skiver today too. Before the day is out a girl comes in looking for work, not much older than Sarah; when the manager asks if she can skive she says, "Yes." She must have wanted work mighty bad, because she probably never saw a skiving machine before. One try at the machine and the forewoman gives her a tongue-lashing and sends her in tears out of the door.

When Sarah reaches the room her friend is already there. "This is a girl friend of mine," her friend says to the forewoman, "a good worker, quick." The forewoman sits the child down as the clock strikes seven and leaves her. "What do they pay me?" Sarah whispers to her friend. "Better wait and find out," her friend advises. "Don't ask. I get \$7 a week." The forewoman shows Sarah where to fetch the linings. She shows her how to spread them in overlapping rows. She gives her a brush and a container to hold cement. She shows her where the heavy can of cement stands in a corner of the room; from it she is to refill her cement pot. She sits her down at the long table in a chair too low—but Sarah will not realize this until she has awful cramps in her shoulders for days and finally piles some old newspapers on her chair to make it higher.

"Cut on the power," the forewoman had called at 7 o'clock, and one of the operators pushed the switch. The power machines begin to whirl—occasional scraps of conversation in between. This is an old plant as well

as a small one. On the floor below are the lasting and bottom departments. The bang and crash of their heavy machines sound upstairs.

Sarah cuts her eye around at the other table girls, at her friend across the way, at the forewoman moving about the room. Table girls work on time rates, but they have to keep up their pace because the pieceworkers at the machines are held up if table work lags. Not only is the forewoman on the job here, but the owner-manager too; he is in the stitching room off and on all during the day.

Sarah struggles with her first clumsy efforts. The forewoman glances at her work each time she passes. Be sure you don't cement the wrong side of the lining. Be sure you don't put too much cement on. Be sure you get enough. Don't take so many strokes—you aren't painting a picture. Do it at a few dips and a few strokes, thus. Deftly the forewoman puts down a stack of linings. With almost one movement she picks the right number and spreads them in overlapping rows. A dip into the cement, with swift stroke she makes the brushful count. Sarah feels all thumbs. She knows she is too slow and too careful. Her mother always tells her so at home. They laugh at her because she washes each separate knife and fork.

The table girl sitting next to her works easily and in a steady rhythm. Been doing it for six months, she says. "This and other table work; there's other things beside linings to cement. Could go as fast as this the second day almost. You've learned all there is to learn about it now, and it's only half past seven. You'll get a little faster, that's all. In a week you'll wish there was more to learn. Nine hours a day of this for six months—with the cement smell under your nose every day. Yesterday this place was steaming hot. Once they put me running errands for a day. At least I could move around. It's lots cooler on the second floor in the lasting room. Right up here under the roof is awful. For two days I was working in the cutting room, writing numbers on pieces of the shoe. It's so nice and quiet down there I got lonesome for noise. I never wrote so many numbers in my life. That wasn't regular work. You're getting the hang now. It's easy. There's really nothing to learn."

The experts tell us that the work children must do is "unskilled, mechanical and monotonous." It offers the child "little opportunity to acquire either experience or skill likely to be of value to the adult

worker. . . . Most of the children go from their children's jobs into work that can be learned at the most in a few weeks' time."⁵ As the United States Children's Bureau once put it, what children have to look forward to, who go to work as early as 15, is "unsteady work in monotonous and unskilled occupations, for small wages, with little chance of increase in earnings and considerable chance of enforced idleness."⁶

But what other jobs are these young children eligible for than unskilled and nearly unskilled tasks? We must expect them to fall into just this type of work when they are thrown indiscriminately on the labor market of private enterprise, untrained, unguided, and with no forethought and planning by society in their behalf.

The opponents of child labor control are pious in their wish to save children from idleness and consequent misbehavior. What is their estimate of the shameful amount of enforced idleness suffered by children who stop school at 14 to work, and then spend not a few of their days between jobs in search of work? One investigation (made in 1920, when child jobs were plentiful) found that two-thirds of the children observed had held two or more positions inside the year of work they had had. Almost a seventh had held five jobs or more.⁷ In another case two-thirds were found having experienced two or more job changes; again a small proportion had changed about to an extreme degree. More than one-third of the boys and one-half of the girls had left their positions involuntarily. Our investigation of child workers found more than a third to have suffered unemployment of some duration since they stopped school for work.

Mary Ann was one of these. Mary Ann stopped school in midwinter. Her birthday came in December and she could get a 14-year certificate then. Her mother was a widow, with three children to support. Mary Ann's job was grading in a peanut oil mill. She worked fifty hours a week, earning \$3.50. But the factory closed down after three months, so Mary Ann must look again. Day after day for five months she looked. She could not go back to school because she had to look for work. Finally she happened on a job as seamstress in an underwear factory. There the hours were nine every day including Saturday, fifty-four a week. It was piecework, and at the end of four months her weekly wage had never

been more than \$4.50. Then the plant went on short time and began to lay off workers, Mary Ann among them. But she had a little experience now, and she kept trying clothing factories. It took only a month of looking this time before she got work in a shirt factory, at the same hours and the same wages as her previous job. But then it only lasted four months and at last count she was looking again.

There was a certain Peter who also started in at 14. He had been trying to locate a job so that he might get his work certificate. He heard on the street of an opening in a clothing shop and applied. Peter worked as general helper. It taught him nothing at all. Moreover, it lasted only a month, and he was on the streets "looking" again. Looking consists in reading newspaper "help wanted" columns, walking by factory doors to see if there are "help wanted" signs, sometimes getting up courage to go in and ask at the office for work. For a month Peter looked. Finally he got work in a hat cleaning establishment, but a month of that and he was laid off again—"business slack." Meanwhile he had done as so many boys of his age do, put in his application for messenger work at the telegraph companies. After three months he was called by the company to come to work. He had steady work as telegraph messenger for practically a year. But there too they began to lay off; Peter's time came, and he was out looking again. Despite the fee that he knew he must pay, Peter went to a private employment agency this time. The agency sent him to a hat cleaning shop. This time again Peter kept his job for a year. But again work grew slack, and he was once more unemployed. Then Peter decided to try his hand at factories. He did not choose: he tried them all. He even tried a certain shoe factory (which he hated to do) that had a reputation for employing numbers of boys and girls and paying low wages and working them very hard. There he was put at unskilled hand work in the lasting room. He was almost relieved when at the end of two months he was let go because of slack work. Peter was looking again at last count. But his clothes were getting shabbier, his spirits lower. His family was now receiving public relief, for Peter had been the only member with a job. The boy had done well in school, his mother said, and wanted to keep on. But there were nine children in the family, six of them younger than he, and both his father and his older brothers were unemployed.

Many a 14- or 15-year-old child's work history runs like this: First job, a coat factory for two months, the factory closed, and unemployed for four weeks; second job, wrapper in a shoe factory for a month, unemployed six weeks; third job, assembling bottles for two months, then out of work two; fourth job, sewing on buttons in a clothing factory for three months, laid off and out of work a month; fifth job, a few weeks "on a machine" in a clothing factory, work became "slack" and at last account out of work nearly a year.

This state of affairs has been termed "demoralizing." That seems to us mild. That children should give up their schooling in the expectation of work, and then in large numbers be shunted about from job to job or be tossed into the mass of unemployed, with all that that implies, seems to us nothing short of disgraceful. There is nothing remotely in their interest about that.*

When children go to work full time under our laws, they usually have no more leisure time than do many adult workers. Indeed they are treated very much as if they were adult, except for a few protective restrictions.

The progressive hours objective a few years ago was forty-eight hours a week. Now it is much less. A number of states have the forty-eight-hour week provision—for certain occupations. But exclusions and exemptions are always handy, even for the occupations that the laws touch. The good of the industry apparently must take precedence over the good of the child. Canneries are a fine case in point, as we shall presently see. And many states that provide a forty-eight-hour week for 14- and 15-year-olds permit fifty-four, fifty-six, even sixty hours as soon as the child reaches 16.

Among over nineteen thousand continuation school children in Pennsylvania in 1926, children of 14 and 15, large numbers were found working over forty-eight hours a week; they comprised almost half of those in the clothing industry, nearly two-thirds of those in lumber, and over two-thirds of those in the great child employing

* Of course some children return to school when unemployed, though our sample would suggest that the proportion is small. The marvel is that any number do, when we consider that they are from six months to a year or two behind their grades, and must take up their lessons where they left them. It presupposes an adaptability on the part of the schools which they usually do not possess.

industries, textiles and boots and shoes. An appalling number worked more than fifty-two hours. In Michigan in 1930 over a third of a sample of 14- and 15-year-olds were at work more than forty-eight hours.⁸ In New York City and Chicago the numbers working long hours were found to be much less.

Our first-hand knowledge of how hard it is to generalize about conditions from legal provisions came from our own observations. Both Massachusetts and Alabama have a supposed "eight-hour law" for children. The Massachusetts law is unusually broad in its coverage. There we found only 7 per cent of our group of industrial children at work fifty hours or more. But Alabama was another matter. There the chief child employing occupations were apparently exempted. Nearly one-half of the two hundred Alabama children we studied were working fifty hours a week and more. We had a few instances of 14-year-old boys working eighty hours a week, and many were found on the job from sixty to seventy hours.

Waitresses in restaurants, table boys at soda fountains, curb boys at lunch stands, these personal service employments required some of the longest hours.

Fifteen months in a restaurant for a 15-year-old for seventy-two hours every week; ten months at a soft drink stand for a boy of 14 for sixty hours a week; after eight months still working seventy-two hours a week as table boy in a soda shop; still curb boy at a lunch stand after almost a year, and still putting in sixty-six hours every week; at 15 years of age working from 10 A.M. to 9 P.M. (an hour off for lunch)—seventy hours a week, and the girl had been at it eight months; beginning at 15, bellboy in a hotel seventeen months, 8 A.M. to 6 P. M. seven days a week except one afternoon off. Also at 15, a filling station job when for two months he worked ten hours a day seven days a week . . . These are records of a few of the children we knew. No time for anything except work, said their parents; none for play, as one mother added, "except at night when he ought to be asleep."

Child clerks in stores, child delivery boys, child messengers, over and over again we found them at cruelly long hours. The same corporations that employed such children only forty-eight hours in northern states (as the law provided) we found employing them

sixty hours and sixty-six hours in the South (where the law allows it).

Many young boys are clerks and helpers in grocery stores, including chain stores. A child of 14 worked in a "serve-yourself" grocery in the year 1932 approximately seventy-eight hours every week. The previous summer he had been errand boy at a grocery store and had been on that job eighty hours, from 7 A.M. to 9 P.M., and all for \$4 a week. There were several 14-year-old boys whose first positions were in grocery stores where they worked from sixty to sixty-six hours, and one who began at 15 and for more than two years had been on duty seventy-two hours a week for a cash-and-carry store.

Delivery work is frequently unregulated as to hours. Sometimes boys help on delivery trucks for stores, sometimes they deliver on bicycle or on foot. Less than seventy hours a week for delivery boy jobs began to sound almost mild to us. Yet working from 7 A.M. to 7 P.M. (an hour off for lunch) is not child's play. Among those we knew of, some worked sixty hours, some sixty-six, their wages ranging from \$5 to \$8 a week. One boy's hours for a drugstore ran from 9 in the morning to 9 at night; he was 14 when he found the position, and had held it for two years.

In the South boys and girls sometimes work sixty hours in factories. The Alabama law forbids it for children under 16, but not all southern states do. Even at 20 or 30 or 40 years of age, a ten-hour day in a cotton mill is a long day. At 16 it is indefensible. Sometimes the day is eleven hours for five days and five hours on Saturdays. None in our group had worked less than a year at these hours, some had worked three or four years. Some began as battery fillers, doffers, or helper to weavers, and have since learned the weaving or spinning trade. A doffer may be a boy or a girl, and so with battery fillers. Spinners are usually female, and weavers male.

Cotton mills are not the worst of it. Knitting and braid mills, pecan shelling and pickle factories, and miscellaneous factory employments of various kinds also showed long hours for children. A few instances of children 14 and 15 working sixty-hour weeks appeared. Then the state child labor inspector had found them and required a certificate of the employer and an eight-hour day. For a forty-eight-hour week they earned \$4; for sixty hours it was \$4.50 or \$5.

One child who began as weaver in a braid factory at 14, when she reached the age of 16 was put on an eleven-hour day. For it she earned \$6 a week. Her home was four miles out in the country, so she left the house before 6 A.M. She went on a bus with several neighbor girls who worked as she did. Add eleven hours to 6:30 or 7 o'clock and allow time out for lunch, and then start the girl home again at 6 P.M. at the earliest, and the result equals her day, if meanwhile we remember that she was at a knitting machine from morning to evening. If one girl was given overtime, then all had to wait until she was ready to go home on the bus. What was left of her wages after bus fares, this particular child felt she must give to her family: that was her reason for working. "The girls are so tired when they come home they don't do anything," said her mother.

These are not usual hours, they are unusual. They are in the South, where regulation is least adequate. But they exist, and even in our small sample, taken at random, and in one of the better regulated southern states, they were found to exist frequently.

* * *

But again take matters at their best, even though to do so does not touch the mass of children. Even with the forty-eight-hour week, is the child likely to find time and energy for cultural and social development outside of work hours? A little calculation of the time needed for sleep, for meals, for getting to and from work, for even a bare minimum of home duties, quickly banishes any such hope for working children. What upper-class parent would plan such a program for his 14-year-old child?

Wages might be thought a consideration in evaluating the child's work experience. But we can think of no probable wage rates that children might earn that would justify the losses inevitably incurred by the abrupt termination of their opportunities for full cultural, social, and vocational development. And actually the sums that most of them receive are pitiful.*

In Tennessee in 1928, in the midst of prosperity, \$5.20 was the

* Usually wage figures are given in averages. And the form of average usually used is the median: that is, one-half the children earn less than this average, one-half more.

average weekly wage for boys, \$6.05 for girls in cotton goods and hosiery; \$7 for boys, \$6.80 for girls in department stores; \$6.50 for boys, \$5 for girls in ten-cent stores. How low the lowest rates went we are not told. In Georgia in 1928 the highest weekly wage ranged from \$5 to \$8 in cotton and silk manufacture; the lowest was said to be \$5. In Chicago the median for boys in 1930 in manufacturing was \$12.54, for girls \$8.72: the large northern cities usually make a better showing.⁹ We found nearly a third of our young workers in Massachusetts and Alabama to have earned the meager sum of from \$2 to \$6 a week on their first jobs. The boys averaged around \$7 in Alabama, and around \$8.50 in Massachusetts. The girls averaged a dollar less. We found instances of children earning \$2, \$3, and \$4 a week for sixty hours of spinning, delivery work, or other tasks. In no case did they work less than forty-eight hours.

Children who work are far more subject to accidents than are adults. This fact has been known for years. One government study found for southern mills an accident rate per 100 workers aged 16 and over of 1.38, while for children of 14 and 15 the rate was 2.04.¹⁰ Of course not all accidents can be prevented. But as soon as anything approaching adequate compensation laws are instituted the industrial accident rate goes down to an amazing degree. Boys and girls in their teens, especially those under 18 years of age, should never be permitted to work at operations that are known to be dangerous. Experts can very readily establish which operations should be prohibited to boys and girls: where the compensation laws make this worth while, the results are easy to achieve.

The records tell us—where any records are kept—that machinery operations are a frequent cause of industrial accidents to children, power-driven machinery especially, but also fans and blowers and pumps. Even children under 16 sometimes are put on machines. In general, the younger the person the greater the hazard. But boys and girls of 16 and 17 are more frequently given machine work, and they suffer proportionately. Punch presses, used in metalworking, cause partial disabilities in many cases. Certain woodworking machines are dangerous. When children are too young for the work to which they are assigned they tend to have accidents that adults on the same job are not nearly so likely to have. Handling heavy objects—using

hand trucks and loading and unloading weights too heavy for their age—is very hazardous. Falls, in tasks to which they should not have been assigned or for which proper safeguards have not been provided, are causes of child injuries. So are cuts and bruises and lacerations from hand tools. When we follow the record of industrial accidents to children, we begin to feel that in most cases they should never have been engaged on the operations on which the accidents occurred.¹¹

The cable supporting a scaffold on which a boy of 16 was sent to work gives way: the boy falls and is killed. Why was a 16-year-old sent to work on the scaffold in the first place, and why had not the cable been tested so that it would not break?

A boy of 16, employed as helper for putting up electric wires, falls from a pole where he is working, fracturing his skull, jaw, and both arms, and causing permanent injury which will seriously curtail his future earning power.

A newsboy of 10 years of age jumps from the running board of a newspaper delivery truck. (Who has not seen the trucks grind to a swift stop to drop papers?) The child does not jump quite fast enough, is thrown under the wheel, the wheel rolls over his right leg and breaks it.

A newsboy of 13 is waiting in the pressroom for his papers. There is an unguarded machine in the room. He comes too close, catches his foot under the drive wheel, it grips him, he loses two toes. He has a "permanent partial disability." Pressrooms, we learn, are not good places for newsboys to wait for their papers. That drive wheel was a violation of the law in being unguarded.

A boy of 16 goes to work in a sawmill. The saw is unguarded. The teeth strike a knot in the board. The board jumps, the boy's right hand, instead of the board, catches the full force of the teeth: four fingers cut clean off. (He was seen again at the age of 20, four years after the accident. He was salesman in a store; he had found nothing else because he had lost a hand; he had no future beyond his present job; he dreaded meeting people; he was morose and discouraged.)

A 17-year-old girl goes to work as learner in a textile mill. She is fresh from the country. She is put on a carding machine. The foreman tells her that when the wool sticks she is to put her hand into the machine to loosen the wool. One week after she is put on the machine her hand is caught, the teeth tear into it. She is disabled for life: a middle finger "bent and stiff," the other fingers so stiff they cannot even hold a pencil; scars over all the fingers; a great scar across the back of her hand which takes months to heal; her nerves so shattered that every position she now tries to hold, especially if it is near a machine, is agony for her. (A child submits to dangerous orders: inexperienced, he knows no better, and fears to lose his job. An adult may submit also, but with larger experience, less fear of the boss, a steadier hand, he has a better chance of coming out whole.)

A girl of 14 gets work in a cosmetics factory. One day she is told by the forewoman to fill in for another girl on a blanking machine. One girl operates the machine that cuts out metal shaving cups; the 14-year-old is to feed the metal pieces into the jaws of the machine. Two hours after she goes on the job a piece of metal she has inserted sticks. She tries to force it loose with her left hand; the operator of the machine accidentally (so easily moved is the mechanism) touches the "go" lever. Four fingers on the child's right hand—gone.

A child of 14, son of a laborer, goes to work in a furniture factory to help his family. His job is to feed boards into a glue machine, which another worker operates. One day the boy glances away from the feeding for a second to see if his pile of boards is low. In that moment his hand comes too close and is caught by the machine. When they get it stopped, the hand is crushed and torn. "The grip of the hand was practically destroyed," the use of the fingers virtually gone—at 14.

A child barely 14 goes to work in a confectionery store. He is set to feed a power-driven ice-cream freezer. The law required that the gear to such a machine should be guarded. In this case, as the inspector afterwards discovered, it was not. The proprietor had taken it off, he reported, and had neglected to put it back on again. The child's right hand slips, is caught in the grinding gears. At the hospital they have no choice but to amputate the hand.

Accidents not infrequently happen to children in agriculture. Cut by a tool, kicked by a horse, thrown under a machine: these are some. Most of them are accidents not nearly so apt to occur to adults.

There was a harrowing, if unusual, case in the Connecticut Valley in 1928.¹² In the tobacco country children are daily carried from the cities where they are recruited to and from the fields in trucks. There had been complaints of overloading. A central labor union protested and demanded seats for all in a truck. Then one day a truck designed for three thousand pounds, and in bad condition, by order of the superintendent is loaded with "fifty or sixty" boys, over a thousand pounds beyond its capacity. Driven by an employee of the tobacco company, it careens off. ("My God! Look at those springs!" called out a spectator as it started.) It overturns on a curve, seriously injuring many boys—broken arms, legs, collarbones, concussions, internal injuries—and killing three. The three killed had been pinned under the truck ("their legs sticking out but we were not strong enough to lift it off them"), and after a few moments the truck caught fire and they were burned to death. Their ages were 9, 11, and 12. This was in 1928. Two years later we find their parents still suing the company for damages. Whether the other children who were only injured received any compensation, we do not know.

Telegraph messengers have many accidents, chiefly because of the constant use of bicycles through traffic. In normal times the telegraph companies are said to employ between eighteen and twenty thousand messengers. The majority of them are boys under 17. In 1931 eleven boys out of every hundred who used bicycles in the Western Union service suffered accidents, and two-thirds of all employed messengers are bicycle users in their work. Data for the Postal Telegraph Company show the same trend.¹³

A comprehensive investigation in New York State during 1919-20 found that nearly a fourth of the accidents that working children had suffered constituted a permanent handicap.* General accident figures

* The report here used points out the "greater accident liability of children under 16," and cites the data to show this. But when it comes to generalizing from the facts, it reaches the most amazing conclusions. "It must be remembered, however, that the regulation or prohibition of work for young people in industry does not in itself protect the young persons of the country against accident or its consequences. Many accidents happen, to young people especially, at home

are available from sixteen states. Each year between twenty thousand and twenty-five thousand boys and girls under 18 years of age receive industrial injuries; one thousand are maimed for life; one hundred are killed.¹⁴ That still leaves thirty-two states unaccounted for.

It has long been the opinion of competent authorities that labor at too early an age is actually detrimental to the child's general health. A committee of physicians appointed by the United States Children's Bureau some years ago concluded that children under 16 should not go into industry. "Since it is recognized that the physiological and psychological readjustments incident to pubescence (which in the vast majority of cases is not completed until the sixteenth year) determine a period of general instability which makes great and special demands upon the vitality of the child, it is of paramount importance that he should be protected during this period from the physical and nervous strain which entrance into industry inevitably entails. The child whose body is started wrong by early work is handicapped as a wage earner later in life." Children are also more susceptible to industrial poisons than are adults.¹⁵

Here then is child labor at its best: children habitually going to work with no plan and no training; their jobs usually anything they can get, having nothing to do with their interests and their capacities, only with business demand. The younger children tending to fall into routine work, many into blind-alley tasks. And once they get work, changing about frequently, often as the result of dismissal, and not infrequently remaining for a time unemployed. The hours permitted under state laws moreover leave entirely out of consideration that the child's general education has been prematurely cut off. If he is working full time, what time has he left for proceeding with a normal cultural and social development, and what facilities? If he is working

or outside of working hours, or in the course of working for their parents. Employment in industry, under proper protective and workmen's compensation laws may therefore give the young worker an advantage, and relieve him or his family of a possible burden while it puts a larger burden on industry itself. Moreover, since the larger number of children work on home farms, where accidents are more frequent than in other occupations and little or no protection is provided, it can hardly be said that the exclusion of young people from other occupations is considerate of the interest of the majority of the working children of the country." (Cf. National Industrial Conference Board, *Employment of Young Persons*, p. 55.)

part time, it often means, by the addition of work hours to school, that he is laboring far beyond what is wise for his health and his age. Even judged by material return, he gets all too meager a wage for the time expended in work, and by virtue of stopping school early he has cut down his future earning power by an appreciable amount. We cannot fully measure the injuries to health and general physical development of the young worker, though we have reliable testimony that they occur; but it is numerically well established that younger workers are far more liable to industrial accidents and diseases than are adults; in a significant number of instances they are even maimed for life.

What would the average middle-class parent say to such an "educational" program for his adolescent boys and girls?

STREETS, SWEATSHOPS, AND HOMES

THUS far we have shown the American situation at its best. The worst has yet to be seen. Certain employments are much more exploitative than others: there hours are longest, wages lowest, conditions most unprotected; there children are most profitable and most in demand. The fields of greatest child exploitation today are sweatshop factories, street trades and related delivery work, domestic service, industrial homework, and agriculture. And it is in these fields, largely unregulated as to hours, wages and conditions, that are to be found the great mass of all children employed.

Agriculture employs the greatest number of children and will be treated extensively by us in later chapters. In the other "sweated" occupations the numbers are far smaller, but together they constitute a potential menace to every child whose home is in poverty or destitution, and today that number is vast.

The plague centers of child labor are the South, the scattered areas of large commercial agriculture, the canning districts, certain industries in which sweatshops are rife, and the streets and tenements of large cities.

Street work is notoriously bad for children. The matter hardly requires argument. Yet it has resisted regulation as stubbornly as has almost any other urban industry. Newsboys supply the bulk in the street trades; the Census, which leaves large numbers uncounted, records ten thousand newsboys out of eleven thousand street traders aged 10 to 13, eleven thousand out of twelve thousand aged 14 and 15. Bootblacks are prominent in the 16- and 17-year class, though newsboys are by far the more numerous there. The number of children employed in street trades increased between 1920 and 1930.¹ Even

the most optimistic authorities admit little or no improvement in the conditions prevalent for these children in the last fifteen to twenty years.²

Admittedly street trades are difficult to regulate. But the technique for doing so has been found; the only need is sufficient concern to pass and enforce adequate laws.

We have given numbers recorded by the Census, but let no one suppose that that accounts for all children in street trades. All investigators have shown large numbers of children illegally employed. In New York, for example, in 1931 large numbers of newsboys were found at work illegally: 17 per cent of these were under 12 years of age; a small number were under 10 years; some were as young as 6. The average age in recent years has been 12, but that takes account of large numbers of children 11 years of age and under.³ We are told that children in street trades have greatly increased during the depression years, a fact that we can well believe.

In surveys by the Children's Bureau in a number of cities, eastern, western, and northern, their investigators found newsboys going to work as young as they have ever done.⁴ In every city boys 6 and 7 years old sold papers on the streets. In several cities as many as 20 per cent of the children selling papers were under 10 years. The proportion was not less than 11 per cent in any case. Several cities showed from 35 to 50 per cent of the sellers to be under 12 years old. It is a disgraceful commentary on the exploitative motive in employing these younger children that many circulation managers are said to think that the smaller the boy, the bigger the sales. (As a matter of fact, the very opposite was found by the surveys.)

In many cities as many as 11 and 12 per cent of the boys aged 6 to 15 did not end their after-school work until between 8 and 10 at night. Conditions almost past belief are allowed on Saturday nights. In Atlanta, 29 per cent of the children 6 to 15 years old worked until midnight on Saturdays; in Omaha it was 25 per cent; in Washington, 16 per cent. Large numbers did not stop work until between 10 and midnight.

One good, paying reason for late sales, of course, is the behavior of after-theater crowds and evening pleasure seekers generally. They are not only likely to want a paper if one is available, but sometimes they

will give tips; and the child, especially the young child, is lured with this prospect to stay out as late as the circulation policy of the paper finds it pays. Another device is the practice of many newspaper agents of loading up children with more papers than they can dispose of by a reasonable hour and making them "eat" their unsold copies. (Theoretically, the prevailing system with most papers is to have the child return unsold copies, but in practice heavy pressure is often put upon him.)

That children in street trades, particularly newsboys, are subjected to bad environmental influences goes almost without saying from the nature of their work. But the actual facts often beggar description. The most debasing conditions, especially associated with newspaper distributing rooms, are not unusual. Often the boy "is familiarized with various anti-social and evil practices, such as gambling, stealing, indecency and sexual perversion."⁵ Recent surveys, we are told, show these bad conditions to be rife today. Yet they have been known now for fifteen or twenty years.

Growing rapidly today under the shadow of the depression is a new business practice for the great papers and magazines, that of hiring very young children to distribute their products on regular routes at the children's expense. It is euphemistically called the "little merchant" system. The terms of this system have latterly become very much worse. So many children are hungry for jobs, overrunning the streets and the delivery routes, that it is indeed a "buyers' market" for the great publishing companies, and they have not been slow to take advantage of it. Instead of, as formerly, delivering papers every day to a list of customers and being paid a flat rate by the company, the little boy now has to get new subscriptions, prevent "stop orders," and collect bills—himself standing the expense of bad debts. "You pay the bill and get the balance if there is any," said one child.

Meanwhile the newspaper has secured a horde of circulation agents free. And since its advertising rates vary with its circulation, it is a profitable business to put pressure upon the child. All the methods of high-pressure salesmanship are used. The child is encouraged to tell hard luck stories to customers—sometimes he is actually coached in them—and there is always the magnet of a contest, real or imagined. "Explain to Mrs. Jones that you are in a contest," reads one set of in-

structions, "(carriers are always in a contest, therefore you are stating a fact) and that it is very important to you if she will just continue taking the paper for two more weeks. . . . Some people will stop the paper because they feel hard up at that particular moment, but at the end of the two-week period they will have had a pay-day and they will not feel so poor." ⁶

The time to solicit new customers, it seems, is at night, after the evening deliveries are over. (Soliciting and delivering are never to be done at the same time—it slows one up.) As to school preparation, the newspapers have no formula for that; all the child's time after the delivery route is over is "free" time, so far as they are concerned. And as to mere money returns, never mind how many hours of unpaid work may go into getting one new six-cent two-week customer for yourself; it is the paper that cares, and if you do not get it enough new subscriptions, you will be discharged. As for collections, "the time for collecting is Friday nights after you have finished your route. . . . First of all a carrier must impress upon the slow-paying subscriber that he (the carrier) must pay the office regardless of whether the subscriber pays or not." ⁷

"The carrier must pay" indeed. No wonder that hours have been lengthened and earnings cut in two in recent years. How about the child of 13 who has not made a cent for a month—indeed still owes \$3.50 on his paper bill? After delivering twenty-seven papers every day and twenty on Sunday? Eight to nine hours a week at this work, six hours collecting bills, three hours at soliciting subscriptions? In other words, more time spent on the newspaper's business than on his own, and in return, a net loss.

Of course, the more children there are competing in selling one paper, the greater the net sales, the higher the advertising rate, and the greater the loss in the individual child's time and earnings.

Sometimes children are fined in considerable amounts for non-delivery of papers or for letting them get wet—fifteen cents for a daily, twenty-five cents for a Sunday edition in one town—even twenty-five cents for failure to attend a "pep meeting" of carriers. More commonly they are merely kept up to their best by the fear of discharge and the harsh terms of their contract. A metropolitan daily requires the following. First, it selects the route and designates the number of

customers the child is to be responsible for. Second, the child agrees in advance to pay whatever the newspaper asks ("... prices subject to change by the newspaper on its posting a notice . . ."). Third, the child agrees to pay weekly, and to be responsible for "any amount that the subscriber has agreed to pay" under, for example, a combination newspaper sale and insurance plan. As to bad risks, even though a subscriber may refuse to pay, the carrier "shall have no authority to cancel a subscription." Fourth, the child agrees to deliver free any advertising matter that is consigned to him, not merely to his own customers but to anyone living "within the locality." Fifth, the child agrees not to handle any other paper published in the city within thirty days after termination of his contract. The contract is to run for five years, and the newspaper may terminate it on twenty-four hours' notice, but the child only on fifteen days' notice. Besides, there is a bond which the child has to deposit with the company to cover possible breach of contract, and this the child cannot get back until thirty days after he has left employment.

Bootblacking is another child occupation that has had a mushroom growth with the depression. Little boys with homemade blacking boxes slung over their shoulders can be seen in almost any large town today, in numbers dwarfing anything we have known in decades. Usually they are working entirely on their own. They set up shop in the busiest locations, stay for unduly long hours, and are subject to all the vicissitudes of street life. On the whole they come from even more poverty-stricken surroundings than the children engaged in the other street trades. Along with unemployed adults, they often take to the streets of their own accord as a last resort to bring in at least something. "Saturday night drunks" are unfortunately a useful type of customer for them.

Domestic service must come in for its black mark. In 1933 the Junior Placement Service of New York State reported that three-fourths of the domestic service openings that came to it "offered such wretched pay and living conditions" that they would not fill the posts.⁸

Domestic service for children is not even regulated as to hours of work. Nearly forty thousand children under 16 years of age were in this occupation in 1930, and one hundred and twenty-six thousand

aged 16 and 17. Long hours are the rule. Of the children aged 14 and 15 in continuation schools of Pennsylvania in 1926, nearly two-thirds of those in domestic service worked over fifty-two hours a week. The median weekly earnings of the same group were \$6.34. We do not know how low the lower earnings went. From a group of children who began work as the depression advanced we found instance after instance of long hours and extremely low wages.

We found several 14-year-old children working from seventy to seventy-two hours a week at housework; three of them earned as much as \$5, one as little as \$2.50. (Meals and sometimes lodging supplemented the cash wage.) A large number reported sixty hours, the wage range being anywhere from \$1 to \$5 a week. Those who worked fifty hours were paid wages similar to those of the girls who worked the longer week. There were two-, three-, and four-dollar wages. In only one instance was a wage of as much as \$6 a week recorded.

Industrial homework is one of the most disgraceful fields of child labor, because of its extremely low wages and long hours and the premium it places upon the work of very young children. Nor have we any accurate idea of how numerous child homeworkers are. Surveys have located several thousand in each of a number of large eastern cities, including New York. Eighteen states are known to have found homework a practice within their borders.⁹ The conditions under which homeworkers labor are well enough known. They too have been known for years.

The essence of homework is for poverty-stricken mothers, eking out an existence by helping at home, to gather their young children about them—the majority of home working children are under 12 years of age—to work at eye and nerve straining work in the afternoons after school, and even late into the night. Homework includes such jobs as needlework, work on clothing, artificial flowers and feathers, sewing buttons on cards, putting on tags, making lamp shades and cheap jewelry, and a thousand and one other monotonous and dreary tasks.

Even a glance at industrial homework reveals appalling conditions. A study made so recently as 1934 in New York City showed the same

old abuses that have always characterized the trade: children as young as 8 years working after school and often far into the night; children of 12 remarking that they had to stop work at midnight because school had to be got to, the next day; children telling of how "dopy" they were in school and the teacher "yelling" at them to stir them up. Wages were inhumanly low. We cannot quote them for children alone, but for the home. Nearly a half of the individuals in one group reported work at four to ten cents an hour, netting about \$1.50 to \$5 a week. One worker reported working until 1 A.M. every night in order to average \$3 a week. A family of six children (the youngest of whom was 6) and five grownups, the latter working twelve hours a day, all together were able to earn only \$11.65 a week on artificial flowers.

We have been taking out homework from the same company for 14 years (runs the story told in 1934 by a girl whose family numbers eight). About seven years ago we were able to earn about \$16 a week. The rates have been coming down slowly each year so that about three years ago we were not able to make more than \$3.50 a week. One person must be up early in the morning and be at the shop by seven o'clock. The whole family must get to work immediately in order to have work done by the time told. The work is given out by the pound; that is, so many pounds of bobby pins, safety pins or snaps. The workers are also given so many hundred cards to which they attach the bobby pins or snaps. The work is so measured that there are just enough cards for the pins. Here are a few examples of the work and rates:

Snaps, 16 pounds—300 cards—put 12 snaps to a card. Pay: 14c for 100 cards. Time: 3 hours.

Bobby pins, 18 pounds—200 cards—36 pins to a card. Pay: 36c per 100 cards. Time: 3 hours.

Safety pins, 18 pounds—300 cards—12 pins to a card. Pay: 13c to 14c per 100 cards. Time: 3 hours.

Safety pin bunches, 18 pounds—50 small pins on one large one. Pay: 16c to 18c per 100. Time: 2½ hours.

We all sit around the table and work as fast as we can, slipping the pins on to the cards just right, so that the pins match and the cards are

not bent. It is very tiring to the eyes and nerves. Today very little money is earned. Last week we were very busy and earned \$8 by six people working 12 hours a day.

Many women keep their children from school to run to the factory and to help with the homework. Especially in the families where welfare orders and milk have been taken away because fathers have one or two days' work the mothers have to help with the family living. In order to earn anything and provide food for themselves, they keep the children from school.*

In one Chicago family a child of 13 had worked until midnight every night for over a year; another of 14 had worked even longer hours. Some of these families were earning as little as three cents an hour for their labor, others five cents, eight cents, and some as much as seventeen and eighteen cents an hour.¹⁰ In Pennsylvania a family of six, some of them children, worked late into the nights stringing safety pins, but could earn no more than \$3 or \$4 a week all together. A mother stitching doll dresses, and her little 9-year-old daughter as helper, pulling bastings, together could earn no more than four cents every two hours. Such conditions are common enough in this field of child employment.

The White House Conference on Child Welfare of 1931 said that the only way to reform industrial homework is to abolish it—legally to prohibit all sending out of goods to be finished at home, and to hold the manufacturer responsible. We heartily agree. But for many years our people have had available to them the full facts about this plague. We still let it go on. Why?

Factory employment is supposedly the best regulated work in which children engage. But even factory work has some heavy counts against it. The sweatshop type of factory is a hardy plant, and survives anything but strenuous treatment. One labor commissioner from an industrial state asserted that "conditions in sweatshops are similar to those which existed fifty years ago, with long hours, starvation wages, and poor working environment."¹¹

The most extreme form of sweatshop is the fly-by-night variety. Employing children for a period of time at disgraceful wages, it

* For source see reference note to Chapter I.

literally picks up shop in the middle of night and moves out of town, often leaving back wages unpaid. Such was a shirt factory in a Pennsylvania town. Indicative of its conditions was the work of one boy of 16 who labored from 7 A.M. to 3 A.M. the next morning; for six days and three nights he worked thus, and received at the end \$4.50. This company moved away after dark one day owing four weeks' wages to its employees. Another Pennsylvania concern owed its workers \$6,000 in back wages, having disappeared over the New York line one night. A necktie manufacturer in Connecticut was caught as he was attempting to leave town, owing the girls he had employed two weeks' wages.

Sometimes factories fail to pay wages, which are already at the starvation point, without bothering to move. All sorts of tricks of the trade are used to get around hours also. One employer had the time clock stopped at the legal closing time. When workers checked out several hours after closing time, their time cards showed what they should have (according to law). Whereas they returned to begin work at 5:30 A.M., the time clock had been set by the foreman at 7, so all was well. A Worcester, Massachusetts, firm was found to have worked a 16-year-old boy seventy hours a week, paying him for it \$2. Six girls of 15 in a shoe factory in Connecticut said they frequently worked ten hours a day. A child of 15 in Allentown, Pennsylvania, was trying to support her family of ten members for a year, working nine hours a day and earning at a maximum \$1.50 a week. Another 15-year-old was "promised \$3," she said, but never made more than \$1.50 a week. Once she made fifteen cents for three full days of work. Two boys working for a shirt factory earned about \$2.50 a week each. The Consumers' League tells of a Boston child who earned twenty-five cents per dress for making woolen dresses—pleats, tucks, and bound buttonholes included. In three weeks she totaled \$9. Another child in Worcester who worked nine hours a day had never heard of any girl in her factory earning more than \$4 a week. She herself averaged \$1 for a full-time week. The Rhode Island Consumers' League reported cases where girls, and even women, were earning only twenty-five cents a day. One child made fifty-three cents for a full week's work.¹²

No children in the United States so universally suffer extreme exploitation as do the Negro children of the country. Only 1.5 per cent of white children aged 10 to 13 were at work in 1930. For Negro children of that age group, the proportion was 11 per cent. For the age group 14 and 15, 5 per cent of white children were at work; for Negro children it was 23 per cent. Negro children constitute but one-tenth of all children in the United States. They are one-third of the working children. So few are the occupations to which Negro children are admitted that their problem is virtually covered by agriculture and domestic service, with a large number working in canneries. Over 90 per cent of all Negro child workers are in these occupations. Hence even when the NRA codes were functioning, Negro children were scarcely touched at all.

Mississippi exemplifies the worst conditions that Negro children encounter. In 1928 an urban study made there showed three-fourths of the Negro children working more than fifty-six hours a week; one-third worked more than sixty hours. There were certain legal requirements, such as affidavits testifying to age, schooling, etc., which were supposed to be filed with employers. (The regulation held for certain occupations only.) None of the Negro children at work was made to fulfill this requirement. The entire number of Negro children interviewed were working illegally long hours per week. Few of them had finished the required number of grades in school. While the white children also suffered many of these conditions, the Negro children experienced them to a much greater degree. In these figures we are not touching the agricultural situation at all.¹³

Canneries are a notorious instance of the successful fight of an industry against adequate regulation. Is work in canneries so beneficial to the child as to justify its exclusion from regulation? Yet "exempt" is the status of canneries in several principal canning states.¹⁴ That is why, even though no first-hand data on conditions have been obtained for ten years, we have no hesitation in citing these older facts as of value still.

Down in the Gulf states, oyster and shrimp canning is done all during the winter months. Mississippi stands out. By latest accounts Mississippi's canneries were exempt from its child labor laws, not

only as to daily and weekly limitation of hours and nightwork prohibitions, but as to minimum age requirements as well.¹⁵

Children can shuck oysters as well as adults; they are paid by their output, so it matters little if they are somewhat slower.

Shrimp have to be worked on in ice, not only for the sake of preserving them, but to facilitate "peeling" them as well. Peeling (also called "picking") shrimp is an operation both children and adults perform. It is easily learned. The child picks up the icy shrimp, breaks off the head with one hand, squeezes out the meat into his cup with the other, and that is all.

Children also "clean" shrimp: after the shrimp have been washed, boiled, and cooled, the worker goes through them to pick out bits of shell or whiskers that might have stuck.

In contrast to oyster canning, the canning of vegetables and fruits goes on in the summer and early fall months. Some canneries of course are very large factories located in urban centers, but we shall not consider these. The more usual type, and those where young children are employed, are found set off in isolated places in rural districts near the vegetable and fruit growing regions. Here some workers are recruited from local farm families and others are "migratory"—brought in from the city and established in camps.

There are numbers of operations for which children are wanted. Both girls and boys prepare the vegetables and fruit for canning, and boys do many odd jobs about the plants. For peeling tomatoes, husking corn (when it is done by hand), snipping beans, hulling and sorting berries of all kinds, and inspecting fruit, the youngest children are handy.

In Pennsylvania in 1925 sanitary provisions were found to be dreadful, doubly so when we consider that these were food industries. Only three out of fifty canneries had inside toilets. The others had outside privies, and a third of these "were wholly unfit for human use." In the labor camps connected with a number of canneries, toilets were also in terrible condition. "Two thirds of these privies apparently were never cleaned during the season and many of them had open, over-flowing pits." "In four camps the premises were very poorly drained. Only one had covered garbage receptacles, a few had open barrels, and in many the garbage was thrown on the ground

back of the shacks and over a nearby bank. Flies were as numerous as might be expected under such circumstances and the odor of decaying garbage and improperly drained canneries added the final touch. . . ."¹⁶

In spite of the undue liberty permitted to canneries in the employment of children, they had been known to resort to all sorts of methods to circumvent such regulations as did exist. The open construction of the sheds and buildings makes it easy to hide children or to have them slip out. In one plant the superintendent accompanied an inspector as he entered the oyster shucking shed, and was heard to inquire of his foreman whether the children were all out of the way. An inspector visiting a cannery at night suddenly found the shed and himself in darkness: the electric lights had been turned off. Torches were provided for the shuckers, but they did not suffice for inspection of the shed.¹⁷

By the violations found we can see how freely the laws—such as they are—have been disobeyed. Pennsylvania instituted an investigation of its canneries in 1925. Of fifty canneries visited all showed violations. At the top was one with only two violations, at the bottom was one with thirty-three. The number averaged about fifteen.

Practically all of these violations affected the child workers directly or indirectly. Many children were illegally employed. And the investigators reported that there was reason to suspect that the number was much larger than they found: "Investigators repeatedly saw little figures fleeing from the canneries and disappearing into the woods." The hours provisions, which in Pennsylvania were eight or nine hours, were not in force. Posted schedules showing the hours of work for minors were rarely found.

The difficulties of controlling the labor of children in canneries are exaggerated out of all proportion to the problem. Of course it is difficult if no laws worthy of the name exist, if the enforcement staff is so inadequate that it cannot even inspect once a season, if work and living conditions for migratory labor are left to the mercy of an industry which, before investigations, ever permitted conditions like these. Only the strictest and most drastic control can be expected to have any effect.

One of the child employing industries on which we have most

recent information is southern lumber. An investigator for the National Child Labor Committee gives us a first-hand 1936 account. Many of the branches of this staple industry employ very young children. At logging boys are hired along with their fathers, working even so early as 13 and 14 years old. They do pole peeling at 15 and 16—"work . . . known to loggers as back-breaking and fit only for men."

In turpentine young children, Negro and white, furnish much of the labor. "'Chippers' who scar the trees and set up aluminum pans to catch the dripping gum"; "'drippers' who collect the gum"; "'pullers' who scar trees high above ground": these may be boys and even girls as young as 10 years of age. Wages for such work, we are told, are seldom as much as eight cents an hour, more often from three to five cents. At all these tasks the children work ten hours, sometimes even twelve hours a day.

In woodworking factories children work making crates for strawberries, baskets for vegetables, barrels for potatoes. Boys at 12 may be staple machine helpers, and at 14 operators of machines. Hours are ten, ordinarily, but here too in rush seasons they may be twelve or more. Wages are very low. "No stapling machine can be classed as fit for a youngster of 14 or 16 years. When devoid of a guard it becomes a slaughter-house device even for skilled operators." Yet this investigator saw unguarded or indifferently guarded stapling machines in numbers of places. "In forest districts dozens of children . . . had attended no school for years or were . . . two to six years retarded," from intermittent attendance. In South Carolina, Alabama, Mississippi, Florida, Louisiana, prominent lumber states, these conditions were found—¹⁸ and found, be it remembered, in the year 1936.

If the fields of most severe industrial exploitation of children—street trades, canneries, homework, sweatshop factories, domestic and personal service, lumbering, and turpentine—employed only a few of the children who work, it would be bad enough. For being under hardly any legislative control these trades furnish the worst conditions. Speaking generally, the hours in them are long, the wages low, and the work place (whether it be the street, the home, the shop, or the forest) more often than not has markedly objectionable features. The

work itself is usually hard and almost always noneducative to an extreme. Here are the industrial trades, moreover, where the youngest children, those under 14, are still allowed to be employed.

But these trades employ not just a few children. They employ many thousands. The full number we cannot know; for no attempt is made to count either certain groups or the youngest ages, and many children who are supposed to be counted are missed. We know, however, that their sum is very large. When we add to them, as we shall now turn to do, the children in agriculture whose work is likewise unregulated, the total is many times greater than that in all the regulated employments.

Is it true in such circumstances that some can wonder, Is child labor harmful? Even the "best" that America offers to its child workers seriously betrays their welfare. What should be said then of the far larger worst?

AGRICULTURE UNCONTROLLED

THE greatest single child employing occupation in the United States is agriculture. This is true today. It has always been true.

No less than half a million children 10 to 15 years of age are engaged in agricultural pursuits, and the total is nearly a million when we include boys and girls of 16 and 17. This is a far greater number of children than has ever been engaged in industry. The proportions are greater still; for the total numbers of workers of all ages in agriculture are smaller than those in industry, so that the children form a much larger and more important part of agriculture's working force. Even if one counts the entire ten million persons gainfully occupied in agriculture (that includes farm owners as well as all of the rest), children constitute almost 10 per cent of the number; whereas in nonagricultural pursuits child workers constitute but 3 per cent of the total. Children work on every kind of crop and on every kind of farm job. So concluded the White House Conference in 1931.

The middle-class public commonly has drawn for it a picture that would tend to cast a deceptive haze over these figures. It becomes a vague but pretty picture of the agricultural child worker as the big boy or girl helping father and mother on the farm a few hours during the day, during vacations especially, doing some of everything, learning varied skills, developing physical strength and stamina, living and growing in the great out-of-doors.

To ask what is wrong with this picture requires the answer, "Everything." Most agricultural work for children, as to a lesser degree for adults, is highly seasonal—typical child workers labor

anywhere from several weeks to six or eight months at a time—but during the time they are employed they labor long hours and often under heavy pressure. Moreover, they are allowed to go to work younger than in any industrial form of employment, and their conditions of work are not regulated. A very large proportion are young workers not merely under 16 but under 14, under 12, and even under 10 years of age!* Studies indicate that a fourth of those employed under 16 are less than 10 years old.

As a rule, not as an exception, children in agriculture are allowed to work unlimited hours, hours that would be long even for a grown man—nine, ten, even eleven and twelve hours a day during rush seasons; the conditions of their work are demonstrably and typically deplorable; the school laws are frequently “adjusted” to meet the demands of their labor, and the enforcement of such school laws as do control them is frequently ignored on their behalf. “Subject to little if any regulation,” is the verdict of a Children’s Bureau report.

Children do all the different kinds of laborious agricultural work that adults do, barring the surprisingly small number that they are physically unable to attempt. They do hoeing, plowing, harrowing, weeding, struggling with heavy plow handles, bending double hour after hour chopping out weeds, with a “short” hoe made for a man but held in the middle by a 10-year-old; they plant and transplant, sitting in a cramped position on a mechanical transplanter all day long close to the ground, “feeding in” the plants in a cloud of dust, or crawling along endlessly on hands and knees gouging out a hole for each young plant with their fingers; they worm tobacco and other crops, crushing plant pests in their hands all day long; they thin this crop and that crop, their young fingers nimble, their backs bent, heads down close to the ground, hitching or crawling or squatting, acre after acre. And they pick—how they pick!—these young things with the quick fingers and the light bulk of body and the freedom (as yet) from the chronic stiffness and aches of an older generation gnarled with too much toil. They pick fruits and berries, the delicious berries we eat, strawberries, raspberries, blue-

* The Census does not list child workers under 10! But they work just the same. Every large-scale child employing occupation in agriculture uses them, particularly those specializing in family group labor.

berries, tomatoes; they pick, bent to the ground and lifting heavy baskets from step to step as they go; they stoop all day long in cranberry bogs, gleaning every berry late into the cold of autumn; they pick cotton, fingers flying, both hands, and a great bag, getting heavier with each handful, dragging after them by one shoulder; they pick tobacco leaves, often under a stifling cloth covering that raises the temperature 20° higher than it is outside; they gather lettuce, onions, potatoes; they top and gather beets—four tons a day for the back and arm muscles of each little harvester. Yes, there is no lack of labor where little hands can be used cheap, and fresh energies consumed, while they are young.

Not only has next to nothing been done for children who are employed in agriculture, in actual lawmaking or law enforcement, but for the great mass of children—those at work on the “home” farm—very little has even been proposed.*

On our part we ask, Is there any sector of the whole child labor system that so clearly and immediately demands far-reaching control?

* * *

The child workers in agriculture about whom we hear most are the children employed on commercial crops away from home, sometimes separated from their families, more often accompanying them. Of the total half million of child farm workers 15 and under, about one hundred thousand labor in commercial agriculture, that is, work for wages for an employer.† The other four hundred thousand or

* Of course, studies have been made of children in agriculture, by the National Child Labor Committee, by the United States Children's Bureau, and by individuals and other organizations. The experts working at the White House Conference of 1931 did not fail to give us information about these children, so far as the facts are known, and even drew up some recommendations for legislation. Most of these, however, will be found to deal with the children in “commercialized” agriculture, those who go from their homes to work, either with their families or without them. Regulatory programs for these children have been advanced. But the whole field of “unpaid family labor,” child labor on the “home” farm, is shied away from. That this cannot be justified by the actual conditions and circumstances of these children, and the nature of their “home” employment, we shall undertake to show in the next chapter.

† The Census of 1930 lists only 67,153 under 16 and 225,249 under 18, but it was taken the first of April, when the great commercial crops, cotton, beets, etc., had not yet begun their chief child labor season.

Altogether, as the National Child Labor Committee points out, “The Census figure is an understatement of child employment.” In Colorado, for example, where the Census reported only 2,051 children under 16 engaged in all forms

more are known to the Census as "unpaid family workers," children working on the "home" farm. We must say a great deal about this largest group before we are done, for these children more than any others have been virtually thrown to the wolves by both friend and foe; so much so that even official surveys of agricultural conditions have largely neglected them. Children in commercial agriculture, on the contrary, have received not a little study. About their problem, we are told, something presumably can and should be done—even though programs for helping them have got little further than the paper on which they were written.

In every commercial crop upon which children are hired to work in large numbers, whether truck gardening in New Jersey, beets in Colorado, fruits or berries in California, or cotton picking in the South, the great bulk of the workers come from either the very lowest rank of agricultural labor in the neighborhood (this is particularly true of the Negro children), or else from migratory farm families of miserable status, or, even more frequently in the East, from the families of industrial workers of the lowest economic status in the towns. A large proportion of the parentage is foreign-born.

As early as 1920, a report of the United States Children's Bureau tells us, the families of child workers in the beet fields of Colorado and Michigan came chiefly from a distance, often from industrial districts. The Colorado families were largely Russian-Germans, with the Mexicans beginning to be brought in. Among the Michigan sugar-beet families, over half the fathers did factory labor, for the most part around Detroit. Some years later we read that some of the families in the Michigan beet fields were coming from as far away as Pittsburgh and Cleveland.¹

On the New Jersey truck farms much the same condition was found to obtain.² The families came chiefly from Philadelphia, some from Trenton. Most of the families were Italians, long residents in the country. One-third of the fathers were unskilled workers on the

of agriculture, a single large sugar-beet company estimated in 1930 that 6,000 children aged 6 to 16 were employed in the one section where it operates. Even in the truck farming regions, whereas the Census reported only 706 children under 16 engaged in all forms of agriculture in New Jersey, the Migratory Child Survey Commission in the summer of 1930 personally interviewed there 1,342 migratory child laborers alone.

railroads or in street cleaning. Another third were factory workers, building trades laborers, and in other industrial employment.

Of the Maryland berry and vegetable pickers in 1928, we read that most of the families were Polish people from Baltimore; some were transported to work daily in trucks, most were housed in the fields during the busy season.³

In Washington and Oregon, however, many native-born families "follow the fruit" or "follow the crops." The majority of the fathers, the Children's Bureau reports, were engaged in nonagricultural work.⁴

In southern California great numbers of Mexicans are brought in to work for a part of the year. They too follow the crops, traveling from ranch to ranch with the season.

Not a little has been recounted of these families in recent years, of their young children ready to work long hours for the highest bidder, and their overworked mothers trying to keep up to the pace set by the "row boss" in the field by day and do their necessary housework in miserable shacks by night. Then after a few weeks or months with that crop ended, off again on the road, looking for the next, either in their next employer's truck, or hauled (for a consideration and a rake-off) by the padrone, or in their own rickety car that has been standing out in the fields waiting for them. Perhaps there will be a little better living conditions this time. Perhaps there will actually be some cash left over to face the long winter with! But at any rate, on they must go, taking what they can get while the season lasts. Like the little unemployed girl whose family kept being evicted because the relief would not pay rents, these children can well say, "We are just like gypsies, moving, moving all the time."

How the mothers must smile, if they have the heart, at the employers' advertisement—"1000 pickers wanted. . . . The berry industry offers a fine opportunity for mothers and children to have . . . an outing and . . . an earning capacity sufficient to pay expenses." At the end of the week's work during such laborious "outings," the mothers in this particular region who lived near enough to the city "often went back to the city to do the family washing and to buy supplies more cheaply."⁵

In a number of localities children are at certain seasons engaged

as day laborers apart from their families. In some regions they may work for a considerable period away from home, as, for instance, on the scattered farms of North Dakota, where the Children's Bureau in 1923 reported: "Twenty per cent of the children had worked away from home during the year." Most of these were under 14.⁶

More commonly children who work away from home do so by the day. But they are hired extraordinarily young. Of the Puyallup Valley in Washington we read, "Among local children almost as large a proportion of those under 12 as of those over 12 had worked as hired laborers."⁷ In southern New Jersey on the truck farms a fifth of the children who worked as hired laborers were under 10.⁸

In Illinois we read (of an especially considerate farmer), "On one farm . . . boys younger than 10 years were not employed unless they came with older brothers." Most of the truck farmers in this region, however, followed no such rules in hiring labor. "One 11-year-old boy who was interviewed was then working for his sixth year as a day worker, and living in a village near the farm. It was his custom to work all summer except two weeks in July, which he took for a vacation; and also to work Saturdays during the school year. Having begun work at 6 years of age he was an experienced hand, working regularly ten hours a day."⁹

In many cases, especially among the large onion growers (near Chicago), relations were purely impersonal. "Each day's work finds a new crew of workers." When the farmer needs extra help "he goes to the open space at the end of the street-car lines in Jefferson Park, where, at an early hour in the morning, he picks up a few boys, or a little later in the morning he hires boys who . . . come by his farm asking for work. . . ."

Many of these children came from long distances and had to start from home at 3 or 4 in the morning. "The process of obtaining helpers is customarily spoken of as 'bidding at Jefferson Park.'" To this place before it is light the little boys came and stood around trying to auction off their services ("the youngsters shout their own superior qualities as workers"), "while the farmers bargain with them for their day's labor. The amount of pay offered is determined directly by competition, . . . by the number of workers on hand. . . . As

each farmer selects the number of workers he requires he drives off with them in his . . . truck."

In other words, little children of all ages who were able to work could come by themselves to this place "at the end of the street-car line," many having to start "as early as 3 A.M.," to work all day under unknown conditions, for unknown pay, for strangers. Their parents could not possibly know where they were or what they were doing until they got back. Work being commonly from 7 A.M. to 6 P.M. the children "cannot arrive home until 7 or 8 o'clock in the evening." Well may the Children's Bureau say gently, "A striking contrast may be observed between the working hours of men—who are strong enough to enforce their demands for a shorter working day—and the working day of the children who cannot protect themselves . . . the children working in the fields can hear the factory whistles blow and see the operatives leaving the factories for home at half-past four in the afternoon, when the children themselves have an hour and a half still to work."

As to the work that these little hired hands in Illinois did, cultivating, weeding, and harvesting of all sorts, especially of onions, was their chief task. Weeding can be done by the youngest, and for most crops must be repeated about three times during the summer. "The children crawl on hands and knees between rows of plants and usually pull up the weeds with their hands. . . ." Onion harvesting is strenuous work. The bulk of it is done in August, with the sun at its hottest. If the onion is dry, the top is twisted off, otherwise it is cut. "Several twists are necessary if the tops are stout . . . the children sit on the ground, pull up a handful of onions, loosen the dirt, if necessary dragging them over the ground several times, twist the green tops off, and put the onions into half-bushel baskets. Because this work is usually paid for by the piece the children are tempted to work fast, and wrists are frequently strained as a consequence."

On the Norfolk, Virginia, truck farms during the 1920's, the Children's Bureau found almost three-fourths of the working children under 16 working as day laborers; on the Hartford, Connecticut, tobacco farms, nearly two-thirds; on the Illinois truck farms near Chicago, three-fourths.

Of 500 such child laborers interviewed in the Chicago region in

1924, 125 were under 12 years, 214 were 12 to 14, and only 163 were so old as 14 to 16.

The parents of most of these children were industrial workers, four-fifths of them foreign-born.* Their economic status may be seen by the fact that one-fourth of the mothers were working.

The 1931 White House Conference report compiled a table from the various studies made of agricultural child labor, showing the ages of the children working on different crops. The total amounts to more than twenty thousand children. Twenty-three per cent were 14 and under 16; 28.5 per cent were 12 and under 14; 23.4 per cent were 10 and under 12; and 24.4 per cent were under 10 years of age.†

Taken by and large, the families of child farm workers would seem to come if anything from more depressed groups of the working population than do the families of the children who enter industry. Are they also equally insecure? Actual figures on this subject are lacking, but there are qualitative data in abundance. Successive studies of the Children's Bureau and of state commissions of various sorts stress the number of broken homes, of fathers dead or disabled by accident or sickness, of mothers forced into wage earning, of prolonged unemployment and short time, of wage cuts and the loss of small businesses.

A cross section of the child population engaged in commercial agriculture is a cross section of the very least advantaged groups in the country, both rural and urban.

We have spoken of the groups of children working as day laborers. The typical child working in commercial agriculture, however, is

* However, the United States Children's Bureau adds, practically all were literate, English-speaking, and resident in the United States more than 10 years. (See reference 9.)

† The full table is as follows:¹⁰

NUMBER AND AGE OF CHILDREN WORKING ON
DIFFERENT CROPS (a)

Age	Cotton	Beets	Tobacco	Onions	Truck	Hops	Berries	Grain	Total	Per Cent
Under 10	685	1,635	385	86	533	62	1,032	689	5,107	24.4
10, under 12	391	1,590	528	137	493	106	1,056	589	4,890	23.4
12, under 14	408	1,748	796	250	672	163	1,266	662	5,965	28.5
14, under 16	361	1,546	491	246	572	183	920	495	4,814	23.0
Unreported	11	....	78	...	6	3	13	43	154	.7
Total	1,856	6,519	2,278	719	2,276	517	4,287	2,478	20,930	100.0

(a) From studies by United States Children's Bureau, United States Bureau of Labor Statistics and National Child Labor Committee.

working not as an independent hired hand but as a member of a family group. His wages are not collected independently but are paid to his parent. And the wages of the adult members of the family are lowered proportionately. For family agricultural wages, usually put upon a piece basis, are set so low that it takes the combined labor of all of the members of the family to give the household a bare living. "There is little standardization of wages in crops or communities," we read in the White House Conference report, "or even for the same kind of work in the same community. . . . Children working with their families are seldom paid directly; their earnings are included in the families'." In some truck and berry regions, we read, "The workers receive tickets . . . or checks when they empty their baskets. The children's checks are not kept separate from the parents' At the end of the week or . . . season these checks are redeemed by the father. . . . In tobacco culture in the South . . . children often helped on the farms where their fathers were employed as laborers *and their pay was included in their fathers' wages.*"¹¹

Such children might work ten and twelve hours a day, at all the most tedious tasks of an exacting industry throughout a southern summer and fall—cultivating, hand transplanting, topping, worming and suckering, cutting or picking, "housing," and finally "stripping" the tobacco—and yet at the end of the season have nothing to show for it save the evidence that by their labor their father would be permitted to continue to work the acres of his employer at less than one man's living wage.

On the truck farms of New Jersey in 1930, the father's earnings averaged only about one-third of the earnings of the entire family group, mother and children earning two-thirds.¹²

In Colorado in the summer of 1933 annual incomes of beet workers' families were two-fifths of what they had been in 1924, averaging for the year fifteen cents per person per day. What hope is there, asked the National Child Labor Committee, of removing the curse of child labor on wages such as these?¹³

In the summer of 1934 at the Seabrook Farms strike in New Jersey, the workers demanded (and were refused) a wage for adult male labor of twenty-five cents per hour instead of fifteen to eighteen

cents.¹⁴ And in June of 1936 newspapers were full of accounts of the cotton strike in Arkansas, where members and sympathetic supporters of the Southern Tenant Farmers' Union were being railroaded off plantations and out of the state for demanding \$1.50 a day for adult male labor for ten hours' work—the prevailing pay having been seventy-five cents a day for men, and proportionately less for children, and the day for all hands having been from daylight to dark.

Recently a new method of wage payment has been devised in Colorado. The sugar-beet laborers had always worked on contract—so many acres per family at so many dollars per acre—but lately the large sugar companies have been refusing to pay the workers' immediate employers, the growers, a flat price for their product, but have paid by sugar content. This "risk" the growers have in turn passed on to their contract laborers, paying them varying rates and withholding the bulk of their wages until the end of the season. "In practice," writes the National Child Labor Committee, "each individual grower is left free to write his own contract. . . . All kinds of prices are quoted for the different work processes. There is a large reservoir of unemployed there."¹⁵

In Maryland the Commissioner of Labor reported that in many berry-picking camps the family groups were made up chiefly of the mother and children under 14. Fathers remained in the cities, said the Commissioner, because (and this in the 1928 growing season at the peak of prosperity) they felt that they must hang on to the jobs they had for fear they might lose them and secure no others upon their return. At the same time he reports a 20-per-cent cut in wages. (The payment now was two cents a quart for strawberries, etc.) "In all cases," we read, "the pickers are paid by piece work. Payment is customarily made to the family as a group."

As to any restrictions put by employers upon child employees, it was said of Maryland farmers that some do not accept children *under the age of 8*. One farmer "makes a decided effort to control child labor [*sic!*] by paying only those children who can 'keep up their rows,'" ¹⁶ i.e., stand the pace set by the older workers and finish each job properly as the groups move rapidly along the rows of plants, thinning, weeding or picking. In the hop growing districts of the Pacific coast "the majority of working children under 10 picked hops. Some

managers said the children did not pick 'clean' (that is, they allowed too many leaves to fall into the basket), but they made the same complaint about many adult pickers." (The sun is very hot, incidentally, during the picking season, and in picking the worker stands continuously; also occasional children develop a rash called "hop poisoning" and others complain that the odor of the hops sickens them.) At this work one picker is usually assigned to each row, but young children usually work in the same row as their mothers or older brothers and sisters. It was this practice that the Maryland truck farmer would not permit—the child must assume full responsibility for his own row, so as to be kept at full speed and be weeded out if he proved lazy or inefficient. We must wonder if employer sentiment regarding children's value and efficiency is well represented by the advertisement appearing in Pacific Coast papers calling for five thousand strawberry pickers and stating, "Boys and girls over 7 years old can do as well picking berries as men and women."¹⁷

This, then, is child labor as it actually is carried on in commercial agriculture. By what strange alchemy of reasoning has this fact of exhausting toil been turned into its opposite? How dare those who favor child labor on the commercial farm fly in the face of all the evidence of all the investigations that have been piling up in our libraries these many years? As the Children's Bureau puts it, in industrialized agriculture the children work at piece rates "at monotonous and repetitious operations, under the eye of the row boss." "Their conditions are very like those of factory workers, while their hours are far longer."¹⁸

Here is a very striking fact: the hours of young children in agriculture are much longer than those of adults in factory work; the well-nigh universal rule in agriculture is for the children to work exactly the same hours as their parents, no matter how long those are. In 1933 the National Child Labor Committee found that the twelve-hour day for children in the beet fields was usual; from 6 A.M. to 7 P.M. they toiled, with only an hour off at noon. A school official said, "I have seen children topping beets at night; when it gets dark they back an automobile into the fields and by the aid of the headlights keep on topping as long as they are able to stand it."¹⁹

Some of the worst conditions of child labor are to be found where

the padrone system exists. This happens in not a few sections. Here a labor agent acts as go-between for families and employers. Sometimes, especially with city workers, he offers them advance credit to reach their destination: once there, they are not only in debt to him but have the heavy expense of transportation to get away if they find conditions intolerable.

The padrone is ordinarily a man but little removed from the level of living of the families he hires. He is employed first and foremost for his success in getting and keeping on hand an abundant and docile labor force. What margin he can squeeze between his intake and his outgo depends largely upon the number of ways in which he can mulct the families in his charge of a portion of their meager wages.

First of all he recruits the workers. Sometimes, we read, "they [the growers] pay the agent 50 cents for each new worker engaged."²⁰ In that case, it pays the agent to have as large a labor turnover as possible, i.e., to have the families move several times in the season. This is even more true when, as often happens, he also charges the families themselves for this service, i.e., when they have to buy their jobs from him. In certain regions a charge of a dollar for each member of the family over 12 and fifty cents for each child between 6 and 12 has been customary. At other times the agent is paid a lump sum per piece on the crop, out of which he pays the workers their piece wages: naturally in that case, the less he pays them, the larger his commission. Often he furnishes the transportation and does so at an exorbitant price, even charging extra for ordinary railroad fares. Sometimes he is storekeeper, running a concession on one or another of the large commercial farms and charging "company town" prices for everything (he and the owner thus both reaping a profit from the workers), or else he peddles supplies, again at a high figure, from door to door of the shacks. Often, as before stated, he is moneylender as well (sharing the honors in this respect with the larger bona fide storekeepers or, on the plantations, with the planter-store-owners). And virtually always he is taskmaster, row boss, overseer, and dictator over the working lives of his clients, "ringing them to work" sometimes by the ranch bell, able

to break them by harsh discipline or poor work places, able to smooth the way (within reason) for those who make it worth his while to favor them. It is he who decides whether it is "too wet today to work"; it is he who (as foreman for the landowner) judges whether the widow with all her children under 10 is really going to be a paying proposition, or whether their corner in the bunkhouse could be more profitably occupied by that broken-down baker with tuberculosis who, however, has two girls of 13 and 14 and a likely boy of 8. . . .

From Philadelphia and Baltimore come the echoes of the padrone's recruiting: "The farmer came to our street. . . ." "The row boss stands on the corner and shouts, 'Strawberry hands! Strawberry hands!'"²¹

Among the Italians from Philadelphia and Trenton the padrones have for many years done a thriving business, hampered only by the private padrone business of the larger New Jersey employers. The system there has closely followed the lines of the English agricultural "gangs" system of the mid-nineteenth century, where "public gangs" under a contractor who would furnish labor to any employing farmer were presently rivaled by "private gangs" operated directly under "gangmasters" for the larger farmers themselves. It is noteworthy that in England this system early became notorious for its extreme exploitation of labor of women and young children, and that legislation regulating it was agitated and partially secured as early as the 1860's. With us the padrone still flourishes.

He flourishes, moreover, with our full knowledge and at least tacit consent. It pays to employ him and it pays him to "squeeze" the workers. Baldly stated, this is the verdict of the United States Children's Bureau. They "prefer to furnish labor gangs for work on specific crops"; it is more profitable to go from one farm to another "and receive commissions from as many farmers as possible." The large-scale farmer gets around this. By abolishing the padrone system? By no means, but by setting up his own.

Some of the worst abuses of the old English gang system persist in the methods of wage payment. Consider the abuses bound to follow the common practice of paying a padrone a per capita

amount for every worker furnished. Even worse, perhaps, is the arrangement by which the padrone is paid per bushel (or other unit) of produce harvested: the lower he can beat the wages of his pickers, the larger the profit he makes.²²

A child working on a gang under such a system has his every move regulated with an eye to profit: if his family is to be persuaded to continue working under the impossibly low wages offered, the combined family earnings must at least be sufficient to keep them during the working season. Moreover, it is to the padrone's interest to have every bushel of the crops saved; consequently he puts pressure and more pressure upon the family heads to save time, lengthen hours, cut short the lunch hour, and make every motion count. And the children, like their elders, have to respond, in the general rush for survival.

Gangs in this country generally work in family groups or batches, though occasionally children will be drafted to do some special rush piece of work in a group of children only. The gangs themselves, especially in the berry regions, though also in hops and various other crops, often consist of women and children alone—no able-bodied men wanted. "Growers," we read, "make little attempt to engage men for picking berries, but advertise for women with children over 10 and 12 years. . . . Owners of large ranches sometimes send a truck to the docks and railroad stations [this was before the depression, now they do not need to] . . . to pick up what families they can find." Quite naturally "there are no formal contracts or agreements between employers and pickers," and mothers and children accept what they have to.²³

In the Colorado sugar-beet regions a variation of the padrone system has but recently come in, by virtue of an increasing debt relationship. It has grown out of the extremely low prices paid for the hand work on beets, plus the practice of the growers in holding back from a third to a half of the spring work wages until the crop is harvested in November. During that period, it seems, the workers in the fields must eat. Into this breach steps the storekeeper. The beet workers must buy from him on credit, else they cannot buy. What happens in the South to sharecroppers happens in somewhat like manner here to the beet workers. By reason of their debt to him the

credit merchant takes over the control of their working lives.* One storekeeper was found carrying thirty-eight families: he found them their jobs with the growers, he furnished them transportation to the fields, he carried them their food supplies from his store, he dealt for them with the growers. Their indebtedness is charged against their end-of-the-season pay. Caught thus, workers can make their purchases at but one store, where they must pay the high credit prices.²⁵ Obviously, the grocery keeper will maintain a pleasant rapport with the grower; and whatever arrangements he makes with the grower will be to the disadvantage of neither of them. In one account of fruit crops in the state of Washington, specific mention is made of that crying abuse of the southern cropper system, that the store manager keeps the only accounts.²⁶

In Colorado during the 1935 season the sharecropping system, or at least a pretense of it, was said actually to have been introduced by some of the sugar-beet growers, in an attempt to circumvent temporary child labor regulation. The AAA federal sugar-beet contracts had that year required of the "producer" a 14-year age limit on the employment of children other than his own. So there were growers, it was reported, who made their laborers sign sharecropper contracts and thus become in law independent "producers" themselves—with their children free to continue working on the grower's crop. The schools were being closed just as usual "to let the children go to the fields when the harvest starts."²⁷

* * *

Living conditions of children in commercialized agriculture are notoriously execrable. Families live commonly in temporary shacks or barracks with no minimum requirements of decency and sanitation.

Sometimes even young children live away from home in groups, "bunking it" and cooking their own food in filthy shacks. Such

* In the Puyallup Valley, Washington, we read of the padrone system in the employment of Filipino labor. "Contracts made between orchardists and Seattle employment exchanges . . . require . . . a given number of workers. The 'boss-contractor' furnishes transportation and living quarters during the harvest season. With the exception of small amounts for incidental expenses advanced by the 'boss,' the individual worker does not receive his wages until the end of the season . . . the individual who leaves his work before the season is ended is thus very easily and heavily penalized."²⁴

was the practice on some of the large tobacco plantations in the Connecticut Valley in the early 1930's—thirteen young boys in one case in a room sixteen by sixteen feet, with nine single beds. "No toilet inside or out that I could see" . . . cooking on "an outside, boy-made fireplace." In another bunkhouse there were twenty-four little boys, "and no one to look after us. We have some swell fights." Other little boys on this plantation boarded with workers' families in the already indecently overcrowded company shacks. "Sure they got bugs, and all the glass ain't in the windows, but you got to live some place."²⁸

Usually, however, the agricultural working child stays with his family; it is the family group as a whole that leaves home for longer or shorter periods to occupy the deplorable quarters that migratory worker families so commonly get.

In New Jersey in 1931 it was stated that "two or three persons usually occupied one bed. There was as a rule no separation, based on sex or age, of persons sleeping in one room." "Seven houses [the number of occupants not stated] had no toilets at all."²⁹ On the Maryland truck farms in 1929, and also in southern New Jersey, many of the truck farm families lived in shanties "having the family spaces merely marked off by a board set on edge." Each family section was about six feet by six or less, and covered with straw for a mattress. Over 50 per cent of the families were without any toilet facilities whatsoever. "Twelve of the twenty-five camps had no privy." In general, toilet provisions are described as "disgustingly inadequate and in many cases non-existent."³⁰ Cooking was done outdoors, usually without any canopy. There was no provision for rainy weather.

In Maryland in 1929 we learn that sleeping quarters "without exception" were nothing but wooden bunks laid flat on the floor with boards set on edge to mark them off and keep in the straw that was piled on them about fifteen inches thick. In each of these bunks "almost without exception" slept entire families, however many members they had, regardless of age or sex. They even found in one case that two families had to share a single bunk. It was quite common for several families to be assigned to one room with no partitions of any kind to separate their habitation.³¹

Conditions in the Imperial Valley of California as they existed in 1934 were described by an official commission appointed by the National Labor Board. "We visited the quarters of the cities where live Mexicans, Negroes and others. We inspected the temporary camps of the pea-pickers, and know that they are similar to the camps that will serve as places of abode for workers in the fields when melons are gathered. This report must state that we found filth, squalor, an entire absence of sanitation, and a crowding of human beings into totally inadequate tents or crude structures built of boards, weeds, and anything that was found at hand to give a pitiful semblance of a home at its worst. Words cannot describe some of the conditions we saw."⁸²

No wonder that the migratory workers of Baltimore said of their life, "Here we live like fish in a barrel" . . . "like sheep" . . . "like cattle beasts."⁸³

If human needs in housing and sanitation are ignored, it is no wonder that working conditions too should be as deplorable as we have seen them to be. Much agricultural work is done under the piece system, especially in the harvesting processes where children are most widely employed. The evils of undue speed-up are inevitable, if working conditions are left unregulated. But there is pressure, even where the labor is paid for by the day, usually a pressure exerted by the foreman in charge.

To the child the foreman looms as the arbiter of his daily fate. We have spoken of the exactions of the padrone. He represents the exceptional arrangement. The foreman, comparable to a factory foreman in his function, is the common superior. Be he "row boss," or in the South "riding boss," or just plain foreman, in the large agricultural enterprises it is he who directly manages the children's (and their parents') lives. We hear all too often of his harshness and inhumanity. Since agricultural unionism is opposed so doggedly, and many times effectively, by agricultural employers, leaving workers with no organized means of self-protection or protest, the family groups, and especially the individual boys and girls where these are still to be found working out by themselves, are in a peculiarly unprotected position.

A few years ago from the Connecticut Valley tobacco fields there

came isolated complaints that foremen did not provide drinking water, or provided water unfit to drink—and this at work that was carried on by children in summer all day in stifling dust and heat. “They work us very hard,” wrote one little boy in 1930, “and don’t give us water all Day and if they Do they bring it in oil Barrels.” “They give littel water and no good boss,” runs the comment of another tobacco child; “The foreman swore at us all the time”; “Not much water”; “It was too hard, your back would hurt and feet also and holds” (hands?). (This child, the oldest of the group, aged 14, “drog baskets” all day long, beginning at “abought 6 in the morning” and stopping at 5, with half an hour for lunch.) “We had to work overtime without pay,” writes another; and again, “The foreman swore at us and did not give us water.”³⁴

But even if foremen are the most kindly of men, general working conditions remain unaffected. Long hours, piecework with its resultant speed-up, or time work under the constant eye of the boss, the practice of employing children, including very young children, the nature of the tasks that cannot be made suitable for children, these conditions are the characteristic conditions of agricultural child laborers today.

* * *

As if it were not enough that his conditions of labor should be wretched, and his conditions of living unspeakable, the agricultural child worker suffers also the most extreme educational deprivations. Whether he be a child laborer in the fields of the large growers of what are customarily called commercial crops, or on his parents’ farm, or on his landlord’s plantation, being so young, his work far more frequently than that of any other child breaks into even the low limits set by our compulsory school attendance laws. Rural schools being what they are, and agricultural child labor being as unregulated as it is, almost the worst that could be imagined educationally is to be found.

Theoretically the bulk of child agricultural workers are supposed to work only during vacations or after school. Actually, the “summer” may and often does extend for a month, two months, or even three into either end of the supposedly compulsory school year.

And be it remembered that the school year in rural districts is notoriously short to begin with. The United States Children's Bureau reported during the period of the 1920's that the average year for rural schools throughout the country was seven weeks shorter than that for urban schools. But the average in this case is far from showing the true state of affairs. For example, in 1930 rural schools in New York State had an average school term of 175 days, but Mississippi's was only 128 days, Alabama's 137 days, Arkansas's 126 days, and South Carolina's 133 days. School terms for Negroes in the South were shorter still. Since 1930 conditions have grown worse. We learn, for example, that more than thirty-seven thousand schools, affecting over two and a half million pupils in twenty-five rural states, cut short their school terms in 1934-35, some cutting them so short as to have little left.³⁵

Coupled with such a state of affairs necessarily goes much retardation on the part of the children. A contributory factor in this retardation, of course, is the inadequacy of the rural schools themselves, together with the lack of cultural equipment in the children's homes. As for the children coming to do farm work from the cities, most of them are found in sections of the country where the immigrant population is large; hence they commonly have a language handicap plus the other characteristic disadvantages of the lowest paid industrial workers' homes. The children from migrant farm families, such as the Mexicans in the Southwest, have all the possible disadvantages at once. Often the schools of the communities where they do their work will not even accept them.

In North Dakota we read that in the early 1920's farm work "is one of the principal reasons for shortening school terms." Here the families were owners or tenants, and most of the children worked on the "home" farm. Some 20 per cent of them had worked away from home. The Children's Bureau notes that "children living in districts offering but a short school term may have satisfactory records of attendance only because they are legally permitted to be out of school and at work" during months when they should be getting an education. However, even so, over 40 per cent of the boys 10 years old and more on North Dakota farms had lost a month or

more of school on account of farm work. In all, "59 per cent of the children who were between the ages of 10 and 14 stayed out of school for farm or home work, contrary to the state child labor law." Over 40 per cent of all the children were retarded.³⁶

Of Texas we read: "Cotton to a marked degree dominates the school. The local board has the power to fix the opening date." Retardation among white children there was reported by the National Child Labor Committee in 1925 as follows: father owner, 37 per cent; renter, 43 per cent; cropper, 49 per cent.³⁷ The Children's Bureau reports: "In many cotton growing counties the opening of school is regularly postponed to November or December to allow the children to get in the cotton crop."³⁸

In a number of regions the compulsory school attendance period is several months shorter than the school year—in some cases as short as eighty or one hundred days—and is fixed to coincide with the end of the crop season. In one South Carolina county studied, "the period . . . was set . . . to begin from two to three months after the opening of school; in seven districts, it began three to four months later."³⁹

Of the Pacific Coast fruit-growing districts we read: "The terms of most schools in this region are adjusted to the harvest season." Many schools open in August and have a two- or three-week "apple vacation" in October.⁴⁰

In the South, "Another practice frequently adopted is the divided term." It "makes provision for the use of children on farms at the time when they are most needed." "Suspending the operation of the schools during cotton picking time is common." In some Alabama counties in 1930 the custom was for the schools to open as early as July or August (this in the heat of an Alabama summer), then close for six or eight weeks during harvest.⁴¹

Of the Michigan sugar-beet fields in 1923 we read: "Beets have the upper hand. The ideas, practices, beliefs, and customs that have grown out of beet culture, dominate the situation, and the school system has given away."⁴²

"In the Maryland and New Jersey truck farming districts," the Children's Bureau tells us in 1929, "half the local children hired for

farm work had been absent from school in order to work, their absences being on the average about one school month. . . ." ⁴³

The condition of migratory children has, of course, been consistently worse than that. As the Children's Bureau wrote in 1924 (and conditions since have seen but little change): "Few communities making use of migratory labor make any provision for the schooling of the children . . . or attempt to enforce the compulsory school attendance law in their behalf. . . ." ⁴⁴

In the Denver district in 1925, the National Child Labor Committee found the migratory farm workers' children averaging an attendance of only 43 per cent of the school term. It is noteworthy that there was a "poverty section" in the Colorado school attendance law. ⁴⁵

"Contract children are not expected . . . to go to school until after the beets are cut. . . . In fact the local school districts simply do not want them [the Mexican, contract children] in their schools." ⁴⁶

In New Jersey in the summer of 1931 the children of migratory farm workers averaged a loss of no less than two months' schooling, and over 60 per cent of them were retarded. Migratory work there extends from March or April to October or November, and the Children's Bureau reports: "The local school authorities assumed no responsibility on the ground that the children were not residents of the State." "As a rule no effort was made to send the children imported for farm work to school during their residence in New Jersey." The explanation given is, "The farmers [i.e., the children's employers] were not usually interested . . . as they felt they needed the children's work in order to get their crops to market." ⁴⁷

Throughout the United States during the crisis years, the situation grew alarmingly worse. Even in normal times, says a government report, 1,650,000 children 6 to 13 years of age are not in school. During the depression many rural schools closed outright—two thousand, according to the United States Office of Education, in 1933 and 1934. School terms were shortened. Yet even in 1930, rural schools for one and a half million children had been open as little as six months or less. More than for any other children, these conditions would strike at the children of the tenant farmers, croppers, and

farm laborers of the South. Negro children naturally suffer most of all.* It is among these sections of the farm population that all forms of agricultural child labor are most rife.⁴⁸

* * *

Of course the families of child laborers, drawing their pittance of a family wage earned with the aid of their children, working their wretched hours, existing in wretched quarters, the children deprived of even a minimum of schooling, are economically depressed to a point where effective resistance to the demands of the employer and the market would be unthinkable save by the most desperate and closely organized effort. Such effort it is usually easy to break up.

Is it possible that there are some who see no need for regulatory laws? The tale is not yet told. For the conditions described in the foregoing pages, at least the experts and reform organizations think there should be legislation. They believe it is possible to strengthen school laws. They have a program for regulating the work conditions of children engaged in commercialized agriculture. But this is far too limited an aim. These children are but a small part of all

* The following data furnish striking evidence of the prevalence of child labor for those groups and those areas where schools are poorest, that is, for the Negro and in the rural South. They show the percentage of total children gainfully occupied, length of school term, and certain data on per capita expenditure for Negro and white children and for urban and rural children in several states of the South, and comparative figures for several states of the East and Middle West. The figures are for 1930.⁴⁹

	Per cent of total children aged 10 to 15 gainfully occupied		Length of school term in days (1931-1932)				Per capita cost, current expense, per pupil in ave. daily attendance		Average expenditure per child of school age For	
	All	Negro	Urban	Rural	White	Negro	Urban	Rural	Whites	Negroes
Louisiana	10.1	16.8	176	145	176	119	\$63.77	\$41.44	\$40.64	\$ 7.84
North Carolina ..	11.2	15.5	176	147	159	143	50.79	35.60	44.48	14.30
Arkansas	12.2	17.5	173	126	143	116	47.31	26.45	26.91	17.06
Georgia	14.7	20.8	178	120	146	121	48.59	25.93	31.52	6.98
Alabama	17.5	25.6	175	137	156	127	47.86	29.69	37.50	7.16
South Carolina ..	18.3	24.6	176	133	169	114	45.81	27.98	52.89	5.20
Mississippi	24.9	33.8	176	128	...	...	45.26	36.93	31.33	5.94
New York	1.6	...	183	175	...	...	158.94	125.30	.....	.....
Pennsylvania	2.0	...	186	173	...	...	107.92	62.68	.....	.....
Massachusetts ...	2.1	...	180	176	...	...	112.25	84.18	.....	.....
New Jersey	2.3	...	183	183	...	...	147.13	114.29	.....	.....
Connecticut	3.0	...	179	185	...	...	113.21	103.25	.....	.....
Michigan	1.2	...	181	...	...	...	109.52	105.30	.....	.....
Minnesota	1.9	...	181	178	...	...	115.79	81.30	.....	.....
North Dakota ...	2.7	...	179	164	...	...	91.26	89.36	.....	.....
Colorado	3.1	...	181	175	...	...	112.04	118.16	.....	.....

those who work on farms. Four-fifths of the whole number of children employed in agriculture have been overlooked completely, even in proposals for control.

We cannot know more than a fraction of the problem of child labor in agriculture until we probe the question of the "forgotten" child.

THE "FORGOTTEN" CHILD

ALL agricultural child workers belong among the forgotten. Next to nothing has been done to alleviate their lot. Upon occasion they are so far forgotten as to have their very existence ignored. We shall not soon forget the famous statement made by the President of the United States in his message to Congress on January 3, 1934: "Child labor is abolished." This, even though the vast field of farm labor had not been so much as touched by New Deal codes. Nor had many of the chief child employing occupations in the nonagricultural list.

As in so many areas of human problems, so it is for agricultural child labor: the neglect of the whole is extreme, but the neglect of one part is far more extreme than is that of others. Only in this case the most neglected part is four-fifths of the whole! Children who work—according to euphemistic usage—on the "home" farm, and who are designated by the Census as "unpaid family labor," have been cast aside as beyond the reach of control. We should do well to note that they are the largest single mass of young child workers in America.

Consider the bald facts of today. In two counties of Texas—not typical counties of the deep South, for their tenancy rates were not nearly so high as those of Alabama or Mississippi or South Carolina taken as a whole, much less the high rate of some separate counties in those states where sometimes 75 per cent, 80 per cent, even 85 per cent of the farm operators are tenants—in these two counties of Texas half the children at work were children of tenants (half the farmer operators studied were tenant farmers). Two-thirds of all the white children labored in the fields; it was over two-thirds for

Negro children. Of the white children under 6 years of age 11 per cent worked in the fields, of the Negro children under 6 years, 16 per cent; of the white children 6 years and under 8 years, 50 per cent worked, of the Negro children 6 years and under 8, 53 per cent; of the white children 8 years and under 10, 83 per cent worked, of the Negro children 8 years and under 10, 86 per cent worked. After 10 years practically all the children did field work, white and Negro, so why quote percentages? In Hill County, of the children under 16, 9 per cent did plowing, 11 per cent harrowing, 14 per cent planting, 15 per cent cultivating, 70 per cent hoeing and chopping, 97 per cent picking cotton. That is not all that they did, but it consumed most of their working time. Hoeing, chopping, and picking cotton go on intermittently approximately from the first of May until December, or even occasionally into January in that country. White children in Hill County as a general thing did over four months of work, Negro children nearly 6 months. The older the child (we still speak of children under 16), the more months of work he averaged, because he could do more different tasks. Negro children always had to work longer than whites. There was also some difference in the hours worked among the different ages of children under 16. The average for all was eleven hours a day; those under 7 years worked between nine and ten hours; for Negro children under 7 years it was over ten hours a day. But for all children over 7 years, eleven or twelve hours a day was the rule. They worked as long as their parents worked.

Here are a few comments on the homes. "Twenty-seven per cent of the white farmers visited in Hill County and 41 per cent of those in Rush were living in houses the walls of which consisted of but a single layer of board. . . . Negro families lived in much poorer houses. . . ." "Twenty-six per cent of the white farmers in Hill County and 32 per cent of those in Rush reported the water supply was 30 feet or more from the house; 11 per cent of those in Hill and 5 per cent of those in Rush County had to go 300 feet or more for water." "Large numbers of the houses were without screens. . . . Malaria was common." "Two children living in an unscreened house had 'missed lots of time' from school because of chills and hookworm. They were retarded in school from 3 to 5 years." "Over-

crowding . . . common." "Sixty-four per cent of the white and 77 per cent of the Negro families" were living in homes with more than one person per room. "In Hill County one family of 10 persons was living in a two-room house, another of 11 in a three-room house. Nor were these isolated cases. . . ." "Sanitation was generally neglected. . . . A large majority of the farmers who had privies reported the unsanitary open back type unprotected from flies, chickens, and domestic animals." "The most striking fact" was that 20 per cent of the white families and 37 per cent of the Negro families "had no privies at all." "Most of the Hill County farms visited were getting their water from shallow wells or cisterns liable to pollution from various sources. . . ." ¹

These conditions were observed about ten years ago. They have not changed in recent years, except for the worse.

To begin as a sharecropper is usually to remain one. "Of the farmers who had started out as sharecroppers [the most common status], nearly three-fourths still remained such"; a few became owners, a few renters, but of those who rose to owner or renter class, many had fallen back into sharecropping again. Populations like this are "highly localized." Often families move short distances and frequently, but many, especially the Negro croppers, stay in the same place year after year. Thirty-five per cent of the Negro croppers had made no moves, and 28 per cent of the whites had not. "This type of household was characterized by extreme dependence upon the landlord, the welfare of the tenant for good or ill resting almost entirely in his hands." Moves were so restricted as commonly to be within the same township. "More than one-third of the whites and more than one-half of the Negroes had never worked outside the townships" in which they were working then.

We can understand the labor of the children of these families better when the long-time financial condition is seen. Here is a body of over one thousand agricultural families, who had totaled fourteen thousand, five hundred years at farming: over ten thousand of these were years as tenants. Throughout their farming lives they had known little relief from debt. Only 20 per cent of the years showed any profit, during half the years they had "broken even" only, for 30 per cent they were in debt. "It appears that the sharecroppers could

not reasonably expect much more than a bare living."² Or, as it is more sharply put in another official document, "There is no standard of living among these sharecroppers—it is with them a struggle for a bare existence."³

We cannot speak mildly about the depth of their poverty, and the burden of labor that they must carry, often from the age of 6. We think that it must be looked at precisely for what it is, or as precisely as we are able to set the matter down. These child laborers on the "home" farm have been grossly and without reason forgotten. Their conditions speak for themselves. The excuses offered for neglecting them are found to have no basis in fact.

It has been assumed, even by friends of child labor reform, that for the body of more than four hundred thousand children of 15 years and under at work on the "home" farm, nothing is to be done beyond bolstering up school laws and facilities. The National Child Labor Committee, foremost reform organization in the field, has gone so far in a recent pamphlet as to give way to opposition thunder and say that it would "constitute a clear violation of parental rights" to enact protective legislation for these children. "No one would tolerate it and it is absurd to fear that Congress would so flout public opinion." The 1931 White House Conference on Child Welfare likewise can see no feasible remedy beyond improving the schools. This is a dangerous and ill-considered line of argument for the advocates of reform to permit themselves to use, for surely they must some day eat their words or be rightly convicted of ignoring one of the most serious and stubborn forms of child exploitation.

We do not know whether these students of child labor have failed to examine this problem closely, which seems improbable, or whether they missed the point when they did examine it, or whether, upon seeing the point, the problem seemed to them insoluble and too full of political dynamite to attack. Whatever the case may be, for years the real situation has been obscured even while enough facts were at hand for making it plain.*

* We must add that we do not have access to just the data that we should like. Facts scattered here and there must be pieced together, and even in these bad gaps occur. A few data from the Census would be sufficient, if only they

When meaningless general data for the country at large are brushed aside for an analytical view of regions and groups, the real state of affairs becomes apparent. *We find that the great mass of children allegedly at work for their parents, by strict analysis, are not working for parents at all, but for the planter or other farm owner on whose farm the parent is employed (together with his family) under the tenant and sharecropping system.** For child labor on the "home" farm, we shall learn, is not scattered indiscriminately all over the farming area of the United States; it is concentrated in one section of the country, the South, a section that has a peculiar form of tenancy which reduces the tenant to laborer status or worse.

How strange it seems that so easily ascertained and highly important a circumstance has not been shouted from the housetops long ago! Would anyone be particularly impressed by this sentence from the most authoritative recent work—the White House Conference report of 1931 on child labor—describing the South's importance in the extent and distribution of agricultural child labor? "The southern states lead in both number and per cent of employed children." The southern states do indeed "lead" in the number of children employed in agriculture. The fact is, they do much more than lead, and for those children at work on the "home" farm, who constitute four-fifths of all agricultural child workers under 16, they practically monopolize the field! In the 1930 Census figures, 88 per cent of all children classified as "unpaid family workers" were found in the three southern divisions. That figure, as we shall see, unlocks the whole problem of work on the "home" farm. For we find that we are considering not a country-wide problem but a problem rooted in one section of the country and in a particular

were analyzed to show the occupation classes into which child workers' parents fall. But incomplete though the information is, it tells the story and should have been made much of long ago.

* As for that much smaller number of child workers who really do work on the "home" farm, i.e., the farm owned by their parents (if it can be called "owned" in view of the mortgaged condition in which many of these farm homes are), such scanty data as we have would indicate that in most instances they are working on very small farms, and under the severest conditions of economic pressure. We shall take up this point presently.

set of economic and social conditions. It is in these economic and social conditions that the whole story lies.

Two related features stand out. One is the South's characteristic system of land tenure, and the other, bound up with it, is the large place occupied by the Negro in the South's economic life.*

It is widely recognized that Negroes, especially the rural Negro population, form the most exploited sector of our whole labor force. This has a very wide bearing on the problem of child labor on the "home" farm. Consider these facts: (a) Negro children aged 10 to 15 constitute but 10 per cent of all children of that age in the United States, (b) but Negro children aged 10 to 15 constitute 34 per cent of the gainfully occupied children of that age group, and (c) they constitute 43 per cent—nearly one-half—of all the children employed in agriculture. In fact, (d) 85 per cent of all Negro children who are gainfully occupied are employed in agriculture. Virtually all of these Negro children (98 per cent) who are gainfully occupied are found in the three southern divisions of the Census. We have already learned that 88 per cent of all children employed as "unpaid family workers" are found in the South. It is apparent that the problem of child labor on the "home" farm is not only a southern problem, but that, far out of proportion to the number of Negro children in the population, it is a problem of the southern Negro child.

Related to both white and Negro children is the South's system of land tenure. The South is virtually a one-crop section. A few states also have a large tobacco crop on which children work, but cotton is by all odds the greatest crop to employ the child "home" worker. The chief economic feature of the South, whether in cotton or tobacco regions, is its characteristic system of tenancy. Most of those who till the soil are not owners of the land, but live and work on it as tenants. Most of the tenants do not "rent" the land by

* The South's peculiar system of land tenure, in fact, developed as a direct result of the presence of the Negro worker there. It came about following the Civil War, as an attempt on the part of southern planters to retain their former slaves in as dependent a relation to the land as possible, and by the cheapest possible means of remuneration. Later large sectors of the poorer white farm population likewise were absorbed into the tenant system, until there are today more white than Negro tenant farmers in the South.

paying a cash sum at regular intervals as does a worker family renting a tenement in a city; they are chiefly share tenants and sharecroppers, who get from the landlord a place to live and some portion or all of their needed equipment. In return for this they plant his land, and, after he has taken his share of the harvested crop, the remainder is the tenant's (unless the remainder, as is often the case, has already been swallowed up in debts to the landlord). The landlord does the dividing and keeps all the books.

The share tenant is distinguished from the cropper by the fact that he ordinarily furnishes some of his own equipment; customarily he turns over to the owner a fourth or a third of the crop. A sharecropper usually furnishes nothing; the landlord furnishes to him, beside his few acres of land, his farm animals and equipment, his fertilizer and seed, even his food; of the crop the landlord customarily claims one-half. That does not mean that the proceeds from the tenant's share are net gain: out of these proceeds he pays for whatever the landlord has advanced in fertilizer, seed, and food supplies. This may and very often does mean that the tenant has nothing left or is in debt when his bills to the landlord are paid. Professor Rupert P. Vance of North Carolina has stated that frequently even those tenants who are said to furnish their own work animals "are so in debt that they only nominally own this stock"—which would seem to put them in about the same category as the even more propertyless croppers.⁴

In one sense, the family system prevails for tenancy crops as it does for fruit and berry crops and for truck farming. As we have already seen, a planter does not want a tenant, just as a truck farmer does not want a farm laborer, with only his own two hands. The tenant must bring several helpers with him to be really in demand. He is fully expected to bring his wife and children, however young the latter may be, into the fields. And of course he is under a terrible economic pressure to do so, since he has "rented" his little plot of ground to farm: unless he can plow and plant and tend and harvest, how can he claim a share of the crop? It is the common assumption in the agricultural South, in allotting a piece of land to a tenant, that all children of working age (6 or 7 years and up) will go to work.

What proportion of child workers in agriculture are tenant and cropper children, helping their tenant and cropper parents with the landlord's crops? While few precise figures on this can be shown, the indirect data are such as to make us know that children in unpaid family work are predominantly from tenant homes.

Tenancy has been steadily increasing in the South, until today it is the dominant form of land tenure. In 1880, 36.2 per cent of the farms were operated by tenants; in 1920, 49.6 per cent; and in 1930, 55.5 per cent. In the cotton belt the proportion was more than 60 per cent; in certain counties it ran to 80 per cent and more.⁵

So far as available field studies go, they indicate that unpaid family labor is outstandingly a feature of the South's tenancy system. Unfortunately the few sample data drawn from these studies are not of typical locations. No studies have been made in the heart of the cotton belt, where unpaid family labor is most prevalent. Somewhat over fifteen hundred children were studied by the United States Children's Bureau in Texas, over one thousand by the National Child Labor Committee also in six Texas counties, another thousand in the tobacco-growing regions of three southern states, and nearly a thousand in the truck farming region of Maryland and Virginia. Altogether, five thousand children came within these surveys. They included children of laborers and owners as well as tenants. The Texas studies, the only ones in a cotton-growing region, were not representative of the deep South, for they covered a region a part of which at least had a lower proportion of Negro population and of tenancy than would be found in the more typical counties. In Hill County, which had a tenancy rate of over 60 per cent, although only 12 per cent of its population were Negroes, of 509 child workers interviewed, 59 per cent came from tenant homes.⁶ Studies were also made of about a thousand children employed in tobacco in three southern states: more than half were from tenant farmer homes.⁷ Many of these worked on neighboring farms as well as for their parents.

These data are enough to give us a clear notion of the situation. For one thing, all these studies agree in showing that children who work on home farms are the children of tenant farmers at least as frequently as there are tenant farmers among farm operators; very

probably the children of tenant farmers go to work more frequently and more regularly than do those of even the poorer owners.

But of course there are many more tenant farm operators in the South than there are owners. And of course the young children of comfortably-off farmers are not as a rule put to work in the fields. It seems fair to assume that the general run of farmers who own a hundred acres or more are not likely to need to send their young children into field work. Therefore, adding to tenants those farm owners who have less than a hundred acres, we probably have practically all "home" farms in the South that put their young children to work (and of course many that do not). They total over two million and a half farm operators. Of them the tenant farmers constitute two-thirds.

If there are, roughly speaking, three hundred and fifty thousand children aged 10 to 15 in unpaid family labor in the South, then on the above evidence it seems safe to estimate that there are probably more than two hundred and fifty thousand of these working on tenant "home" farms. Of this number a highly disproportionate share must be Negro children, for in 1930 80 per cent of southern Negro farm operators were tenants, and of the 20 per cent who were not, most of them owned small farms.

Assuming for the moment that all children in the United States who are classified as "unpaid family labor" other than those in the South are at work on real home farms, we yet have an estimate showing nearly two-thirds of all children aged 10 to 15 in unpaid family labor to be the children of tenant farmers in the South.

What precisely is the status of these children? It should be realized, and this is the heart of the matter, that for all practical purposes tenants are not independent farmers at all. This contention is borne out by the actual legal and customary status of tenant farmers in the South. Professor Vance states of croppers that they "in many states are by law classed as laborers";⁸ and in Professor Charles S. Johnson's new study of cotton tenancy we are told, "The legal relationship of employer-employee exists when the employer possesses the right to select and discharge the employee and to direct what work shall be done and the way it shall be done. Since the tenant or cropper furnishes no part of the capital, he has no claim

in law upon the product beyond the established laborer's lien . . . both the law and custom limit the rights of all tenants even in respect to the laborer's lien. One important North Carolina decision (State vs. Austin) refers to a share tenant as 'a servant whose wages depend upon the amount of profit.' In Georgia and South Carolina all share tenants are legally classed as croppers and have no title to 'the crops they grow.'"⁹ In short, the tenant farmer of the South is by law or custom, and sometimes by both, a laborer on his employer's land. (As a matter of fact, he is worse off than a laborer in some respects, for he is often bound to the landlord by debts which effectively curtail his freedom of movement.)

What shall we say, then, of that laborer's working children? Is it not necessarily that they are likewise laborers? How can it be maintained that these employed children of tenants and sharecroppers are at work on the "home" farm? As a Children's Bureau study says, they are "exposed to all the hardships incident to hired day labor."¹⁰

In plain language, these children are not at work on their parents' farms at all. It is nothing but a euphemism to call it that. Under the pressure of economic necessity and, can anyone doubt, the pressure of employers as well, share-tenant farmers put their children to work on the land of their employer-landlords. The economic position of such children differs in no important respect from that of the children in commercial agriculture who work with their families in the fields away from home.

Nor do the conditions under which these children live and labor differ, unless it be on the side of deeper misery. In some measure we have already shown that. Let us add some general facts.

We are reminded that the "tenant's actual income is very different from the earnings of his farm as listed in agricultural reports. The landlord's share is taken from the earnings together with the operator's gross expenses." In six counties studied recently it was found that 43.4 per cent of the tenants were already in debt when the 1934 crop was planted. After harvest, according to figures from one county, 61.7 per cent of the tenants "broke even"—they owed nothing, but had nothing left; 26 per cent were in debt, and only 9.4 per cent had any surplus. The profit made by this latter group,

which was what they had to live on except for further landlord credit, amounted to between \$70 and \$90 per year.* "Few tenants interviewed [in another study] had cleared cash incomes since 1921, and many had made nothing since the World War."¹¹

One 1935 authoritative account says frankly that "under the 'rations' system the tenant receives little, and often suffers rank exploitation." Some large plantations were found to allot to each laborer only "two pecks of meal and four pounds of fat back pork every two weeks." Other landlords were more harsh, furnishing only meal: the tenant must find meat any way he could. "The testimony of tenants supported by the observation of bare cupboards, points to extreme meagerness."¹²

That is putting the matter mildly when we turn to first-hand accounts. "It is rather useless," wrote the Deputy Commissioner of Labor of Arkansas, in 1935, "to attempt to describe living conditions. . . . There is no standard of living among these sharecroppers—it is with them a struggle for a bare existence. They exist in unsanitary, unsightly shacks, frequently large families occupying two rooms, with an almost total dearth of furniture, and upon the most meager rations. These conditions promote and foster disease and illness, and undernourishment of the children."

A great deal of suffering, he said, was due to "lack of food and clothing." Children of sharecroppers could not go to school because they had literally nothing to wear. Both children and parents in many cases were "clothed in rags, presenting the most grotesque appearance." Children of 6 or 7, trying to play—or work, he adds—in garments suitable for their parents in size, beggared description, "and among sharecroppers it is frequently work for the youngsters of tender years." For, we saw, they work "for the parents or guardians" and so do not come under the child labor law. School terms, he remarks, are usually arranged so as not to interfere with the cotton crop. "Rags, total lack and ignorance of sanitation, and stark want, were found in so many instances as to provide a picture of destitution which should have no place in civilization."¹³

Tenants are kept in perpetual debt partly by the exorbitant prices charged against their share of the crop for supplies—"furnishing,"

* See also the figures cited from the FERA study on pp. 84-85 of this chapter.

it is called. The Arkansas official account referred to above provides evidence that in 1934-35 landlords were charging their tenants as much as 100 per cent higher than the cost price of the goods. Many accounts give us 50 and 60 per cent. The story is told of one landlord in Arkansas who planted 4,000 acres, and hired 100 tenant families; most of the prices he was charging against the tenants' accounts were just twice what he had paid for the goods. Many tenants lack education and so are unable to keep any account of their purchases; and even if they could, they would not often dare, unless they wished to risk being turned off the land, or worse. "The tenants have no remedy," says the Deputy Labor Commissioner of Arkansas. "They cannot purchase at any other establishment, for, even if it were permitted, they have no money. It must be understood that money in most instances is practically an unknown commodity among sharecroppers, hence they, as a matter of necessity, must use their credit with the landlord, he being protected one hundred per cent by the crop raised by the tenant."¹⁴

The tenant is entirely and quite helplessly dependent on the landlord who controls every aspect of his life. "The landlord assumes the prerogatives of direction in the choice of crop, the method by which it shall be cultivated, and how and when and where it shall be sold. He keeps the records and determines the earnings. Through the commissary or credit merchant, even the choice of diet is determined. *The landlord can determine the kind and amount of schooling for the children*, the extent to which they may share benefits intended for all the people. He may even determine the relief they receive in the extremity of their distress. He controls the courts, the agencies of law enforcement and, as in the case of sharecroppers in eastern Arkansas, can effectively thwart any efforts at organization to protect their meager rights."¹⁵

* * *

There are some children who do actually work for their parents on the home farm. In some instances their families "own" their heavily mortgaged farms; in others the parents are real renters, paying a fixed sum in cash. We cannot assess accurately the numbers of these children, but from the data already cited they appear

to constitute not more than a third of the total, probably less even than that (between one hundred thousand and one hundred and fifty thousand children). To recognize that these are the only child workers that should be regarded as at work for their parents is to put a different complexion on the entire problem of agricultural child labor.

What a misfortune that the information on this group of children is so meager! We have referred to the Texas study made by the Children's Bureau. In the two counties covered, more than 40 per cent of the farm operators studied in one, and over 50 per cent in another, were farm owners. Why did these parents put their children to work? There was the owner of a hundred-acre farm (much larger than is usually found), a man according to the report, "better off than most of his neighbors." He said, "A farmer's life is spent trying to get out of debt from the year before." "I worked my children as soon as they were the least bit old enough." (They went into the fields when they were 6.) Two of his older children had entered school two months late because they had to pick cotton. "The four-year-old girl took care of the two babies in order that the mother also might pick." Another reported that were it not for the work of his children, his farm "would be lost."

An authoritative study of income and wages in the South concluded that the average southern farmer earned a net income of approximately \$500. But studies of income that must talk in terms of averages are not so illuminating as we should like. The homes from which the child wage earners would most often come would be the below-average homes, not the well-to-do. A North Carolina study of a sample of farmers showed for the white owner group an average annual cash income of \$626, or thirty-four cents per person per day cash income; the Negro owners showed \$597, or thirty-two cents per person per day. A study of Negro farmers in Kentucky, Tennessee, and Texas showed the owner group with a total living estimated at \$682; of this one-half was an estimate of goods "furnished by the farm."¹⁶

In recent years the situation is far more serious for the small farm owner everywhere. Literally tens of thousands have been losing

their farms, and thousands of others have been facing extreme economic need. All this is but an indication of the reason why children are set to work on their parents' farms, even to the detriment of their schooling.

Is the work of these children for their parents a question of "parental rights," as the opponents of control would have us think? We may know very little about this body of child laborers, but what we do know contradicts such a contention outright. Most farm owner parents—and we believe that the contenders for parental rights would grant this—who overwork their children on the home farm, and work them too young, and work them at the sacrifice of schooling, do so primarily under the pressure of poverty.

Wherever there are farmers who work their children when they could pay for hired help, the situation presents no problem that cannot readily be solved: in other spheres the state has long since chosen to recognize that it is a government right and duty to intervene in the interests of the children when parents are so shortsighted as not to see what is for their children's good. (Take vaccination, which protects the children of the privileged as well as of the poverty-stricken.) Moreover, for decades the state has had to recognize this principle even in the field of child labor itself—in the case of urban children of school age. And it might be well to recall that that principle was long fought by employers on the same ground of "parental rights." Today, in most states, urban parents are not permitted to keep their children of school age out of school, even to work for the parents themselves, until a prescribed age is reached; and often a certificate of permission is required from a government agency.

This group, then, that would work its children out of preference rather than out of need is hardly a group to be concerned about. The real problem is not one of parental rights, but purely one of social economics: how shall the poverty-stricken farm owner survive without the labor of his children? That uncomfortable question needs frank facing. If the situation implied in it were met, we do not doubt that the problem of child labor on the home farm would melt away. In view of this it is silly and worse to talk about "pa-

rental rights." Little wonder that no program directly dealing with the question has been projected, when the problem is not even seen for what it is.

The moral here, as much as in any other area of child labor, is to provide an all-around program, not only of prohibitions, though these are necessary, but of provisions for security and for aid to the poorest class of farm owners. Does that seem to carry the child labor reformer far afield? But he must begin to go into related fields, or his program will make no headway against the most serious abuses.

Can there be any doubt that the agricultural child worker has been and remains the most forgotten and, because of his lack of opportunities and the hard conditions of his life and labor, probably the most wretched of all the children who work? That the greatest mass of agricultural child laborers, those at work on the home farm, should have been pushed aside as outside the pale of help is evidence enough of how completely the largest part of the problem can be neglected.

Let us sum up the matter once more. The bulk of these children on the home farm are children, not of independent owners, but of tenants and croppers in the cotton belt of the South. They should in fact be classed as employed in commercial agriculture, and not workers on the home farm at all. For, as we saw, under the tenancy system as it is practiced in the South, their parents are by custom, and in several states by law, classified as farm laborers, nothing more, and their children are in fact working as farm laborers for the landowners. Few question the possibility and necessity of restricting the work of children in commercial agriculture. (Though even here, as we saw, virtually nothing has actually been accomplished.) Practically the same program of prohibition, restriction, inspection and schooling should be applied to the children of tenant farmers as well. Just as the manufacturer is held responsible for children illegally employed by him, so the planter-employer should be held responsible not only for those children who come into the field as day laborers, whether migratory or residing near by, but for those who live on his place the year round, who are children of tenant laborers and go to work with their parents in the landlord's fields.

But in such a case the landlord would certainly have to hire adults to replace the many tens of thousands of children. In such a case he would surely have to pay higher wages, for the competition of the children has been one factor in keeping wages—or their equivalent to the tenant—at such a low point. It is precisely this that should happen. If getting the children out of the fields—and remember, one-fourth of the young children who work in cotton are under 10 years of age and not even counted by the Census—if getting these children out served to force to a higher level the farm wage-labor scale, then all the more reason, we say, for getting the children out of the fields.

* * *

With the oncoming and deepening of the last depression new and harsher pressure on agricultural workers' families appeared. Appalling numbers became so destitute as to require federal relief. But a relief program was hardly instituted before cotton planters and other commercial farmers objected to what they felt was interference with their cheap family labor supply. In a number of areas relief administrators were pressed to drop families from their rolls and send them into the fields to work at whatever wages were the local rate, even if they brought an income lower than the bare subsistence allowed by relief. The result has been an even greater pressure on thousands of farm families than before to put their children to work.

In New Jersey early in the summer of 1935 there was great agitation regarding a supposed lack of labor in the berry fields and regarding the obduracy of the Relief Administration in not sending more family labor to live there. (Housing conditions were still impossible, and the quarrel between the Relief Administration and the growers apparently centered upon that and upon the growers' unwillingness to accept adult workers alone.)

"No case is known," Federal Relief Administrator Hopkins finally found it necessary to state, "of an adult relief client in the Hammonton area refusing to accept a job. . . ." "The report said [i.e., a report of a special FERA investigation] that the growers refused an offer by the Atlantic County Relief Administration to enlist men from transient camps and from among heads of re-

lief households on provision of daily transportation to the berry fields." ¹⁷

What the growers wanted was family labor, or else the labor of grown men at the usual piece rates offered for family labor. Strawberry pickers at this time in New Jersey were receiving two to two and a half cents a quart for berries. A good picker could pick perhaps six quarts an hour—a basket every ten minutes. At this rate, at the end of an hour, a man would have earned, say, twelve to fifteen cents—obviously not a rate to support a family on. So from the worker's standpoint, family labor would be his only alternative, since those were the rates at which his work was paid. Instead of himself going to the fields, his wife to her housework, cooking, cleaning, washing, ironing, his children to school or to play after their household chores were done—this is the accepted American family pattern,—sometimes the mother and children would go to the fields while the father stayed in town looking vainly for better work; sometimes father, mother, and children would go into the fields.

The final solution of the growers was to suggest that if their proffered rates did not suffice for family support, the government should pay the difference. "The Hammonton Fruit Growers Association voiced the demand for a government subsidy for southern New Jersey agriculture. Without it, they said, the berry growers could not pay relief workers wages higher than the dole, nor could they provide decent housing." ¹⁸ (This, in 1935, after more than a decade of housing agitation.)

Meanwhile the berries from southern New Jersey continued to enter the New York market fresh and abundant ("the offerings were greater than usual and they reached the market in fine condition"), picked by someone's families, if not those of relief workers, at the growers' offered rate. That the pickers were the same type of migratory Italian labor as always is indicated by a news item in the same newspaper account: "Louis Cocilli, 13 years old, of Morristown, Pennsylvania, who arrived last week in Flemington, New Jersey, with his mother and her two children [evidently even younger] to pick berries, mysteriously disappeared from the berry fields at noon on Monday. . . ." ¹⁹

There we have once more the traditional New Jersey truck farming family group: the mother (no father mentioned), the 13-year-old boy, the eldest of the children, there to carry the brunt of the family earning, two younger children, ages unknown, but old enough, we find, to make themselves useful laboring all day. (As for the boy, did he rebel against his premature burden, and pick himself up and go back to town? We have no means of knowing.) "Boys and girls over 7 years old," we remember the Pacific Coast advertisement read, "do as well picking berries as men and women." They would do far better, no doubt, judged by the objective of getting results and keeping wages low.

But that Pacific Coast advertisement was put out a dozen years ago, during prosperity, in a time and region when adult male labor was supposedly scarce; in 1935, in the midst of long-drawn-out unemployment, when adult labor was so redundant in agriculture throughout the United States that it earned on the average less than \$1.50 a day, these mothers and young children were still being employed in its place.

Yes, the pattern of New Jersey family labor under the New Deal was running true to its historic form, varied only by the attempt (at that time unsuccessful) of the employers to tap an additional source of family relief labor.*

In North Carolina in the spring of 1935, we read: "The strawberry growers . . . appealed to relief offices. A state-wide order was issued for the suspension of relief to Negroes who refused to accept farm employment. But the Negroes, denied relief, announced that they would go without food rather than to work in the berry fields."

Meanwhile, the Reemployment Office and the State Commissioner of Labor issued a "prospectus" stating: "Strawberry growers [offering the current price, one and one-half cents a quart—i.e.,

* As a matter of fact, but for the strong opposition publicity of the State Federation of Labor and other groups, the aid asked of the Commissioner of Labor and the Reemployment Service, not to mention local Relief Administration officials, would apparently have been given. See fuller accounts in the *New York Times* for July 1, 1935, and earlier dates. By 1936 local relief officials in New Jersey were stopping relief to aid fruit growers. In the *New York Times* for June 24, 1936, we read: "Relief to be stopped to save berry crops" in Hamonton, New Jersey. "This action follows serious complaints by fruit growers in this district. . . ."

one-half cent less than the shocking rate reported by the Children's Bureau a decade earlier] . . . have promised to feed and house workers while there. A good picker can average \$1.50 to \$2.00 a day, and that would be clear money. . . ."

An investigator sent by the Relief Administration found average pickings of both Negro and white workers on the contrary to be "between 50 and 60 quarts a day . . . this means a daily wage of 75 to 90 cents." "In no instance did the investigator find board paid." Instead, "food is usually bought at a grocer's store . . . or [the common curse of low-paid family labor] credit is arranged. . . . The average cash earnings then, cannot with safety be estimated at more than 35 cents a day, clear, for 8 or 10 hours of back-breaking work. . . . The season lasts at the most 6 weeks."

Housing had not changed in 1935 from the time of the Children's Bureau investigations a decade earlier. "A long rough plank house ventilated by a window at either end . . . [occupied by] 15 to 30 persons . . . usually one long bunk stretching the full length of one side. On this, pallets of straw are laid. . . . Some of the houses provide separate rooms for men and women, most of them do not." "Sanitary conveniences" often "limited to 'the woods.'"

As for the rôle of the large employer: "One of the largest growers in the section, a Mr. T, who leases the strawberry fields at the P-Homestead farms, near Wallace, and runs a strawberry canning plant in Wilmington, asked his hands to build their own bunks upon arrival. . . . Cooking is . . . over camp fires."²⁰

The direct combination of local governmental agencies with agricultural employing interests has been springing up in many different parts of the country.

The relief director of an Iowa county, we read, "in announcing the new policy" (i.e., "no-relief-during-harvest"), "expressed the view that all men would find work now that the harvest season was at hand. Even in regard to families where there were no employable men, but employable women, the same policy would prevail, he said."²¹

This was in spite of the fact that the United States Department of Agriculture announced contemporaneously: "In Iowa, July 1, the supply of farm labor was 98 per cent of normal and the demand

86 per cent, with the ratio of supply to demand 114 per cent." As to wages, "Farm wages were reported to range from 70 cents per day in South Carolina to \$2.25 in Massachusetts, with an average of \$1.41 for the country, without board." ²²

In South Dakota in 1935 the heads of nineteen thousand families were hunting for private jobs after all relief was suspended to force men into the harvest fields. "Few could find farmers to hire them." ²³

In the South, meanwhile, relief was taken away from farm laborers and croppers as soon as the season for planting approached. In early 1934, croppers and farm laborers were laid off CWA projects in preparation for the farm season. An Associated Press dispatch of February 16, 1935, dealing with the general paring down of the CWA program, read: "The rural areas were selected for the first demobilization because many thousands of tenant farmers and even persons who owned their own farms have been working on civil works. Hopkins felt that these men, having made 7 or 8 weeks' wages or even more, should be able to go back to their farm and raise a crop without suffering." ²⁴ The real reason for this layoff was apparently the objection of plantation owners to government interference with their cheap labor supply, even though the farmers were in desperate need. At this time, the correspondent of the Federated Press in Washington remarked in a dispatch that southern plantation owners and lumber and textile men "have won their fight against payment of wages of any kind to the southern jobless." "Work for wages from relief funds is not an essential part," stated the administration program, for the "needy persons in rural areas." A very loud outcry had been raised by southern employers, planters, and lumber companies against the relief wage. And the authors of the *Collapse of Cotton Tenancy* conclude from their extensive studies that "the share tenant's situation is the impossible one of being forced . . . on the one hand to seek relief as the only means of keeping alive; and on the other hand, of having this relief opposed by the landlord because it may spoil him as a tenant if and when he can be used again." ²⁵

The *New York Times* of June 17, 1934, quoted a comment by Governor Talmadge of Georgia when that official was asked what

he would do about a large road contracting concern's refusal to comply with an NRA request to pay workers the minimum hourly rate provided in the code. It was paying from ten to sixteen cents an hour. Said Governor Talmadge, excusing the contractor's refusal to comply, "It grieves me beyond words to say that in my home county and in practically every other county in the State of Georgia there are men and women and children working on the farms sometimes twelve and fourteen hours per day and receiving about 40 cents per day for this hard work."

Under the AAA program as conducted in the South, large sections of the rural population were unable to secure a share of the government payments and were actually impoverished further. It has been shown that in many regions the tenants and croppers were deprived of their supposed benefit payments under the Act, when, according to orders, they had plowed under part of their crops. The landlord handled the transaction, and claimed his reward.²⁶ Not only that, but the net result of the Act was for the tenants to be thrown off the farms in large numbers. In the *New York Times* of May 20, 1934, we read, "Regimentation of cotton growers under the New Deal . . . is throwing out of employment a large number of the sharecroppers, both white and Negro, who furnish the labor for the crops. About one-third of these workers are estimated to be adversely affected in this area. . . . At Cape Girardeau, on the outer fringe of the cotton belt, poverty-stricken families of sharecroppers were found stranded along the highways. . . . Inquiry developed that these families came mostly from Arkansas and had been thrown out of work when acreage was reduced there." And recent studies show that "with the accelerated displacement of tenants . . . went all prospects of 'furnish' and shelter. The result is a homeless, shifting, and stranded population with no prospect of relief except that which might come from the government." One study in North Carolina estimated that in 1934 between eight and twelve thousand families had been displaced in that one state.²⁷ What this might mean for agricultural child labor it is easy to see.

In the fall of 1936 there was still evident the tendency to force

workers off work relief and into lower paid agricultural work. Reports from the South reflect this. On September 9, Chamber of Commerce officials of Memphis, Tennessee, were reported as seeking "a temporary halt . . . in federal relief work as an aid to planters in need of cotton pickers. . . . The Chamber's agricultural committee prepared to lay before relief officials a proposal to curtail relief work for a period of ten weeks so that workers might go to the fields and harvest the cotton crop." And from Jackson, Mississippi, came word that "all WPA projects in Mississippi have been ordered suspended to provide cotton pickers for distressed plantation owners, Wayne Alliston, State WPA Director, announced today. Several thousand workers are expected to be made available by this order, Mr. Alliston said." Mr. Gardner Jackson, Chairman of the National Committee on Rural Social Planning, in a Federated Press dispatch of November 4, 1936, cites evidence that workers who were being taken off relief rolls and sent into agriculture by action of local and state WPA officials had to take such work at substandard wages.

It may be rightly said that such sweeping rulings do not harmonize with federal WPA policy. We note, for example, in the *New York Times* of September 10, 1936 (on this same date came the accounts from Mississippi and Tennessee), a ruling from the WPA in Washington that "although the needy must accept available private jobs, they need not do so 'unless they are qualified to do the work and when such work is at a standard or going rate of wages.'" A spokesman for the WPA said that they could not "be a party to arbitrarily forcing workers to accept substandard wages." But if the general relief policy of the Government is in the direction of cutting down federal relief, and if the WPA permits discretion to its local and state administrators in deciding what local wages may be accepted as "standard," then what happened in Mississippi is but the logical result of national WPA policy. We should be remiss if we did not check the national WPA words by the local WPA deeds; it is such deeds that in the end tell.

Altogether, with such vast numbers thrown off the relief rolls throughout the United States, especially in rural districts, the employers of farm labor were never in a better position to secure cheap

labor in any numbers that they might desire—and hence by bitter family necessity to secure the labor of children along with their parents.

* * *

As we look back over the story of the agricultural child, we see that not even the labor of children on farms away from home and parents has been regulated, much less the labor of those who are cast aside as objects of "parental rights." And today the reformers apparently do not contemplate including agricultural occupations in their proposed federal child labor legislation after the Child Labor Amendment shall have been secured. Yet no one who is informed about reform history could possibly expect much progress for agricultural children by way of state-by-state legislation, since any local bill would have to receive the approval of the influential large-scale farm operators. The large-scale farm operators are in no hurry thus to jeopardize the handy and cheap labor supply that children afford. We have but to see how the slightest efforts have been interpreted away to know the temper and strength of the forces opposed to all regulation. Our final chapters will touch upon these points. Unless some new and determined control program emerges, we expect little change in the deplorable conditions under which the agricultural child labors or in regulations touching his work. He will remain, as he has been, a forgotten and disgracefully exploited child.

WHEN REGULATION DOES NOT REGULATE

TO THE uninformed person regulation is probably synonymous with effective regulation. This is far from true. So open is the American labor market to the employment of children that even the so-called "regulated" occupations are in many instances a travesty of the term.

Minimum regulation presumes some control of the age at which children may work, the amount of education that they are required to have, their physical fitness for work, the occupations that they may and may not enter, and the conditions on the job; on each of these points there exist well-established standards. But let no one suppose that all of these features are regulated, or all occupations, even for the 20 per cent of the working child population that are supposedly working under regulated conditions. That would not be the case even if the best laws that now exist were incorporated into a federal statute applicable to all states and territories! As it is, our country's provision for its children is split up into forty-eight different sets of regulations (forty-nine, including the District of Columbia), among which there is the widest divergence in kind as well as in degree. We cannot do better than to take a running glance at the status of child labor laws if we would get a sense of the chaos that our laws assure.

Most states set up a fourteen-year minimum age provision, ". . . but few apply [it] to all employments at all times." Agriculture and domestic service are usually altogether exempted or omitted from the laws; so are street trades, whose regulation is done in other and less effective ways.¹

"Every state" has laws requiring attendance at school up to 14

or above, but "it must be borne in mind that these laws are weakened by various exemptions," to say nothing, we might add, of the children who have available only a three- or four-month school, even without the exemptions.

While twenty-three states now have a law requiring physical examination for children under 16 before they go to work ("that is, who go to work in regulated employments"), ". . . in practice physical examinations are seldom sufficiently thorough to prevent children in poor physical condition from going to work."

In thirty-seven states and the District children under 16 may work only eight hours. But here the exceptions begin. In seventeen states this holds "in all occupations except agriculture and domestic service." In eight states it applies to these but nominally. In twelve, its application is more limited still. The remaining states permit longer hours, and grant many exemptions to whatever limitations are imposed. On the length of the work week, the laws are even more lax. Only five had a forty-four-hour law in 1933. Forty-eight hours is usual. Georgia scarcely regulates the hours at all: children may not work more than sixty hours in cotton and woolen mills, elsewhere they may be worked as long as required! While South Carolina, Florida, Maine, and Vermont apparently limit the hours to eight, nine, or ten, in fact they exempt stores, not to mention the unregulated occupations. "Some states fix hours in only one or two kinds of employment, work in factories or stores, or both." (And, as we saw, in Georgia, outside of cotton and woolen mills, no hours are fixed at all.) Hours, then, range nominally from eight per day and forty-four per week (one state) to eleven per day and sixty per week; but ". . . many of the provisions have numerous exceptions, such as the permission of overtime under certain conditions, that do much to weaken the effectiveness even of the standards they attempt to set up."

Nightwork is variously prohibited for girls and in some cases boys under 16 (in Texas under 15): most states say no factories or stores, some say no factories but stores are all right, others "nominally cover all employment," and in two there are no prohibitions at all. But when done with these exemptions, there are others. "More than half of all these regulations are applicable only to girls." "A few

of the laws nominally cover all employment, but generally agriculture and housework are omitted in practice if not in the language of the law itself." The prohibited period of work varies greatly, in some states not beginning until eight, nine, or ten o'clock at night.

Minimum wage legislation has made little progress. In 1930 eight states had laws touching some children engaged in some occupations. In 1933 six or seven other states passed minimum-wage laws under the impetus of unemployment and the need of adults for the jobs held by children. Prior to 1930 several laws were declared unconstitutional, and in Colorado the law did not operate owing to the absence of an appropriation.² When the NRA codes were set up minimum wages were widely instituted. But in most industries covered by codes children under 16 were prohibited from employment; and in any case, exceptions were usually allowed, as, for example, by exempting "learners" (which term, we understand, was often arranged to include many who had learned a long while ago!). Undoubtedly, many of the young workers came under the exemption. With the passing of the NRA all these minimums have passed also. In short, relatively few child workers come under the provisions of the few existing minimum-wage laws. It is safe to say that almost everything remains to be done for the establishment of a minimum wage for the employment of children in the United States.

Hazardous occupations would appear to be an obvious field for regulation, but most of these remain untouched. Following the 1931 White House Conference on Child Welfare, a technical committee appointed by the Children's Bureau recommended specific standards that should be in force. "These recommendations are far in advance of state regulations." The states differ widely in their provisions. As this committee of experts declared, "Occupations prohibited in one state are entirely unregulated in another and many states have failed to prohibit occupations that are acknowledged to be extremely hazardous." Those provisions that do exist usually protect only children under 16. Can anyone doubt that boys and girls of 16 and 17 should likewise be protected? "Comparatively few prohibitions have as yet been extended up to this age, either by

law or by ruling," though the experts' standards are specific on the need.

What of the minor who is actually injured? Especially if he is injured in one of the occupations prohibited to him by law? Or if he was employed below legal working age? If he is lucky, he will be covered by the workmen's compensation law of his state. (This is true of twenty-nine states.) But for a child that means very small compensation indeed. For compensation is calculated on a percentage, in most states 50 per cent, in some 60 or 66.6, of weekly wages, and the child's wage is of course small to begin with. On this account, advocates of child labor control have for many years urged additional compensation to be paid by the employer for minors: for those permanently injured, a compensation based upon their future earning capacity, and for those illegally employed, double compensation. In seven states illegally employed minors in some classes of occupations, under certain specified conditions, do get some degree of additional protection. But in many states the injured child receives even less protection than does the adult: if the child was illegally employed, he is in fifteen states considered to fall outside the compensation law altogether. Naturally this serves to encourage rather than discourage illegal and dangerous employment.

That does not complete the dark picture. Enforcement in the states is one of the blackest spots of all. Even under the best enforcement prevailing, many children are illegally employed. New York State publishes figures, and it is a state conceded to have far more effective enforcement than most. In 1928 the State Labor Department in a sample study found over four thousand boys and girls illegally employed in factories and stores. Something over eight hundred were under 14 years of age, about five hundred worked at illegal hours, and over two thousand did not have the required employment certificate.³ If this was the case for New York, what might we not expect in other states, some of which have so small a staff of inspectors as to permit next to no enforcement of the laws? Indeed as we shall see presently, an expedient sometimes resorted to in order to emasculate a legislative measure is to strike from it all provisions for enforcing the new law. On the statute books it may read like regulation, in practice it can hardly function at all.

Says the White House Conference report of 1931: "The enforcement of child labor laws is uneven. In many places it is so inadequate that one or another provisions of the law is probably being violated for a majority of the children at work. Examples of inadequacy of enforcement, often extreme, have been found in all places where investigations have been made, and extend to all phases of child labor legislation."

Canneries furnish one of the most striking examples. To show the advantage of regulation, the Children's Bureau cites the fact that whereas in states having no eight-hour law for cannery children 96 per cent of the children investigated worked over eight hours and 78 per cent worked ten hours or more, in the states that did include the cannery industry under their child labor law only 66 per cent worked over eight hours a day and only 40 per cent worked ten hours or more! ⁴

As for nightwork, "the percentage of children under 16 illegally employed at night in the fruit and vegetable canneries included in the Children's Bureau survey ranged from 7 in Wisconsin to 92 in New York."⁵

In industrial homework violations many times outnumber observances, even of such weak provisions as do exist. In only twelve states are homework licenses required, and "in only three of these states is the license conditional upon compliance with the state child labor laws." In two other states industrial homework is specifically included under the child labor law itself. In New Jersey in 1925, of 628 home working families studied by the Children's Bureau only 73 had the licenses required by law. In Pennsylvania in 1926 the Bureau of Women and Children after a year of intensive enforcement effort claimed to have reduced the proportion of homework parents who "allowed" their children to work illegally, from 50 to 23 per cent. And in New York in 1924, "Seventy-nine per cent of the children found doing home work were under 14 years of age and 93 per cent of the children were working illegally."⁶

In no area of child labor is the lack of regulation more glaring than in agriculture. "Little attempt has been made," records the Children's Bureau, at the height of American prosperity in 1929, "to restrict the hours of agricultural work for children, even when they

are hired by others than their parents, nor to fix a minimum age. . . . Children are often hired to do farm work when school is in session." 7 "Communities . . . seldom consider that they have any responsibility for the education of the children of compulsory school age brought in . . . to harvest their crops." 8

The contentment of "communities"—that is, those who have the power and influence to alter conditions—with the existing situation has been embodied in law. Many states have special clauses in their school attendance laws excusing children for "sufficient reasons," "necessary absence," etc., as well as for "poverty." Of course any such excuses can readily be used for absences for agricultural work, provided ruling opinion favors it, as it so prevalently does. Sometimes the laws specifically direct the line of interpretation to be followed. Thus in Georgia the "good reasons" are determined by local boards of education, which are specifically authorized to take into consideration "the season for agricultural labor" and "the need for such labor." In North Carolina the matters to be considered are "the immediate demands of the farm and the home in certain seasons." 9

Contentment of leading opinion with the existing situation is also shown in the very widespread nonenforcement of such laws as do exist.

So early as 1920 we read of California (which even then had a 16-year education law): "Enforcement of school attendance lies in the hands of local trustees, but these very trustees are often cotton ranchers and themselves workers of little children. Will they . . . telephone to a local attendance officer: 'Come up to my ranch and make these children stop picking cotton and go to school?'"

"The sore spot of the entire state," we read, "is Imperial Valley." (This, already in 1920.) "Imperial County covers a couple of thousand square miles and has only one attendance officer." She is "neither provided with a conveyance . . . nor allowed one penny for traveling expenses." Is this mere inadvertence on the part of the leading citizens of Imperial Valley and their friends in government? Or is it something more powerful? "Our labor troubles," the investigator quotes a rancher as saying, "are with the educated ones." 10 As for

their child labor law, local school people in California, we are told, in 1919 "pleaded with the inspector to enforce the law.' But he merely continued to warn the employers; and his visit was said to have created less than a ripple on the child labor situation." The National Child Labor Committee concludes: "The child labor situation has admittedly grown worse. . . . The law is clear. The violations are grave and undenied."

The same conditions of nonenforcement, the same relationships between employer and agencies of government, have long existed in the New Jersey child employment regions. "The farmers who . . . hire children for field work," writes the Children's Bureau in 1924, "are known to him [the attendance officer] personally and are in many cases his neighbors or friends."¹¹

In general the Bureau finds that laws often specify "any gainful occupation" as being forbidden to children, but that they are not enforced for agricultural work. So too with the laws regarding gainful employment during the school year.¹²

Quite as instructive as the open violations of existing law in showing the real outlook of the influential members of communities toward regulating agricultural child employment is the kind of modifications that they sometimes introduce in trying to make their laws "workable."

"In Nebraska," we read,¹³ "the Department of Public Welfare found that the beet-sugar companies . . . were taking the families to the fields in the spring from two weeks to a month before their services were needed, in order to be certain of securing the labor before some other company had a chance to do so." (Note that it is the Department of Public Welfare that took the initiative in this matter, not the education authorities.) The method thereupon devised by the Public Welfare Department to check this abuse is highly instructive. "By cooperation with the school authorities and with the beet companies, a date was fixed." This date was "only 4 or 5 days [i.e., one school week] ahead of the time when the schools regularly closed," and gave "the beet companies a fair chance to get the labor." (Nothing is said about giving the children a fair chance to get their full schooling.) "Parents who attempted to leave with their children before this date [i.e., the companies' date,

not the legal school date] were prosecuted. . . . In the autumn three [parents] were fined . . . the cost included the expenses of an officer sent by the court from Lincoln to the beet fields of western Nebraska so that each man paid a fine of approximately \$53." In other words, the families (and the school law enforcement) were to accommodate themselves to the beet companies' requirements; and for whatever infringements occurred beyond that point, the families (not the beet companies) were to be punished.

And how about the return of these children to school in the fall? That could wait upon the convenience of their employers. No specific date, even a late one, was set. "Commenting upon the situation in the spring of 1930, the Secretary of the Nebraska Department of Labor* writes: "This Department has called a conference of the employers . . . each year. . . . We fix the time for removal to the beet fields . . . when the children can be taken out of school with the least adverse effect [i.e., one week early]. . . . Then we request that they be back from the beet fields in time to enter school at the middle of the first semester of the school year.'"

In other words, these little children from the beet fields were deliberately to be allowed to miss one-fourth or more of their school year, by express arrangement of the labor, welfare, and educational authorities. The Department adds that it has "at no time authorized the removal of the children. . . . It has simply said that it would not prosecute. . . ." ¹⁴

In California we find the State Board of Education in the midst of the prosperity period suggesting that in regions of migratory farm labor the school day be "adjusted" to allow the children to work afternoons. "When the agricultural work is very light and without hazards [*sic!*], there should be an adjusted school day, beginning not later than the field work. . . . This provides . . . that the children may work afternoons. . . . The whole adjustment [we are assured] is made in view of what is best for the child, and arranges that when he is not in school he is with his family. The school session is a full session. . . . The hours remaining for work cannot then exceed five." ¹⁵ In other words: a full school day, and

* The Department of Public Welfare had meanwhile been merged with the Department of Labor.

then five hours of continuous agricultural labor—all for the sake of giving the child the companionship of his family.*

There was nothing new, however, in this idea of California's. "In some sections of the South," the National Educational Association reports, "the school day opens as early as 7:00 A.M. and lasts until noon in order that the children may—pick cotton. Thus these little child laborers can put in two days of work in one."¹⁶

Little regulation of any sort exists touching young people of 16 and 17. Sixteen has been the deadline for most child labor laws. The theory is that these older child workers should at least be protected from hazardous occupations and compensated for industrial injuries, but more often than not the theory breaks down. Standards have it that they should be certificated as are the younger workers now, and that their work should be regulated as to hours, wages, and conditions. At present these standards remain largely paper proposals. Minors are exposed to virtually all the hazards of adult labor as soon as they reach the age of 16.

Should not more be said for the regulations instituted under NRA codes? That was a brief interlude whose importance was overrated to the point of absurdity. The very numbers affected, as we saw, were but a fraction of the whole problem: the worst areas of child employment were left untouched. We should gain from the codes two lessons, however, both of which experience should have taught America long ago. Nation-wide federal regulation is the only sensible and effective method of controlling child labor in the United States, but it is futile and foolish to resort to voluntary agreements as a method of control. Nothing short of permanent provisions in the statutes, with government enforcement machinery, will spell reliable gains.

* The California Board of Education also considers that the migratory children can get along with district and county (not state) educational aid, adding naively: "At times the growers have come to the rescue and provided housing. . . . Such aid is entirely optional, but when it has been given, school attendance has been increased by their interest, and a better school has attracted and held better labor." Evidently the California Board of Education sees nothing incongruous in such a statement of educational policy.

Part II

DEMAND AND SUPPLY

ARE CHILD WORKERS MENTALLY INFERIOR?

IF ALL that the American public needed were to be shown that laws and conditions are not what they think they are, that would be task enough. But a subtle and pernicious conception, which has gained ground, must be attacked.

In late years the notion has been propagated, sometimes with innocent enough motives, though sometimes for ulterior ends, that in the final analysis children go to work, not from basic social-economic causes, but because of mental incapacity for further schooling, or from other personal characteristics that make them prefer work. If the concept had not such vogue we should not treat it seriously, for it does not deserve it. But sad to relate, it has received some pseudo-scientific support. It cannot be ignored. All too apparently it can be and has been used to undermine efforts for effective social control. There seems but one thing to do: thoroughly to examine the concept, and to offer, in the light of all available evidence, a restatement of the causes of early work.

Some would have us think that the demand for child labor comes about chiefly in response to the pressure of the supply. Not infrequently manufacturers have said in substance before Congressional and state legislative hearings, "What are we to do, when parents need their children's earnings?" "They stop school anyhow. Would you have them growing up in idleness and crime?" "They are often incapable of profiting by further schooling; they are dissatisfied with school. For these children, work is a blessing."

Many who would not go so far as to say that child labor is altogether occasioned by the existence of a willing and persistent supply would nonetheless insist that the principal cause lies on the

supply side of the equation, functioning through personal factors. To them, child labor exists widely because most child laborers are unable to profit further by school. Even the condition of family need, which manufacturers often admit, is considered of secondary moment. While some employers do go on the market looking for child laborers, nevertheless, so they argue, the ultimate problem lies in the personal characteristics of the child.

This appraisal of the cause of child labor has had a growing vogue. Despite much that has been said to give us pause, many turn to it still as a "scientific" explanation, content apparently in the escape it furnishes from disturbing social and economic facts.

So misleading has been the distorted emphasis upon personal characteristics that anyone starting out now to discuss child labor must undo the harm done by that before he can go on. He must clear away a mass of secondary and extraneous material and then proceed to a careful account of what by now should be beyond debate.

The most pernicious doctrine, for which a would-be scientific basis is sought, alleges the mental inferiority of the working class. Child labor samples have been used as a chief bulwark for this outlook.

Not that many beyond academic and social work circles have actually examined the stream of investigations which have been used to support such a view. Unknown to themselves, however, not a few people have been affected by impressions flowing to them from those who do have access and who propagate their views. Professors here and there who are also writers and public speakers, and occasional social workers whose gospel has long been "individualization," and even occasional ardent laymen who have taken this on as a volunteer task have been giving emphasis to their notion that nearly all social problems (including stopping school and going to work) are first and foremost traceable to the inherent incapacities or the acquired maladjustments of tens of thousands of separate personalities, with only the most passing reference to the conditions out of which these personalities come. With the result that many of the reading public have become enamored in late years of these byways. Not out of perversity, of course; perhaps

individual failures and successes always tend to be more intriguing than impersonal "forces" and "conditions," especially when the existing conditions contrast too uncomfortably with one's own well-ordered régime. And it is also generally speaking true that some in the "upper classes" find it more to their taste to have people poor because they are "inferior" rather than "inferior" because they are poor.

Be that as it may, on this doctrine of class inferiority hangs the whole case for placing the primary cause of child labor in personal characteristics. Such a doctrine, therefore, must be treated first.

The grounds upon which the "mental inferiority" school bases its conclusions are approximately as follows:

When examined, something more than half of all working children, studies show, are found to have been below grade for their age before they left school. Moreover working children, when subjected to mental tests, test on the average lower than school children of corresponding ages. Moreover, while children are still in school, working-class children on the average show lower I. Q.'s and more retardation than the children of business and professional people, and children of unskilled workers more than children of skilled.

Combining all these findings, certain students of child labor have concluded that child workers are as a whole congenitally inferior in mentality, and that this inferiority, common in some degree to the entire working class, is a leading cause of their going to work young. Of course such an explanation does not answer the further question, Why is it that stupid children of other classes do not go to work? Nor the cognate one, Why is it that even many bright children of the working class do go to work? Whence the class situation of these children that makes it "natural" for them to do this thing which would be regarded with horror for even the less competent individuals of the business and professional classes?

Before turning, however, to the theory of the "mental inferiority" school, we should like to remind the reader of certain well-established facts. The conditions out of which children can be drawn into full-time work are—it seems supererogatory to have to mention it—the conditions of the working class. That means, as we shall see

by facts and figures in succeeding chapters, characteristically conditions of economic insecurity and recurrent want.* It also means conditions that tend to hamper the children in making as great a success of school (or of mental tests) as children of the more privileged classes. Some of the more obvious of these differences may be worth noting.

Physical surroundings are less favorable. The worker's child lives in crowded rooms. His hours of rest are more broken. His diet is less adequate and less adjusted to his needs. He is more exposed to childhood (and other) diseases. He receives less adequate treatment when ill, and less adequate health upkeep (treatment of teeth, tonsils, etc.) when well.

Intellectual opportunities are more limited. The worker's child has less reading matter. His family has less. As manual workers, set apart as a class, they are not expected to share largely in the cultural life of the community. Sometimes he has a language handicap (i.e., when he is the child of immigrant parents).

The worker's child is less free to give his full energies to school subjects. He has more work to do inside the home and outside of it

* That full-time child workers are drawn from the working class is readily established, for a number of studies show the occupational class of fathers. Helen S. Woodbury's study of Boston continuation school children (working children aged 14 to 15) shows, for a sample of 550, that some 84 per cent had fathers who were manual workers; about 16 per cent had fathers who were petty proprietors, clerical workers, etc.; none was from business or professional homes.

Helen T. Woolley, in her study of 1,500 school and working children in Ohio, states: "The working group exceeds the school group significantly in the number of families deprived of a father's support and in the number of fathers employed in unskilled labor and as teamsters—an occupation which might also be classed as unskilled. The school group contained practically all the fathers who were business managers, manufacturers, professional men, and most of the merchants and office workers. The proportion of fathers who were skilled laborers, public service employees, salesmen, and saloon keepers differed little in the two groups."

Our sample of nonretarded working children from Massachusetts and Alabama aged 14 to 15 (the Alabama group included only white child workers), showed 90 per cent of working-class origin.

Even studies of older child workers show the same general trends. Palmer's California study, for example, showed 80 per cent from working-class homes, and most of the remaining number from lower middle class.¹

Our sample of 16- to 17-year-old children also showed 80 per cent working class, with the remainder, in all but a few instances, coming from petty bourgeois background.

dissociated from either school progress or play. He has less convenient surroundings for study.

Career incentives are commonly lacking. The worker's child is less subject to the spur of ambition in his school and other intellectual work. He does not "of course" have to "pass" something now in order to "get in" something else later on—something at once attractive, expected of him and within his reach. He does not have to exercise his schooling in order to acquit himself acceptably in that economic class in which his family already is: there is no direct and obvious connection between his own use here and now of his intellectual equipment and any future that is definitely laid out before him.

What parent from the privileged classes whose own child was subjected even for one school year to the unfavorable conditions that are common to working-class children's homes, would fail to make an immediate connection between the child's lessened progress in school and his environment? Suppose that it was his child, instead of the 11-year-old brother of a certain lad—call him Tony?

Tony has to get up at five in the morning to deliver papers, after sleeping three in a bed for the night. A bed in a room, by the way, that would not have the "large windows and cross ventilation" that child specialists love to advise, but rather a small window opening on an alley jammed close up against another house. Tony's father is a molder by trade, in a steel mill. During the war boom and after he earned as much as \$40 a week, but not lately. In 1930 he was laid off his molder's job, and all he can get now is a few days a week at \$2 as laborer about the mill.

For their four-room ramshackle house Tony's father is paying \$10 a month. It is in abominable condition, perhaps it hardly seems worth while to the landlord to keep it up, so old and dilapidated is it. Eight people in the four rooms: a kitchen-dining room in one, Tony's parents in another (which is parlor too when need be), and the six children divided around in the others (the children's rooms just about right to house one each).

Tony has turned out to be a good telegraph messenger—for two years now he has kept his job. When he sold papers after school things had

not gone so well. He used to fight a lot, and his father had to come along to smooth things out. But after all, he began work when he was 12, and had five hours of it every day after school and Saturdays, beginning at three and never getting home until between eight and nine. Now Tony's brothers, three of them, each in turn have gone into news-boy work; the boys 15 and 13 sell on the streets after school—their hours much what Tony's used to be, and the younger one of 11 with a paper route early in the morning before school.

As far as Tony was concerned he was going to high school. Then things got bad at home, and he began to fall down in his lessons. There was more homework in the last year or so, and not getting home from selling papers till nearly nine, even though he had kept up to his grade, sent him to school many a day his lessons untouched. His father got tired of his fighting also. "No more trouble," his father says, since Tony is at work full time. But now his younger brother is complaining about school, his teacher is "mean" to him, he wants to get out and work, and he probably would, except that he can't find a job.

The boy's home is a pretty barren place. Tony is sorry for his mother, so tired all the time. Cooking all the meals, washing dishes, washing and ironing clothes (a frequently repeated task because they have so few changes), marketing for the cheapest groceries, which takes time and blocks of tramping, little help from the children with the four oldest at work or school until eight or nine at night. Tony's mother doesn't get much time to scrub and sweep "till things shine." What some of Tony's friends' homes have, his does not—little furnishings bought on instalments, that make it nice—a radio best of all. When they used to live in a better house—since given up for this place and its cheaper rent—they used to plan on the things they would someday buy. Now they are in debt, for doctor's bills because his mother was quite sick for a while. Tony's people never did go in much for reading—books and magazines are not around the place; his father doesn't care about it, and his mother would not have time if she did care; the most they have is a paper the boys bring home once in a while.

Tony's mother finds the meals her hardest work, they are so irregular and spread out. On the days her husband works he must leave home at six (she would gladly have it every day, if he only had the work); the rest of them eat about seven-thirty. When Tony's family comes

in to breakfast (not the eleven-year-old who comes hurrying in from his paper delivering just in time to swallow something and rush off to school), his father has already left for work, if he goes that day, and the others partake of their sketchy bite in the overflowing kitchen. Only the three youngest have milk—because they are the youngest—and nowadays his mother can buy only one quart; even so she must sacrifice other food they might get—fresh bread, for example.

At the noon meal the kitchen is in a state. The children have to hurry for school—except the little one who hangs on his mother's skirts all the time—and Tony for work. If his father is not working, he is there too. ("The kids all mind when father's there.") This main meal is little different from the main meal yesterday and the one they will have tomorrow. Twice a week they have stew meat, beyond that no meat at all; on other days spaghetti with a little cheese, which fills at least; stale bread for its cheapness; vegetables—either dried peas or beans or canned tomatoes; for months no sweets. They used to have desserts sometimes, but not since the layoff. "Too hard to feed so many children that come to us," Tony's father says, "that we have nothing saved when times come bad."

Tony's father likes his supper promptly, and the little children eat with him. Sometimes Tony comes in early, other times late, and his brothers of 15 and 13, who are on the streets at least until eight selling papers, do well to get in just before nine. Hardly has Tony's mother settled the youngest into their crowded bed to sleep when her two newsboys are here, ravenous for supper and worn out to boot, and she must get something for them before they fall into bed.

Tony is off work after eight hours, but he likes to go over to the boys' club at the "Y," especially for the sports, so his supper waits on those nights until he gets home. If he could, Tony would go to the club almost nightly, but his parents are old-fashioned and want him to stay at home more. They argue, and he rebels; especially he rebels against his father's sternness, which has always been a little harsh. Only through his mother's intervention does he get the privileges he has. She reminds his father that "After all, Tony works."

Has Tony any trade he would like to learn, is there a future in the job he holds now? If you ask him what he would like to do, Tony

hasn't much to say: "Anything that pays better than messenger work," is as far as he has gone.

What future does such a home hold for the education of Tony's little brothers and sisters? There are the same heavy outside pressures and confusions that made Tony himself "fall down on" his lessons long before he made the actual step to work. There will be the same uncertainty and cramped income, the same drab prospects once school is over, the same physical fatigue, crowding and distraction, the same actual interference with needed hours for study, the same sometimes exciting prospects of early independence, the same total lack of any sense of connection between school and what is in any case coming, on the one hand, or between school and the necessary daily life of one's home, on the other. How can anyone maintain that conditions such as these do not deeply affect the whole mental set and capacity of the child even while the school walls surround him?

Tony's is but one home. Others we might think of would differ from it in many details. Yet with all these variations the homes would have essential traits in common: inadequate income conditioning their material environment, limited opportunities, frustrated potentialities, features they would share by reason of their economic position, features that would be bound to have on children the profoundest of influences.

The full weight of the factors we have described is only beginning to be appreciated, through the work of the newer, psychiatric school of psychologists, and therefore it has only been applied extensively to the consideration of individual cases. To the consideration of the economic situation of whole classes it has not yet been applied. (This in itself is striking.) The distinction between latent and aroused powers, once given the removal of environmental blocks, let alone the distinction between original equipment and its condition after impairment through early adverse environment—these things can surely not be measured today, but we know them to be great.

In turning now to examine the validity of the actual arguments about native capacity, we should not fail to ask, What is the

quantitative basis of the differences noted by the writers who stress the "mental inferiority" view? How many children of the working class show how great a difference from their more privileged school-mates? (Often, it might be added, they come from different, less well-equipped schools.) Does the size of these differences far outweigh any reasonable allowances for environmental handicap as compared with the children of the business and professional man? What light is thrown upon these differences by studies of individuals and groups of children who have been removed from less to more favorable environments? In noting the conclusions of the "mental inferiority" writers, moreover, we may well ask, How close a relation do these conclusions bear to the writers' own descriptions of their facts? Do they flow necessarily from them, or is there a break, a change of level, between data and generalization?

Perhaps the clearest popular statement of the "mental inferiority" argument is given by Professor Taussig of Harvard, in a book issued in 1928 entitled *American Business Leaders*.² In this book Professor Taussig attempts to prove that American business leaders have become business leaders by virtue of innate ability, not class opportunity, and conversely (by implication) that members of the working class remain where they are because of lack of ability. He says: "According to this view social classes as we know them today have been built up through a long-continued process of selection. The nature of this process is such that the individuals of superior native ability have been drawn upward into the higher social classes and the inferior have gravitated into the lower classes."* Applied to child workers, this argument would read: Child workers, along with other members of the working class, are where they are primarily because the selective process, so ably described above, has gradually sunk their mentally inferior parents, and their mentally inferior parents' parents, into the class where they now find themselves, a process that now forces these mentally inferior children to drop out of school—and only incidentally, as it were, to go to work.

* Incidentally, Professor Taussig states that his business leaders had no more than an "average" education, although half of them had been to college (at a period when less than 1 per cent of the general population got there).

Mr. S. M. Stoke, in a study comparing children's ability and the occupation of their fathers,³ comes to a similar conclusion: "In general it indicates that men of a given occupational rating tend to produce children of the same degree of ability."

In greater detail, Mr. J. E. Collins, in a study of public school children in an Ohio city, concludes that "the occupation of the father may be considered as a rough index to the intelligence of the child." "The children of professional and managerial fathers," notes Mr. Collins, "have a higher I.Q., on the average, than those of clerical and trade fathers, who in turn have a higher intelligence rating than the children of laboring fathers. . . ."

"The occupation of the father, then, may be considered as a rough index to the intelligence of the child. The chances are that half of the children of the professional parents will be of superior intelligence and that not more than one-tenth of the children of the unskilled laborers will show a similar degree of intelligence."⁴

Studies of preschool children have also been made to show a similar correlation. Thus F. L. Goodenough compared two groups of preschool children, one, be it noted, children from professional (largely college professors') homes whose parents were intelligent and cooperative enough to bring their children for study, the other a group of children from poor homes, who were referred to the tester by social agencies.⁵ Miss Goodenough finds a notable difference in test results between the two groups, and concludes as follows:

"The findings of such marked intellectual differences between social classes as early as the age of two years must be regarded as highly significant. . . . While," she grants, "one may plausibly advance the hypothesis that the home of low cultural standards does not afford stimulus for the acquisition of the more complex and precise language concepts or the fund of information necessary," yet, she concludes, tests on young children are a different matter and point to innate differences. (We should compare these findings with those of Miss Ethel Kawin on the same age group. Of those we shall speak later.)

Applied directly to working children, mental tests have allowed investigators to come to similar conclusions. Thus Mr. L. Thomas

Hopkins in a Harvard study of 14- and 15-year-old Massachusetts continuation school children tells us that he entered upon his investigation with a "very definite conviction that pupils left school to go to work for the reason that they did not have sufficient intelligence to do the things which the school required." And at the end he states:

"From the foregoing discussion it will be seen that on every point of comparison the inferiority of the continuation-school pupils is found . . . they fall below the regular-school group in median score, mental age, and I.Q. . . . One cannot escape the conclusion that the question of low intelligence must be given serious consideration in any discussion of why pupils of these ages leave school to go to work." In fact, "Inability to do the work of the regular school is by far the most important factor."⁶

Mrs. Helen T. Woolley, in an elaborate and oft-quoted early study comparing children who had gone to work at 14 with others who had continued at school, concludes that the working children are inferior "by natural selection."⁷ "School children are better mental stuff at 14 years than working children," she writes. "Working children, as a group, are inferior . . . because of a process of natural selection which brings it about that inferior children are eliminated early from school."

Now it is very striking that these same authors who are so sure of their generalizations in the opening and concluding sections of their reports often cite a great deal of at least suggestive evidence in the actual experimental portions of their work that would tend to throw doubt upon the validity of their results.

Thus Mr. Hopkins notes that: "(1) there were in the continuation schools a large number of pupils either foreign born themselves or of foreign parents; and (2) many pupils left regular school with little or no training beyond that required for graduation from the fourth grade." And Mr. Hopkins therefore used a test (the Dearborn General Intelligence Test, Series II) which "lays less emphasis on school training than do other general intelligence tests." How much emphasis on school training still remains, however, anyone familiar with these tests can bear witness.

Moreover, Mr. Hopkins was not altogether unmindful of the

broader, general effect of unfavorable environment in the obscuring of native ability. But in what connection does he note it? In the intelligence differentials between boys and girls! The boys in his sample, he found, tested on the whole higher than the girls. This, Mr. Hopkins decided, could not be due to innate superiority—hence there must be an environmental reason. And he had no difficulty in finding one:

The most obvious explanation of this superiority of the boys is their wider experience. It is generally conceded that ultimately every woman expects to be a home-maker, and from earliest childhood her education is directed toward that end. She is trained in the virtues of modesty, patience, emotional control, attention to detail, and a long list of inhibitions and limitations to conduct, which usually go under the name of proprieties and conventions. While this may be perfectly good apprenticeship education for the later adult vocation, it cannot possibly furnish the variety of experience with life that accrues to the boy through his freer, easier, broader contacts and associations. If reactions to situations determine mental growth, and, other things being equal, the broader the contacts with life the greater the resourcefulness in attacking new problems, then it would follow that girls would naturally be at a disadvantage with the boys.⁸

In other words, Mr. Hopkins is quite ready to recognize the environmental advantages of boys over girls even when these boys and girls are brothers and sisters in the same home; but he is not ready to recognize the environmental advantages of the middle-class home over the working-class home. In the one case, Mr. Hopkins' analytical reason is free to work, in the other it would seem not to be.

Mr. Stoke, whom we quoted a moment ago, also notes a good many environmental factors, on the way to his general conclusion.

An examination of the Stanford Revision of the Binet Scale shows that the linguistic side of intelligence is tested more than any other. . . . The linguistic element becomes more difficult as the test progresses, for, while year 3 only calls for single words of a simple nature, year 12 requires

definitions of abstract words such as "pity," "revenge," "charity," etc., and the adult level requires distinctions between such words as "evolution" and "revolution."

. . . No doubt the children from homes of superior intellectual environment have a greater opportunity to learn and use a vocabulary before entering school than do the children from homes of inferior intellectual environment. . . .

A possible explanation of the differences in intelligence quotients lies in the pre-school training of the children. This part of the education of a child is supplied almost entirely by the home and immediate neighborhood. If these do not stimulate the child to thought and learning, the consequent result is that the child arrives at school age with his capacities undeveloped. . . .

The possibility of "mental under-nourishment" is worthy of consideration as a partial explanation of why the children in the lower occupational and income groups are not, on the average, possessed of as high I.Q.'s as children in the upper groups.

So much for the tests. But does Mr. Stoke pay any serious attention to these restrictions when he generalizes from his own use of the tests?

"In general, it appears that the children of the high group [i.e., upper class] are consistently superior to the children of the low group [i.e., working class]. Their greater superiority lies not in the mere possession of a large vocabulary which they can use in standard and familiar ways, but rather in the ability to see relations which are sensible but somewhat out of routine lines of thought—as in the similarities test of year 8. Whether they see these relations because their home training has been along broader lines with less routine than the training afforded in the homes of the poorer class, or whether they see them by virtue of superior intelligence is a question which cannot be settled by this study although some light may be thrown upon the question."

And what is this "light"? Merely the conclusion cited earlier: "In general, it indicates that men of a given occupational rating tend to produce children of the same degree of ability."⁹

A similar inconsequentialness is shown by Mr. A. M. Goldberger

in his study of continuation school children in Pennsylvania.¹⁰ He cites data to show how a group of children entering continuation school from a Polish parochial school in Pittsburgh, when tested with one test that emphasized language ability (the "Illinois" test), showed a lower than normal intelligence distribution; when tested with a so-called non-language test (the Pintner Non-Language Mental Test), they "yielded an average score above normal." He concluded therefore: "The results obtained from the Pintner Test tend to cast some doubt on the validity of a language test of the Illinois type for determining the I.Q. of continuation school pupils who, particularly in urban communities, often come in large numbers from foreign language-speaking homes."

Yet two pages later we find Mr. Goldberger using the results of this very same "Illinois" test to help show that Pittsburgh children working in factories are of inferior intelligence. "Children who work in factories have, on the average, lower I.Q.'s than those employed in stores and offices." How was this fact derived? "The I.Q.'s were obtained from scores made in the Illinois Intelligence Examination." *

Mrs. Woolley's elaborate study, referred to above, of working children versus school children in Ohio, also shows a series of

*Mr. Goldberger's results were as follows:

TABLE 19

PINTNER NON-LANGUAGE MENTAL INDICES OF 186 PITTSBURGH CONTINUATION SCHOOL PUPILS MOST OF WHOM ENTERED FROM POLISH PAROCHIAL SCHOOLS

<i>Indices</i>	<i>Mentality</i>	<i>Pintner Norms</i>	<i>186 C. S. Pupils</i>
0- 19	Dull	2.2%	0.0%
20- 39	Backward	22.8	11.8
40- 59	Normal	50.0	60.7
60- 79	Bright	22.8	24.7
80-100	Very Bright	2.2	2.7

TABLE 20

ILLINOIS INTELLIGENCE TEST—I.Q. OF SAME 186 CONTINUATION SCHOOL PUPILS

<i>I.Q.</i>	<i>Mentality</i>	<i>Illinois Norms</i>	<i>186 C. S. Pupils</i>
Below 60	Feeble-Minded	1%	1.1%
60- 74	Borderline	6	10.7
75- 84	Dull	13	17.2
85-114	Normal	60	54.3
115-124	Superior	13	13.4
125-139	Very Superior	6	2.7
140 and above	Near Genius	1	0.5

anomalies in method and conclusion. Her conclusion, it will be recalled, was, "The inferiority of working children is due to a very natural tendency for the inferior to leave school early."

To test her case, she used two school groups, one from industrial neighborhoods who at 14 were staying on at school awhile longer, the other from schools in more privileged neighborhoods who were staying on after the age of 16. (Mrs. Woolley was forced to take on the second group because so few of the children from the industrial neighborhood stayed on at school until 18, the end of her test period.)

Mrs. Woolley found that at 14 "the working group contains almost twice as many families that are without the father's support as the school group" (a sign of mental inferiority perhaps?), that "unskilled labor is a bit more than twice as frequent in the working as in the school group," and that "business men . . . comprise 15 per cent of the two school series but only 3.6 per cent of the boys and 1.2 per cent of the girls in the working series." Nevertheless she thinks it is "level of ability of the child" that really determines "whether the child shall be eliminated from school as early as the law allows." "Last of all in importance," she writes, "I should rank the economic status of the family. It seems to be true that if the ability of the child is adequate and the parental ideals are fixed upon education, some way is found to keep the child in school."

Mrs. Woolley next compares her working children, after four years of industrial experience, with the group, almost all from the more privileged schools, who had remained in school until 18. She finds that "The differences in mental test levels were much greater at 18 years than they had been at 14 years." (Strange, if the differences had been congenital to begin with!) "In round numbers, at 14, one-fourth of the working children equalled or excelled the median of the school children, and at 18 years only one-tenth . . ."

Does Mrs. Woolley note anything peculiar about this comparison, either in the yet more highly selected home advantages of the group from the 18-year-olds' schools ("many of them," she notes, "from high-grade residential suburbs") or in the cumulative effect of a school versus a factory environment? She does not. To her both

groups have apparently simply lived four years longer. She equably adds: "Tests which showed the greatest superiority of the school children were those in which both logical thinking and a good command of language played an important part."

What importance does this author attach to the relative economic positions of the working group, the 14-year school group and the 16-year group? She says plainly: "In economic status the 14-year school group was midway between the working group and the 16-year school group." They came, she notes, from "crowded industrial neighborhoods of the city," "districts where going to work is the rule": the boys of the 16-year school group, on the other hand, came from upper-class districts, "neighborhoods where staying in school is the rule."

However, in their mental tests a peculiarity appeared: the two school groups came out about even. In fact, "in the case of the boys, the 14-year school group contained even more very superior members than the 16-year group." How account for this? What does the author conclude? Does she refer back to her own words of a few pages earlier and recognize that these working-class boys who had stayed on at school in spite of all difficulties had accomplished a remarkable achievement? Does she recognize that in their neighborhood "It is probably the very superior boys, who have a genuine interest in education and a desire to obtain it, who stay in school in spite of the somewhat common assumption that they will leave"? Not at all. She flatly concludes, "Mental level [i.e., for both groups] had far more to do with remaining in school than economic level."¹¹

Actually, did not the author here miss a most interesting quantitative conclusion, namely, that in the field of her study it evidently took rather more mental ability to keep a boy from an industrial neighborhood in school after 14 than it did to keep a boy from a privileged neighborhood in school after 16? Or, rather, that it took more, not merely of native mental ability, but of native mental ability after it had overcome all the objective handicaps of a physically, mentally, and socially underprivileged environment and had competed on equal terms with the children of an environment superior on all these scores?

Alongside the point of view represented by the "inferiority" group of mental testers there has grown up in recent years a more critical body of psychological thought which treats the question as "not proven" and proceeds to study a new set of relations: changes in individual mental level with changes of environment. Dr. Otto Klineberg, writing the article "Mental Testing" in the *Encyclopedia of the Social Sciences*, expresses this newer point of view quite clearly:

"At first uncritical and enthusiastic acceptance of the testing technique in the United States led to an exaggerated view of its importance and applicability. . . . One important result has been the collection of a mass of data relating to apparent differences in intelligence between various groups—groups in different occupations, in different parts of the country, of different national origins, of different social levels—from which conclusions hastily drawn and insufficiently established have been widely and uncritically accepted. A large part of the early testing was based upon the assumption that native general intelligence could be measured accurately by the tests. Binet's caution against the use of tests for purposes of comparison when the environment and the background of the subjects differed was to a considerable extent disregarded, and the testers proceeded as if the tests measured native intelligence entirely apart from environmental influences. The fact that lawyers and bank presidents and their children achieved much higher ratings in the tests than did bricklayers and farmers and their children was widely accepted as proof of the innate superiority of the former and as indication of the correctness of the existing occupational hierarchy."

Actually, however, "Within our own culture there are direct indications of the part which social environment may play in determining intelligence test results . . . the environment, at least in part, creates differences in intelligence, and . . . the occupational differences in intelligence test scores cannot be taken to prove that the most intelligent people are necessarily to be found in the upper classes. . . . If there are marked social, educational or economic changes in the subject's status . . . the I.Q. may likewise change considerably."

The simplest instance of the newer findings is where individuals who do badly on one set of standard tests do better when given another that takes more account of the nature of their previous environment.*

Thus Miss Ethel Kawin, in a study of nursery school children from privileged and underprivileged homes (Winnetka, Illinois, and the Hull House district of Chicago), found that the underprivileged ones (once given the nursery school environment) did quite as well as the others on non-language tests, though distinctly worse on those involving language. She says:

Few psychologists today believe that mental tests—verbal or otherwise—measure innate capacity, unaffected by the influence of environment and experience upon the individual. . . .

The findings of this study of Hull House and Winnetka nursery-school children seem to support the opposite theory—that variations in mental growth are largely dependent upon environment and *that children tend to excel in those activities which have been a part of their own experience.*

While no other comparable investigation of the abilities of very young children . . . places the group of lower socio-economic status in so favorable a light, other studies of preschool children agree in finding the greatest superiority of the upper group to be in language tests, and in finding that there are some other types of tests in which underprivileged children do as well, or even better, than do children who are more fortunately placed. . . . The preschool child of meagre social and economic background has had, in these first few years of life, only the experience his inadequate home situation provides.

Homes at the lowest level do not seem to make possible the acquisition of even the simplest patterns of performance called for in psycho-

*As Dr. Gladys Schwesinger says of the Stanford-Binet Test, one of the oldest and most widely used of all mental tests: "This test is to be considered as valid only for those children who have had normal and more or less uniform opportunities, to obtain the kind of experience which forms the content of the Stanford-Binet test. Obviously, when a test standardized on such a medium is applied to children falling definitely outside of that medium, the conclusion must follow, not that the children are inferior in intelligence, but that the test was unfair as a measure, and comparisons should not be drawn on the basis of that measurement." 12

logical tests. There is reason to believe that when the child from such a home gets out into the school and the community, the more stimulating environment and experience enable him to reach a higher development.

And finally:

It appears from the study that the significant differences found between the test results of a group of preschool children of low socioeconomic status and a similar age group of high status are primarily due to the language factor, and that the former group are superior in their performance on certain non-verbal tests."¹³

Another set of findings from the more critical group of psychologists concerns changes in I.Q. in the same or related individuals under different environmental conditions. Dr. Gladys Schwesinger, in her recent book *Heredity and Environment*, reports the conclusion of an interesting study of a group of canalboat children, a group whose cultural background was extremely poor. All the children had suffered from lack of schooling and all tested below par for their age. But the oldest children, having suffered longest from lack of schooling, etc., showed the greatest degree of retardation.¹⁴

"Gordon's conclusion is that, except in the case of very young children, mental tests do not measure native ability apart from schooling, or at least apart from mental exercises of the sort supplied by schooling, or a good social environment in lieu of such schooling."

Particularly significant studies have been made of the effect of an improved environment upon the I.Q. of Negro children. Dr. Otto Klineberg who supervised these studies comments upon their results as follows: "It has been shown . . . that when children of a supposedly inferior race, for example, the Negro, are tested in a relatively favorable environment like New York City, they do very much better than Negro children in the South. . . . Recent studies at Columbia . . . have . . . demonstrated a definite tendency for the test scores of Negro children to improve proportionate to the length of time they have lived in the more favorable environment."

In a recently published monograph¹⁵ Dr. Klineberg adds: "The improvement with length of residence is clear and definite . . . this suggests that the I.Q. remains constant only when there is relative constancy in the environment." And again: "The Northern born children as well as those who have been in New York nine years or more are not at all retarded." And again (in regard to a special subgroup of 10-year-old Negro girls): "If the results of this study can be accepted as they stand, they suggest that the New York environment is capable of raising the intellectual level of the Negro children to a point equal to that of the Whites." Even those Negro children who came from the most backward rural areas showed the same ability to catch up with their fellows, once given the more favorable opportunities of New York, as did those who came from cities.

"The results . . . are very striking. They suggest that while the rural children start out far behind those from the city, after a number of years of residence in New York the difference disappears."

Very significant also is the set of studies made by a group of investigators of the "influence of environment on the intelligence, school achievement and conduct of foster children."¹⁶

A group of children were tested before placement in foster homes, and then retested after living several years in foster homes. In brief, this is what was found:¹⁷ (1) The group as a whole showed improvement in "intelligence" after some years spent in a foster home. (2) Children in the better foster homes showed a greater degree of improvement in I.Q. than those in the poorer foster homes. (3) The children who were adopted at an early age gained more in I.Q. than those adopted at a later age. (4) Brothers and sisters reared in different foster homes resembled each other mentally less than is usual. The children reared in poor homes had an I.Q. as much as nine points lower than their own brothers and sisters reared in better homes. (5) "The available information on the own parents of the foster children indicated that a large percentage were of defective mentality. . . ." Their children's I.Q. however was found "practically equal to the standard for children in general. Only 3.7 per cent rated below 70, and these were those placed at relatively late

ages." (6) Two unrelated children reared in the same foster home were found to resemble one another in intelligence. (7) And, most significant here, the intelligence of these foster children showed a definite correlation with the occupational status of their foster fathers! Thus the foster children of professional men showed an I.Q. of 107 while the foster children of semiskilled laborers showed an I.Q. of only 85—a difference of some 22 points. This spread is about as great as the spread usually shown between occupational groups in the general population.*

Studies made of identical twins further confirm the findings of the foster child study. In general these studies show that the twin in the more stimulating environment develops a higher I.Q.

Certain conclusions emerge from these studies. Children show a very considerable change in I.Q. either up or down in accordance with changes in their environment. The longer the children are subjected to the new environment, the greater the change. The earlier in life they begin to live under the new environment, the greater the change. In the case of the foster child study (which of course dealt with a limited number of cases), the differences in I.Q. between the children of foster fathers at different occupational levels did not appear to be pronouncedly less than the differences usually accounted so significant between the children of real fathers of different occupational levels. Finally, in the case of foster children the amount of schooling received by the children corresponded closely with the educational status of the foster father.

In other words, children in the mass apparently tend to adapt themselves psychologically to a very great extent to the require-

* Intelligence of Children According to the Occupational Status of Their Foster Fathers.

<i>Occupational Class</i>	<i>Mean I.Q. of Children</i>	<i>Number</i>
Professional	106.8	61
Semiprofessional and Business	101.1	160
Skilled Labor	91.6	149
Semiskilled Labor	84.9	19
Unskilled Labor		5

The effect of improved environment on "intelligence" is further shown by Freeman in the case of 125 pairs of siblings living in different homes—the average I.Q. of those in superior homes was 95, of their siblings in poorer homes, 86.¹³

ments, opportunities, standards and expectations of their social-economic environment, of their class.

Is it not then strange that, with so much new and striking evidence of the unreliability of "class inferiority" data, the "inferiority" school still holds so strongly to its position? That year by year studies along the old lines—comparing class groups statically—should be undertaken, and that even those students who recite glibly much of the findings of the unreliability of their type of data as they go along, return at the end of painstaking detail to the old sweeping generalizations?

Would one not suppose that, faced by so many challenges to their accepted position, the champions of the "inferiority" school would have themselves devised methods to test their own conclusions? Why, if the question is one of weighing innate and environmental factors, should they not have set about deliberately to isolate and test the other half of their equation—the environment? On a large scale—with immigrant groups, with rural populations before and after removal to the city, with children from isolated areas admitted to boarding schools, as well as with adopted children from widely differing classes? Why should not something quantitative have been ascertained about environments of different levels? Why should the whole subject have been left vague and hypothetical? Why, indeed? Is any but one explanation possible? That the champions of the "inferiority" school are here treading the familiar path of the older social stereotypes. That they are using their scientific tools in those and only those directions in which the conclusions seem "reasonable" to them and their group in advance.

Whatever the explanation for the persistence of this "inferiority" school in their ways, the general tenor of their argument has fitted in only too well with the "natural laws" theory of the organized opponents of child labor control. As we shall see in our concluding chapters, the latter are all too ready to ascribe the labor of children to "natural," not man-made causes, to the inability of the children to profit longer from school, to their need for discipline and sobriety, to the benefits to them of learning to take a share in family responsibility, and so on. And as we go further back into child labor history, and indeed into the general history of labor legislation, always

we meet the same type of argument: the particular conditions of the status quo which the reformer deplors and would seek to alter are necessary, they are natural, they are rooted in human nature and the plans of divine providence, "history shows" that they must be such, and "science proves" them to be true. At no time have those with a vested interest in maintaining undisturbed the prevailing economic arrangements of their day been without plentiful aid from a sector of contemporary science.

Surely it behooves the scientist of our day who has a concern for the objective standards of his science and its possibilities for future development, to be exceedingly careful to understand with what preconceptions he is surrounded and not to let himself jump to unwarranted conclusions.

“SOME CHILDREN WANT TO WORK”

OF COURSE personal motives and capacities function in some measure in sending to work those children who go. Common sense tells us that. At some point the matter of work has to be decided by given individuals, at some point the qualifications or lack of them of this young person or that play a part where a particular job is concerned.

But these things are not what those who give the individualistic emphasis have reference to. They seem to say that individual qualities are commonly decisive: they call them a major “cause” of early wage earning. They have not only begun with the individual but have ended there, assembling in the process any amount of material bearing on individual traits.

It is not always easy for the layman to get behind the barricade of statistics and tests and scientific terminology surrounding the matter and to see for himself what these do and do not contribute. We saw that when we cleared our ground of the “mental inferiority” errors. It will likewise be true as we try to get directly at the part played by so-called personal factors.

The three chief personal factors that are said to determine child labor are the familiar one of the child’s “inability to do the work of the school” (for which, as we saw, tests or retardation are presented as evidence), his expressed “dissatisfaction with school,” and his stated “preference for work.” Writers differ widely in their findings as to numbers in these various classes, but they usually define the factors in these general terms.

One thing should be noted at once: the first two of these factors have really to do, not with going to work, but actually with stop-

ping school. While it is quite true that the certificated boys and girls who drop out of school do go to work, the fact is, they have no legal alternative.* (Here of course we refer to urban occupations, and those that come within child labor laws.) School laws in most states require that such children, when they wish to stop at 14 or 15, must either go to school or find a job.

It is probably a fact, moreover, that personal reasons are cited rarely, even by the families, as the sole factor in sending their children to work. Certainly our own studies show this, and while most others have a tantalizing way of classifying their results in mutually exclusive categories (i.e., they try to assign to each child in a given sample one "reason" and only one for going to work), at least the government study of 1910 is emphatic that this cannot be done. ". . . Ordinarily the child's withdrawal from school was the result of several causes, no one of which would by itself have been sufficient."¹ In our own experience we found that only in an insignificant number of instances did a personal reason appear as the only one for early wage earning. We might expect that to be so, insofar as "inability to do the work of the school" is concerned, in our group where retardation had been eliminated. But other personal factors—dissatisfaction with school, inability to get on with the teacher, and so on—did appear, and sometimes were given prominence in the accounts of parents and children.†

*We do not know how many boys and girls drop out and do not go to work, or go to work without a certificate. Undoubtedly this happens, the extent depending upon how rigid the laws are and how rigidly they are enforced.

†The opinions of parents and children as to what sent the children to work are valuable and revealing, even though their scientific usefulness is special and limited. After all it should not be expected of the average worker-parent that he could see all the forces that are at work upon his life and that of his children, or that he could correctly interpret what he does see. Only those workers who have really looked into the question could be expected to do that. Ordinarily their interpretations would be colored by the dominant organs of privileged-class opinion which converge upon their everyday life, of the church, the school, the press, of the privileged class as a whole. It is nonetheless of genuine importance to learn what reasons parents and children feel have pushed them into early wage earning, and to find that usually they cite a whole combination of things. Without analyzing the matter, they tend to feel that pressures come from all sides.

There were those among the workers whom we interviewed who mentioned most of the factors one can think of. Family economic circumstances appeared most frequently. Under this was cited death or illness or unemployment or short time or wage cuts or economic necessity from chronically low wages of the breadwinner; often several of these disasters were named, one piling upon an-

In short it seems evident to us that in the problem of child labor personal motives cannot be isolated from other factors and have real meaning.

Of course some workers' children do feel drawn toward work in preference for the schooling they know. Whether the exact proportions cited in studies are to be relied upon, we cannot tell, but all show the number to be small.

The Boston Continuation School study under the Children's Bureau showed 12 per cent of the children had "wished to work." The 1910 Bureau of Labor Statistics investigation (of children both north and south) found 10 per cent. All these studies included retarded along with nonretarded children, and in all instances a single "reason" was assigned to each child.

Only from our group of nonretarded children can we obtain a cumulative view. Counting the child's wish to work both when it was given as the only reason and when it was given in association with other reasons, we found a total of about 25 per cent of the children mentioning it. But only 5 per cent of them named it as the only reason. Furthermore, of this 5 per cent we found that two-thirds were actually living at poverty or subsistence level. The objective conditions making for early wage earning were there though they were not specifically cited by the families. The same conditions of low income also existed for most of the 21 per cent who named a wish to work along with other reasons. In short, we found in our nonretarded group that work preference as a factor by itself could hardly be found.

Whether work preference as a reason appears in association with other reasons or is the only reason offered, what makes it appear at all? Why should some 10 to 25 per cent of the children who work express themselves as drawn toward full-time wage earning? Cer-

other; with that might go the child's dissatisfaction in school, or the family's inability to afford the necessary books and clothes which high school requires, or the child's wish to go to work; or the family might state that they and their child had always realized that he must go to work when he grew old enough, or that the superintendent of the mill expected the children in the mill village to work. So many and so different were the combinations of "reasons" for early wage earning given in our interviews with family members that we found it impracticable to hope to arrange them in a classification to show frequency.

tainly it is a program that never enters the mind of the average middle-class child.

No doubt there is an occasional child of 13 or 14 whose interests and aptitudes are such that he presses his parents to let him stop school because he does not want to wait longer to take up his chosen vocation. School seems to him a waste of time. Such would be the boy who liked nothing so much as woodworking, whose ambition was to become a highly skilled cabinetmaker, and who insisted upon being apprenticed to a cabinetmaker here and now; or the boy who cared nothing about the general run of books, but spent all his spare time "puttering around machinery"—he wanted to be a machinist without delay. He begged to be apprenticed to the machinist trade, and to limit his further study to that field.

But on the whole, among the general group of child workers, these instances are rare. Why should most children, workers' included, know exactly what they "want to do when they grow up" at the early age of 13 or 14? Where young workers express a preference for work, it is not usually to be explained by an attraction for any particular vocation so strong that it displaces their interest in school. The matter is not so simple as that. Several conditions, which turn out to be concomitants of a working-class environment, would tend to send them in the direction of work.

For one thing, going to work is in the very air the worker's child breathes. In our study we asked parents and children whether it was the usual thing for the children that these young people knew to go to work. In most families the reply was an affirmative one. We learned also that almost all the fathers of these young workers (85 per cent) had gone to work at 15 or earlier, and well over half their brothers and sisters.

Further, it was abundantly evident from our case materials (as it is also common knowledge) that the community and the school regard it as an entirely normal procedure for the average worker's child to contemplate giving up school for work. This atmosphere would be especially noteworthy in large communities where some elementary schools, owing to their neighborhood location, are predominantly working class in social origin. Here it would be a mat-

ter of everyday discussion, whether or not children planned to go beyond the eighth or ninth grade.

In mill villages or "company towns," where schooling is provided only through the elementary grades, would be found more extreme examples of this same tendency. There, the workers say, it is often expected by company officials that families should put their boys and girls to work in the mill as soon as the legal age is reached. As one of the parents expressed it, "They learn to work and make much better hands, the factory superintendent says, if they start to work early." And another, "The earlier they go to work in the mill, the sooner they learn, so the people say." ("But," adds this last mother significantly, "they learn so much and go no further usually without education.") A survey of textile mills made by the Texas State Bureau of Labor Statistics in 1928 points to the general tendency for mill managers to encourage children to stop school and go to work after the grammar grades.²

Not a few worker-parents, especially in isolated mill villages where no trade-union organization has yet taken hold, can be found expressing attitudes of passivity toward, and fatalistic acceptance of, these upper social stratum views about themselves. They reveal all too clearly that early work is widely regarded as a normal career for the worker's child. Witness the following taken from those in our group who had found no other way out than to accept the dictum of society:

"The mother started work in the mill early and the father has worked long in the mill. His parents were cotton mill people. His brothers and sisters worked in mills and all started early. He could not see any reason why his daughter should not go to work if she chose. The fourteen-year-old boy wants to go to work too but he can't get work now." "Mother wanted her to go as far as she was able to send her," said the child, "but she thought she ought to help out as soon as possible. But mother never talked of anything but helping out as soon as she could." "The father and mother have just a little more education than their parents and these children have had more than father and mother, so that sufficed, in the opinion of all the family. Then, too, in the section

of the city where they live, all boys and girls go to work young and few ever finish high school."

"One daughter went to high school for three years and then could only get a job as a candy packer. The others left in the 7th and 8th grades." "The 13-year-old boy is to keep on with school as long as they can afford to let him in order to have some education and know about things, but they have no hope of his eventually getting a better job because of it." "There are certainly lots of advantages in going to school if you are interested to go into the kind of work requiring education, otherwise completion of a grammar school affords enough education to get by at most kinds of work father knows about." "The girl told her mother she was tired of school and wanted to quit to get a job in the mill. Mother said all right. The earlier they start work in the mill, the earlier they learn, and there is nothing else for them to do but work in the mill." "The unemployed father thought the amount of schooling should depend upon the child." Said the agent of the boy: "He is surly, ambitious, a reader, rebellious that the American fable about industry and ambition bringing success is not true. He is the sole support of the family." "The girl had finished grammar school and her family said they were not able to send her to high school. They can help out when you need them and they have more education than they will ever use anyway."

"Of course it is best to stay in school and get as much education as you can. You can get better jobs and easier ones if you do. But it is mighty hard on parents to work hard and keep children in school until they are grown and then they usually get married and never give the parents any help in return." "The mother said that every time one gets married she stops another from school to take his place in helping to make the living." "No, it would be best to stay in school if parents could afford it, but they could not afford it. The more schooling the better for the child, but the less they help their parents."

"There are no advantages in staying in school for my children, for we could not keep them there long enough to make teachers or get enough education to do some other professional work, so it is better for them to get to work early so they learn the work quicker." "After the child has a fair education, the earlier he starts to work in the mill the better hand he

makes." "Children ought to learn to work young or they will be lazy when they grow up. They can learn the work in the mill when they are young much more readily. Of course a good education is lots of pleasure." "Children learn mill work quicker than grown people. There is nothing else for girls to do in our town, so why send them to school so long?"

Said the child, "Better to go to work and bring money home. Schools are only for the rich. Poor people must work for their living. School does poor people no good, they just need money for bread." "All the children—of whom there are seven,—” reported the visitor, “will go to work when they are fourteen. The mother says it is ‘all right for the rich to go to school, but the poor have to work to eat and clothe themselves.’”

These sayings express one type of mental adjustment that workers make to the viselike grip of circumstance in which they feel themselves held. The Texas state report already referred to expressed the matter thus: “As illustration of a sort of philosophy of despair that prevails among older workers, the cynical statement was often heard to the effect that ‘Once a man gets into a cotton mill he never gets out again.’”

But workers react to the situation in other and more constructive ways, expressing rebellion against the conditions that so unfairly limit the schooling of their children, and evincing a wish to alter them. These, just as much as the passive and fatalistic attitudes, show how comfortably our society accepts early work for the worker's child.

“Father says that he realizes that one is badly handicapped without an education and wanted his son to have all he could afford to give him. The only advantage in going to work early is to help out.” “Mother does not think that going to work has any advantages except to ‘help the ox out of the ditch,’ and she is sure that education is the most necessary equipment of any person.” One child said his parents had planned for him to take some kind of course at the state technical college so that he might have a profession. He does not expect to be able to go now. “If you are able there is no comparison in the advantages of staying in school, but there was no question to be decided. When her husband died and

left so little, all the children knew that they must go to work to help out if they were old enough."

"Father says that it is bad to have so little education as he has, that is the reason that he has not done better work and that I must go to school just as long as he can afford it. No boy or girl ought to have to work before they have completed high school. There is every advantage in having an education." "There are no advantages except to keep from starving as was the case of our children. People who have a good education certainly get the best of everything." And again, "There is no advantage in going to work early except to help out when the family is in a hard place. The disadvantages are that the children have not enough education to do anything except work in the mill." "All opportunities are so much greater for those who are well educated." "There are no advantages in going to work unless forced to by dire necessity." "Mother can see no advantages in going to work early unless it is a matter of absolute necessity. To be without an education nowadays is a serious matter!" "There are so many more things open to a person with an education." "A good education is the best investment of all."

"There are no advantages in going to work early as the wages are so small they can give very little to help, and if they go on they will be able to earn many times more when they do start work." "They (his parents) tell him that an education is the most valuable thing he can get and that he cannot get very high unless he has an education." The mother feels that her son will be terribly handicapped without more education. "It is a great help to parents with a lot of children to be able to get a little help from them, but on the other hand the children cannot do much of anything but work in a cotton mill unless they have an education." "Child labor laws are good laws, but mother wishes that the law would also provide some way to send poor children on to school when the parents cannot afford it."

If a young person wishes to go to high school from a mill village he must be unusually enterprising. Often he must go among strangers into a nearby larger community for his education. In any case he must be provided by his parents with necessary funds, for he would consider it impossible to attend high school with the same scant clothes and equipment that he got along with in the mill

village elementary grades; the standards are much more expensive in the high school. Nor do these observations hold only for the mill village child, but often for the young person of the working class in the towns and cities as well. We found a number of children in our group who, while wanting to go on to high school, could not overcome the difficulties of expense, felt unable to disregard the feeling that they must make a proper personal appearance, felt it impossible to withstand the pressure in the locality that they should go to work. Little wonder that we found a number giving up high school as an impossibility. One investigator has expressed the matter thus:

The largest number of children leaving school are in the lowest income group, although . . . [about a fifth] of the number asserted that they quit because they were not interested. We must recognize, of course, that it is difficult for the adolescent boy or girl to be interested in school when he is undernourished and shabbily dressed.⁸

That workers' children do actually drop out of high school is borne out by the sharp change in the proportions represented in elementary schools as compared with high schools. In the high school the middle class has a preponderant representation. But of course the proportion of workers' children in the general population far exceeds that of the middle class. Says Professor Counts, writing of the period of the post-war boom: "At the present time the public High School is attended quite largely by the children of the more well-to-do classes. This affords us the spectacle of a privilege being extended at public expense to those very classes that already occupy the privileged positions in modern society. The poor are contributing to provide secondary education for the children of the rich. . . ." Based upon a sample of 17,000 children in four cities, Counts found that 61 per cent of the high school children were sons and daughters of proprietors, managers, professional people and parents in white-collar work. Only 1.2 per cent of the high school children came from common labor homes. This disparity grew in the upper years of the high school. Seventy-two per cent of high school seniors were children from the upper-class groups. All this is but negative testi-

mony to the fact that most workers' children must face the possibility, even though not realized, of early full-time wage earning.⁴

Another consideration that would prompt the children of workers to feel drawn toward work would be the nature of the schooling they receive. Many children from all classes are known to find our school system ill-adapted to their needs and interests. (There are educators who are fully aware of the serious deficiencies, and they see them not as a reflection upon the children, but upon the school.) But what comfortable middle-class parent would regard full-time wage earning as a solution to his child's problem? Or what middle-class child of 14 or 15 would even think of it hopefully as a seriously available means of escape? Only the worker's child has this alternative held out to him—and let no one suppose it is without its attractive side. In contrast to a drab, monotonous schoolroom, work holds out the possibility of something adult and new, of increased independence from parental authority (what 14- or 15-year-old does not think he desires that?), and of some spending money and having better clothes, which all too often his parents cannot give him unless he goes to work. Along with that often goes approval from those about him because he is "helping his family."

It is not uncommon for opponents of control to speak of work for children as though it were good for the child. Actually, work often creates new and difficult problems of child behavior. Why would it not? A boy or girl of 14 or 15 is unquestionably too young to be treated entirely as an adult. Yet if he works he is carrying on the adult business of wage earning, and he knows it. There are numbers of instances when he is the sole support of his family. Few child workers would not chafe if the same old supervision and discipline were attempted after they had started to work as before.

This serious and puzzling situation is approached by parents with varying attitudes. "You cannot do so much with them after they get out for themselves and you cannot expect them to be so dependent on their parents then, so I give them more freedom." "Mother tried to keep up with the boys," she said, "but she could not do it, after they went to work." "I do as I please since I started work," said one child. Said his mother, "I have lost all control of my son since he went to work, though I think that he is so young that he should

still be under my control as before." "You cannot do anything with them after they start to work," said another mother.

Another approach shows greater wisdom. "As the children go to work we give them more freedom because we feel that they should become more self-reliant." "Any child old enough to work ought to have lots of privileges and not too close watching by parents, but I keep up with everything they do and try to help them if I can, just the same." "Mother gives us more privileges as soon as we go to work," said a child. "We want more privileges when we go to work. Mother thinks we should have them and grants them." "My son had not wanted more freedom, as he is tired when he comes home from work, and after playing the radio a little, he goes to bed. He really should have more privileges and I would grant them if he wanted them."

Frequently we find a difference in the treatment of boys and girls. "We have made a practice of letting the boys do as they please after they go to work, but we don't allow it to the girls until they get older." "Father always sets the boys free when they go to work but the girls must still mind mother." "Yes, when the boy went to work we set him free, but our girl we have kept control over just as always." *

It is not so much the attitudes of the parents that these remarks illuminate. It is not news that some parents are wise, some unwise, some capable, some less capable, in their relations with their children. They reflect the really serious problems that must inevitably arise for parents and children. If parents are too lenient with their working children, and give way completely to the child who demands freedom from control, this fact would most certainly have an influence, not only in enhancing the thought of work for those children who are drawn toward it, but in making work seem more palatable to the children who most of all want to remain in school. If parents are too strict, that still does not alter the attraction of work to the child seeking more independence, for work gives that independence, or the child can hope that it will, no matter what the parent may try to do. How hard it would be for a parent to strike a golden mean! The whole situation is abnormal and un-

* Quoted from interview material from our child worker study. See Appendix.

necessary. Serious difficulties are bound to be created so long as the child labor system exists.

Along with these conditions there often goes the impelling need at home for the wages of the young person. Indeed, by the account of some families in our group, it was this feeling of economic pressure at home that made certain children feel that they wanted to go to work.

When we hear, therefore, "Some children want to work," we should be mistaken to take it at its face value and stop there. It is a cue to us to look further, rather than an explanation. We think of a girl—let us call her Emma—who shows this thing admirably within her history alone.

Emma was bright in school. Not that her school was any too good. It was a mill village school, but she did very well in her work. She even stayed through the ninth grade. But then she said to her father, "I want to get work in the mill." "Better stay on another year," was his view. Emma protested. Then her father's wages were cut twice and he was put on short time as well. He now earned \$12 a week for full time instead of the \$15 he formerly received. Her mother earned \$8 at the mill, when she had work. There were three children younger than Emma. The family's total income when the father worked full time was little more than \$800 a year.

Now Emma's arguments took on force. She wanted to go to work, she said. So her father got her the employment certificate. How did Emma and her parents explain it? They said she "wanted to go to work," but they said much more. Emma lived in a southern mill village. They said that they had been taught that if you are going to work in a cotton mill, the earlier you start the better hand you make. Her parents had had little education; her grandparents had also worked in cotton mills, and they had been illiterate. Her uncles and aunts had all gone to work early: they, too, had little or no schooling. All her friends in the village had already stopped school and gone into the mill: Emma said she wanted to join them at work, that she had now become "tired of school." Also, said Emma, now that her father's wages were cut, and her mother was getting less work, she could not have as good clothing as she formerly had, she could not have spending money, and she liked to go to the

movies: Emma made special mention of these things. Moreover, Emma liked to "run around" with boys, go riding and go to the movies, and especially dance, and her parents were very strict and stern while she was still a schoolgirl. Emma was always begging to go somewhere at night, her mother said, but her father "wouldn't stand for" much of it. Some of the girls were real nice, but some were "too fast." Emma said "daddy threatened to whip her" if she went riding with boys at night; her parents "wanted to decide everything" for her. So she hoped that when she started to work her father and mother would give her more freedom. As a matter of fact, they were as strict as ever, excepting that they let her keep her wages—she made \$6 a week. Now her younger brother just approaching 14 was clamoring to stop school and go into the mill also.

Emma felt nearly all the pressures that could be felt by any worker's child who found himself strongly drawn toward wage earning. More frequently a child would feel them from three or four angles, rather than from all at once. One experience Emma did not have that many children do. They go to work during the summer months, or go to work after school and on Saturdays, and then what had been a child well adjusted to school becomes a child restless under the restraint of books and classrooms, and overworked as well under the double duty. With his work came more freedom, a little spending money, better clothes, some let-up in family economic strain and worry. The next step is almost fore-ordained for many children: instead of starting school in the fall, they keep their jobs. Not a few boys and girls are weighed down by the sense of home responsibility, and insist upon self-support. As one child said, whose father was dead and her older brothers and sisters at work, "I was tired of being a responsibility to my brothers and sisters." She was one of those who said she "preferred work" to school. Before she stopped school she had been almost at the top of a class of forty-five.

In relating home economic condition to work preference, the matter might be summed up thus: the middle-class child takes for granted at least a high school education; the worker's child, given his economic class and with that his insecure economic position,

has before him from early childhood the possibility, in many instances the probability, that he will be obliged to forego high school and go to work.

Recapitulating the circumstances that underlie the preference-for-work reason, two general observations emerge: the proportion of children who express a preference for work is really very small, and, if our findings correctly show trends, this factor usually occurs in close association with other prominent conditions. But still more significant: the conditions found to underlie work preference are themselves social and economic in nature. We shall have more to say about this as we go along.

* * *

From the more strictly work-oriented reason of "preference for a job," let us turn to examine the school-leaving reasons, of "dissatisfaction with school" and "inability to do the work of the school."

One survey of Boston children found a fifth who said they were discontented with school. The broad government study of 1910 found one-fourth. So did Palmer in her account of 16-year-olds. In our nonretarded group of school-leavers, we found less than 5 per cent giving this as their one reason for stopping, with 25 per cent giving it in conjunction with other reasons, a total of 30 per cent. As in the case of work preference, two-thirds of those citing school dissatisfaction as the only reason were found to be living at poverty or subsistence level.

Assuming that all the children quoted as saying they stopped school because they did not like it were accurately analyzing their own motives, what can be said for this state of affairs? As we asked before, How does it happen that they are able to stop? However much a middle-class child does not like school, and numbers of such children do not, few from the middle class are found dropping out at the eighth or ninth grade. It would be well-nigh unheard of. They find other adjustments or other adjustments are found for them. Perhaps a child may become the teacher's *bête noir*, and thus reconcile himself to further schooling! Or perhaps he is tutored and propelled by sheer force through one grade after another, his parents being able to afford such aid. Or perhaps he is sent to a private school for "individual attention."

But, as we have already seen, for the worker's child of 14 or 15 to stop school is by no means unheard of: on the contrary, it is an entirely normal procedure. When coupled with that goes poverty or near-poverty in the home, what is there to keep the child who is dissatisfied with school from dropping out? Very little, we fear, beyond the disappointment of many worker-parents who hoped their children would have a "better education than they were able to get."

For certain occupations, once the worker's child has made up his mind to leave school, the question of work is decided for him. In cities, at least, he has no alternative but to try to find a job, since in nearly all states the law requires that if urban boys and girls of 14 and 15 stop school they must get a certificate and go to work.

Here again the same thing can be said that was said about work preference: school dissatisfaction, while cited more often than work preference, occurs with relative infrequency, and (our study suggests) most often in association with other factors; and the chief circumstances that make for dissatisfaction are subject to social-economic control.

* * *

We now come back again to that third personal factor, "inability to do the work of the school." Some children, we are told, are mentally incapable of profiting by more schooling: as soon as they reach the school-leaving age, therefore, they drop out and go to work.

Retardation, we know, is indeed a fact. It is also a fact, as we saw in the last chapter, that a larger proportion of children who go to work are retarded than of children who remain in school.* Or

* Figures on percentages of retardation in the school system differ, depending upon whether we take city and country together, or city and country separately, or different sections, etc. A bulletin of the United States Bureau of Education published in 1924 states that 40 per cent of boys and 32 per cent of girls in the United States were then retarded. But the average retardation for city school children was said to be 26.6 per cent.⁵ Compared with these figures, samples of child workers show a higher percentage of retardation, but since they differ in the criteria they use, their figures also differ. (Also their figures would differ greatly depending upon the section of the country from which they come and whether from city or country.) The Massachusetts State Department of Education bases its figures upon the classification that children who complete the eighth grade at 14 are in their normal grade; above that they are accelerated, or below they are retarded. This was the rather strict measure we used to select out our nonretarded Massachusetts sample. Taking the continuation school pop-

if we use intelligence test scores, it is found that the median I.Q. score of children who remain in school is a number of points higher than the median I.Q. score of children who go to work.*

ulation for a four-year period, 60 per cent of these young workers were retarded when they stopped school, and 40 per cent were normal or accelerated. (The proportions for children in regular schools in Massachusetts were found to be 10 per cent retarded and 90 per cent normal or accelerated, a proportion much higher than for the country as a whole, or even for cities.)

In Dr. Palmer's California study⁶ she found 42 per cent of her sample of children who remained in school to be retarded, as compared with 78 per cent of her sample who went to work. Dr. Helen Sumner Woodbury, in her Boston continuation school group, used a more flexible standard than that employed by the State Department of Education. She concluded, according to her standard, that 57 per cent of 14- and 15-year-old workers of Boston were in a normal grade for their age or a grade higher than normal, i.e., they were nonretarded. According to her measure of retardation, more of the working children of Boston were nonretarded than were retarded.⁷

J. Ray Stines, in a study of continuation school pupils in Ohio, states: "The upper 50 per cent [of continuation school pupils], all tests considered, are normal students. They nearly equal the full-time students in average I.Q. and Dearborn scores. They exceed full-time students in Assembly and Measurement scores."⁸

These widely different figures indicate one very important fact: that while retardation is to be found in all sections and in both rural and urban communities, the amount of retardation varies greatly. The most striking fact, however, is that where general environmental conditions in a community approach those of child workers' homes—e.g., as in the less privileged rural sections—the amount of retardation found in the general school population approaches that of the child worker group.

* But as we have already seen abundantly in the last chapter, it is not the same social-economic group of children that is being studied in the two cases. The school-leaving children, even in the few schools that have been tested in predominantly working class neighborhoods, have on the average come from a lower social-economic level than their fellows in the same school who are staying on. Hence they have been subjected to all the environmental handicaps that would make achievements in school difficult.

Yet no one has troubled to test the social-economic environment as such—easily as it could have been done. The only thing necessary would have been to classify the children by social-economic levels and then see in what proportion of cases at each economic level there was (a) retardation and low I.Q.'s (from whatever cause) and (b) going-to-work as a solution. The two curves, and the degree of their divergence as the more and more privileged economic levels were reached, would be very instructive. They would answer the questions: How high a school record does it usually take, at successive economic levels, for a child of the less privileged classes to stay through the ninth or tenth grade, or to graduate from high school? And, How low a school record does it take at successively higher economic levels for the child of the privileged class to drop out of school? (Of course, for a worker's child to achieve a school record nearly comparable to that of the more privileged implies a degree of surplus initial ability sufficient to overcome the initial educational handicaps of his environment.)

Again one could compare school-leaving and school-staying at identical economic levels. Once this had been done we should expect to find a somewhat

What do these things demonstrate about the "causes" of child labor? Those who give strong emphasis to the inferiority view would appear to argue that we are being inducted here into the mysteries of the selective process. These children, they appear to say, being incapable of doing the work of the regular school, yet should do something. There remains the menial, manual work of society. Someone must do this work; naturally, they imply, those incapable of doing the tasks requiring higher intelligence are peculiarly fitted for it. By the process of selection at work in society, those with poor mental equipment drop to the lower occupational levels, for which they are fitted, while those with higher mental equipment rise to the higher levels. Child workers, with low I.Q.'s, they conclude, are the offspring of the individuals who have, by this selective process, dropped to the lower rungs where they belong.

From this view it is a natural and easy step to the conclusion that not only is mental inferiority to be regarded as a highly significant "cause" of child labor; it is more. For if children simply have not the intelligence to go to school, then some alternative occupation must be afforded them by society. Child labor then becomes a matter of social expediency—nay, a solution to a sad and pressing social problem. Does it not save many children from a life of idleness and crime, and society from their misdeeds? How engaging the logic of the theory becomes.

We do not need to repeat at this time the details of our discussion in the preceding chapter regarding the mental status of child workers. Because the question has received such widespread attention, and because of the truly vicious uses to which it can be put, we dealt with it as the first problem in our discussion of causes.

In view of what intelligence tests there were found to measure, what do these findings tell us now? Not at all what they purport to say, that the children are innately inferior the lower on the scale of skill we get. But rather that children at the lower end of the economic scale cannot show as good a rating as their more advan-

larger number of the pronounced school failures in the school-leaving group; but we should not expect the bulk of the two groups to be markedly different, and we know in advance, from our own study and others, that a large number of entirely competent children, competent even from competitive standards measured against more privileged children, would be in the working group.

tagged fellows, in part at least, because their social-economic environment is so unequal. They demonstrate very forcibly, not how inferior the working class is, for they are unreliable as a measure of that, but how extremely inferior is working-class environment when measured against that of the privileged classes. So extreme is this difference that it tends to have a directly stunting effect upon the development of those mental attainments commonly recognized as the mark of "general intelligence" and necessary for "making one's way" in the world.

The bearing of these conclusions on the child labor problem is soon made clear. Recognizing that we do not know, and probably cannot, so long as environments of the classes are so unequal, what are the relative innate capacities of children from different economic classes, we do have some evidence of their preparedness for mastering certain tests or certain studies in school. As we should expect, the children who remain in school, who are predominantly from the middle and upper classes, make a much better showing than do the children, almost exclusively from the working class, who stop to go to work. There are many social-economic pressures at work on the worker's child in any case, propelling him into wage earning. Add to this a retarded progress in school from difficulty with his lessons, and it would certainly make those children want to find a means of escape from such a humiliating and discouraging experience.

For of course a slow child knows he is slow; he knows he is not doing work on a par with what the school expects of children of his age and physical growth. Whether or not he were "innately inferior," such a child would feel inferior! This would tend to be the case no matter to what his difficulties were due. They might be due chiefly to a language handicap which many children of foreign parents suffer; or to lack of regular schooling, which many Negro and white children in rural communities (and even in some towns) suffer; or to a general handicap of physical, economic, and cultural environment, placing the child far behind what children from more advantaged homes can do, which children throughout the working class suffer; or, finally, to really poor mentality, from which some children in both the middle and working class suffer. The result

of any or all of these circumstances would be so discouraging as to make almost any child long to move out of the schoolroom.

But is it necessary to have masses of children thus handicapped and seeking an escape? Even if every one of the children with a low test score were innately of lower than average mental capacity, the answer to that would be, "No." And it is a far stronger negative when we realize to what extent social conditioning has to do with the showing these children now make on mental tests. If it is true, and we believe it can hardly be controverted, that the circumstances now making some workers' children turn away from school are largely subject to social-economic control, then when conditions surrounding the working class had been changed, the problems that would remain, of the really incapable minority, would be relatively unimportant. True, it would require an alteration in the whole social-economic environment to equalize it sufficiently for these requirements of mass welfare.

Granting that social-economic changes could largely alter and adjust this situation, the fact remains that we have it with us today. Many workers' children are doing badly in our school system, and this would tend to make them wish to stop. But why do they go into wage earning?

We are back again at the same set of social-economic facts that have faced us before. For one thing, children of 15 or under, as most retarded child workers are when they leave school, expect nothing else but to go to work when they stop school. In urban communities, for certain occupations, they would be required to go to work even if they preferred something else. But more profoundly, the very fact that they have low test scores means that in most instances they come from the most poverty-stricken sections of the working class, from the unskilled and semiskilled workers' homes. This is shown by the correlations between I.Q. scores and occupational status of the fathers.

This group, in short, provide more than any other the all-round conditions for making effective the current demand of private enterprise for cheap child labor. They not only furnish the basic conditions of economic pressure, but they often furnish strongly facilitating personal circumstances as well. Out of these conditions

come most of those children whose meager cultural and social opportunities, whose substandard physical and intellectual nurture, have been decisive in preventing them from "keeping up" in school. Such personal circumstances are bound to make many of the children quite willing victims of their families' economic need and of the demand of business for their labor. The fact that they are expected to go to work by state laws or by dominant community opinion would but put on the finishing touch.

Occasionally writers have given some attention to other personal peculiarities of child laborers, such as physical handicap (e.g., bad eyes), or poor health (why work is better than school, we do not know), or the child's wish for better clothes, and so on. But all these are so infrequent in occurrence or so directly related to social and economic factors as hardly to deserve separate attention. In any case the same general analysis applies to them as to the chief personal factors.

We cannot close this discussion without reminding the reader that for large numbers of children who go to work none of these personal factors is found to be an influence of consequence. In samples including both retarded and nonretarded children we find between 55 and 60 per cent for whom no personal factors were assigned.* Take for the moment the reasons given by parents and children: in our group, while personal motives of dissatisfaction and preference for work appear sometimes, and we should expect that, they rarely appear except in association with other factors. For between 35 and 40 per cent of the children personal factors were not named at all, and for about the same number, while personal motives were present, they were named only in association with important nonpersonal ones. In short, nonpersonal factors were named by fully three-fourths of our group. And we found, moreover, that actual social economic conditions in the families in general substantiated their claims.

* In arriving at these percentages from other studies we have simply added up the number for which nonpersonal reasons were given. In the case of the Boston continuation school study, we deducted two groups, those "not reported," which was large, and "others given," from the writer's total, in arriving at an estimate of 56 per cent nonpersonal.⁹

The place of the nonpersonal factors then is crucial. It must be constantly borne in mind that children who work find jobs by entering a competitive labor market where there is a demand on the part of private business enterprise for their labor. They come from the least privileged section of the community. They go on the labor market in considerable numbers when and where there is a considerable demand, and do so in smaller numbers at economic periods and in communities where the demand is slight.

In what way, then, do personal factors function in sending children to work? The personal factors function precisely and only in the directions laid open before them by the social setting. Obviously if there were no wage-earning jobs offered to children, no amount of personal peculiarities in the children of the country could create the jobs. Equally obviously (though not usually so bluntly stated) for the children of the privileged classes there are, socially speaking, no jobs being offered. Lower the I.Q. of the entire child population of the more privileged classes by ten points and there would still be no jobs, socially speaking, available for them; raise the I.Q. of the entire working-class child population by ten points, and who shall say that the same children would not still be taking the same jobs?

Child labor, industrially viewed, is like a stream. Its channels are socially conditioned. The "personal" factors contributing to it are daily being created anew to order. But the stream feeds a mill and is regulated by the mill's needs. It is a stream tapped during times of war and of industrial boom (also in regions of light industry and of agriculture), dammed up somewhat in the heavy industry regions where it is men who come cheapest in the long run, and turned off to a trickle sometimes during times of deepest depression when adult labor comes cheap even in the short run.

In plain fact, when we recall the conditions that make for school dissatisfaction, that turn children toward work in preference to school, that explain why there is so much retardation and so much correlation between test scores and occupational status of fathers, and when we recall the relation of these conditions to early wage earning—are we not on the firmest of ground in saying that per-

sonal factors can only begin to function in sending children to work after the larger, nonpersonal factors have provided the setting? The significance of this conclusion is seen when we remind the reader that, viewed broadly, these nonpersonal conditions are subject to social-economic control.

WHEN POVERTY STRIKES HOME

HOW absurdly the "personal factors" school loses itself in bypaths becomes fully apparent when we see the rôle played by poverty in early wage earning. It is not only the unusual extremes of habitual poverty that drive the working class to send its children to work, but also the condition of periodic poverty, or the threat of it, arising out of the ever-recurring economic insecurities in which the working class finds itself. Poverty and insecurity are so prevalent for working-class America as to assure a supply of child laborers wherever a demand exists.

What are the precise proportions of child workers sent to work out of homes below poverty or threatened by it we are not able accurately to state. The core of the question, however, is whether poverty and insecurity are the characteristic condition out of which child wage earners come. The data show that clearly enough.

A certain proportion of working-class families are never able to earn enough, under wages prevailing, to lift them above the poverty line, and this with the combined wages of all the members who work. A certain proportion of child workers come out of homes such as these. From such data as exist, it appears that about a third of all child workers come from families whose earnings are habitually below poverty level.*

In our own studies we soon learned that it was not enough to ascertain the amount of habitual poverty. Frequently the child goes

*The estimates derived, including our own, from income, place the figure at between 30 and 35 per cent. We urge the reader to turn to the Appendix for full details on methods and sources. We call attention especially to the methods employed in our own study, for we left no stone unturned to arrive at reliable estimates.

to work out of temporary stress that has descended upon the family at or about the time he begins wage earning. This is the figure that takes account of the insecure condition of workers' homes. When we add to the poverty-figure due to habitual low wages the poverty-figure due to sudden economic crises, the proportion is fully twice as great.

These estimates relate to urban children. Agricultural child workers are also the victims of poverty. We have already described their conditions at length. Nowhere is there greater destitution and economic pressure than in the families of those children who go to work in the fields. They are probably more depressed economically than are children in urban occupations. Most of the estimates of the incidence of poverty and insecurity, however, relate to urban child workers' homes, so urban conditions are principally dealt with in the pages that follow. Meanwhile the general status of the rural population should be borne in mind.

It was the conclusion of Dr. C. J. Galpin of the United States Department of Agriculture that "40 per cent of the farm families in the United States have relatively inadequate standards of living," an estimate made before the terrible unemployment years just past. We should add to that the conclusion of the White House Conference report of 1931—a conclusion that in our opinion, unnecessarily capitulates to things as they are, but points up the situation graphically. ". . . The economic status of many farmers, especially tenant farmers in one-crop communities, appears to offer some justification for the use of the labor of the farmers' own children. Even with good crop conditions and the labor of the whole family they can barely eke out a living. If ever economic necessity can be pleaded as a justification for child labor, it is in the case of some of these farmers."¹

Is it possible to envisage such a home of poverty out of which might come almost any child propelled into work first and foremost because of family need? No home is "typical." Yet some have almost all the elements—barring the wide variations in personality—that go to make up the poverty-stricken setting. After all, one thing that is almost inevitable for the low-income family is sameness; for

variety goes with comfortable incomes. It is a luxury that the home of poverty cannot have.

One home we know had an unusual feature. (It happens to be a southern home. Many even more drab and discouraging settings could be cited from the North.) This single family knew for years the poverty of the low-paid urban industrial worker, and then, hoping to escape, passed into the destitution of sharecropper farming. We will call the family by the name of McRay.

John McRay was born on a farm. Neither his father (a farmer) nor his mother had ever been to school. Neither could read or write. They were born in the state of Alabama and had lived and died there. John McRay had helped on the farm as soon as he was old enough. He got through the second grade in the little country school of his district, and then, having reached 10 years of age, he never saw the inside of a school again. From that time he did nothing but help his father on the farm. When he was about 17, however, he decided to go to town to the mill village he had heard about and try to find work. Here he met a girl who had been working in the spinning room since she was 12, and they were married. Here he lived for some twenty years.

Mrs. McRay had been to school only one year, so she could barely write her name. Her parents had had no schooling at all, although her father had learned to read ever so little. Just as Mr. McRay's people had been farmers, so Mrs. McRay's people had been cotton mill workers. When the McRays married, Mrs. McRay quit work. The McRays had eight children, though the youngest was not born until the eldest had left home for good. The children came about two years apart, so Mrs. McRay had never felt that she could leave the youngest to go back to the mill to work.

For eighteen years Mr. McRay was a weaver in the cotton mill. Every once in a while he would talk about moving back to a farm, but he never did. In late years he earned \$20 a week wages. That had to support a family of nine. There was an oldest daughter who ordinarily would have gone to work to help out, but when she tried to get a job at 14 there was none in the mill to be had, and then she got married and moved away. Next to her came a boy.

We can easily picture the home of the McRays. A \$20-a-week weaver,

with no other members of his family in the mill, does not get one of the better houses in the village. They lived in four rooms, a frame structure, sitting high on stiltlike brick pillars as supports. The house fronted directly on a "street" that was in reality a rutted dirt road. Along the same "street" were other houses exactly like it in color and shape and appearance. Across the street others still. In the yard was the usual outdoor privy. They get their water from a spigot serving several families a number of houses away. The kitchen was small and used for both cooking and eating. One room was a "parlor" and the parents' bedroom as well. The seven children slept in the other two rooms. Only the barest necessities could be found, and these of poorest quality. There had never been enough to buy household furnishings on instalments as some families managed to do. The children had come too fast and there were too many of them. The McRays' problem had been to feed and clothe them and keep them in school. This they barely managed to do.

In about 1927 or 1928 the mill where Mr. McRay worked began running on short time. Weekly income was now almost cut in half because the mill was going only a few days a week. The oldest daughter, who at this time was still at home, was without work. Mr. McRay talked more than ever now of going back to a farm. The family could hardly scrape together enough to feed themselves.

After this had gone on for a while and work at the mill did not improve, Mr. McRay one day picked up his family and their few belongings—these were scanty enough, heaven knows, and it did not take much of a vehicle to carry them—and moved them twenty miles out of town onto a "farm." He had made his arrangements with the owner of the place a short while before. Mr. McRay now became a sharecropper; at the next census his wife and most of his children would be listed as "unpaid family labor."

The planter on whose land he became a tenant made with Mr. McRay the customary sharecropping arrangements. Mr. McRay was furnished forty acres and a four-room frame house which was poor and dilapidated (worse than the mill village house they had left, which at least was plastered inside). He was furnished with the necessary mule, farming equipment, and seeds, such as a cropper on a small allotment customarily gets. And from one year to the next he was allowed food on credit at the store, the supplies a white cropper usually is allowed. (Meal, occasionally

flour, molasses, fatback pork, a little sugar and coffee; they added to that some sweet potatoes, collards, and greens raised in a garden.) Under the arrangement the landlord got half the crop and Mr. McRay the other half: except that out of his half Mr. McRay had to pay back to the landlord all he had been advanced in food and seed and other supplies.

McRay's family was miserable. All the children who were old enough helped in the field work and in the work at home. With the children's help Mrs. McRay not only did all the cooking and cleaning and washing and ironing, but she helped in the fields as well. The farm was far from neighbors or schools. They had no means of getting to town unless they walked or rode in a farm wagon four miles to a bus, and then they had no fare for the bus. The nearest school was three miles away, and the children must walk to get there, hence the younger ones went very little to school.

The second child, a boy, meanwhile became 14, and he decided he would go into town to his aunt's home and try to find work in the mill. But when he got there he found there was no work to be had; he had not the clothes or "book money" to go to high school, although he had completed the eighth grade and was bright in school. (His younger brothers and sisters will probably not even complete the eighth grade—this boy was lucky in that he at least began his schooling in a village, not the stark country.) He began to wander about from town to town in search of jobs. His father tried to locate him to get him to come home: he did not like the boy's going about like that. The boy meanwhile had found little work during the months he was away, and the final discouragement came when the place at which he was temporarily employed closed down, so he decided to return again to the farm.

He found a home more run down than ever. The family was barely scraping along. The house was almost devoid of furniture except beds, a table or two, some chairs barely holding up, and a cookstove and utensils, such as they were. A newspaper was unheard of. The family Bible was literally the only cultural feature the home possessed, and it was used only as an ornament. There were few contacts even with neighbors, much less with the outside world. There was hardly time for anything but work, for every member had to help about the home and farm. Daylight to dark was the family routine. The farmer, like so many sharecroppers, only managed to feed his wife and children at all by going con-

tinually into debt on the crop that was not yet harvested. Their food was monotonous and unpalatable. It had always been that.

The family had left the mill village, and the father his eighteen years' experience as a weaver, hoping to better their lot. Twenty dollars a week, and when the mill ran short time sometimes only \$15 or even \$10, had been hardly enough to feed and clothe his family of nine and keep the children from being hungry all the time. And they had never been able to buy anything beyond the bare necessities, never better clothes or a few things for the house, not even on the instalment plan. Now, in the four years he had been living on the farm, matters were worse still. And this in spite of the combined labor of himself, his wife, and all the older children. Mr. McRay said he had not made even so much as he was making in the years when he worked in the mill, not even so much as he made after wages were slashed.

It is easy to see how the McRays, and several hundreds of thousands like the McRays, would feel a persistent pressure to let their children go into wage earning if jobs could be found.

* * *

To limit the problem to habitual poverty would give a faulty view. That presents only a part of the picture. Nothing was borne home to us with greater emphasis, through an intimate acquaintance with a large number of child workers' homes, than the shifts and changes that came with terrific suddenness in family living conditions which had for a time been stable. A family that today may feel fairly safe from poverty may tomorrow live in dire dread of it, because some personal or economic crisis has intervened.

In short, there is nothing static about working-class life. For the worker, in a sense never contemplated in the Biblical aphorism, ". . . from him shall be taken away even that which he thinketh he hath"! Extreme insecurity has been the chief economic and spiritual diet of workers' homes. Patently this would have a direct bearing on sending children to work. Yet have investigators hammered away at the far-reaching consequences of this universal scourge? Some make it a little bow, when they treat breadwinners' unemployment, or the illnesses and accidents and deaths in the homes. But insecurity as a broad underlying condition that threatens

every working-class home and eventuates in poverty for many has been scandalously neglected. This seems a strange oversight today when so many millions are in poverty and destitution and have been for several years. It is a strange oversight at any time, as we shall presently show.

Who does not know something of the very common insecurities resulting from illness, accident, death, or other similar circumstances against which the working-class family has little or no insurance, and which suddenly cut off its income? What intelligent person can claim ignorance of the job hazards of "ordinary" times, liability to dismissal, layoff, wage cuts, or demotion, at the arbitrary word of the employer? Who today dares be unmoved by those also common, but extraordinary, hazards of job insecurity, coming at periodic intervals and affecting masses of people—large-scale unemployment, wage cuts, short time, all the phenomena so fresh in our minds, that accompany an economic crisis? Over none of these insecurities does the worker have any control. All of them wreak havoc in his home.

There is nothing remarkable about the fact that the illness or accident or death of a breadwinner often precipitates the wage earning of the children. But insufficient attention has been paid to these conditions, perhaps because they have not been recognized as derivative of the larger condition of insecurity in which the working class habitually lives. In any case, estimates are few. Among a large group of Boston children, Dr. Woodbury found approximately one-fourth at work because their homes were without father or mother or both. These working children had lost a father in about 70 per cent more instances than is true for the general population.²

In our study, when we took account of all the homes broken by any cause, we found that they amounted to approximately one in three. Accepting the estimate of 25 per cent of broken homes for the general population, the children we studied had some 30 per cent more broken homes than is generally found.

Turning to the year the child went to work, over 8 per cent of our group were thrown into severe economic distress because of the death of the breadwinner, and about 4 per cent because of separation or divorce or institutionalization of a parent. Thus, more than

12 per cent of the whole body of child wage earners were affected in the current year by these circumstances alone.

But accident and long illness of the breadwinner took the heaviest toll. Fourteen per cent of the families reported such serious depletion of income from these causes as to necessitate the wages of the young child.

In addition numbers of families stated that the marriage of an older son or daughter who had been the family's main support made necessary the wage earning of the younger children.

Lumping together the instances of death, accident, illness, or separation of chief wage earners occurring at or about the time the child became 14 or 15, we found that these conditions were a factor in sending no less than 30 per cent of our Massachusetts and Alabama boys and girls to work. If we add those instances, amounting to an additional 18 per cent, where the family had been hard pressed economically because of a home broken for some years, our total number of children affected by these circumstances is very close to 50 per cent.

But is there no protection for the families against these conditions? Do no widowed mothers receive pensions? Do no injured fathers receive compensation? Do no ill breadwinners receive health insurance from the state? Have the families themselves made no provision against the proverbial "rainy day"? We can answer these questions for our group at any rate.

A few widowed mothers did receive pensions from the state, but in all cases these sums were so low as to place the families, as measured by amount of effective income, below the poverty level: the child's wages were badly needed when he grew old enough to work.

A few injured fathers did receive compensation, but of such limited duration and amount as to be insufficient to support the family during his incapacity. These families, too, were below the poverty level, as measured by effective income.

No ill breadwinner was compensated for earnings lost during his illness. There is no public health insurance law in any state in the Union. The most any could obtain was a little free medical or

hospital care. Anything else was at family expense, which usually meant a burden of debt.

No more social protection than this was received by this representative group of young workers' families.

Workers' families do exert themselves to provide against the future. Many that we knew had savings, but they exhausted them; most had insurance, but it was usually burial insurance only and in times of economic hardship that is a burden, not a boon; frequently it lapsed through inability to pay. A few families did receive small sums in life insurance from a deceased father, sums which quickly disappeared for immediate necessities.

It is amazing to us how desperately working-class homes try to make provision against the uncertainties of the future, when their efforts can amount to so little and are so quickly wiped out with each recurrent economic disaster. It is all too easy to see how just the ordinary hazards of illness, accident, death and the like become frequently a precipitating reason for child labor.

* * *

There is at the same time the extreme chronic insecurity of the wage earner on his job. Leaving aside for the moment periodic mass unemployment, let us bear in mind that at all times every wage earner, except a few having some protection from powerful labor organizations, is liable to layoff, discharge, demotion, and the like at the will of the employer. At practically all times, moreover, there is some surplus labor supply that serves to sharpen job competition between workers.

How great an influence this insecurity of job tenure exerts in sending children to work, we cannot definitely ascertain. We can obtain an estimate of the influence by taking figures of actual unemployment of fathers when children stop school and get a work certificate, but that is incomplete at best.

Dr. Woodbury studied her working children of Boston in 1917-18, a period when work was about as plentiful as it ever is—far more plentiful than we have any reason to expect it to be again for decades, barring another war. In that year 13 per cent of these young workers came from families in which the father was unem-

ployed. And we are told with emphasis that this figure does not take account of fathers whose work was extremely irregular but who happened to have some work on the day the child took out his certificate.³ Thirteen per cent unemployment is a high rate in a year when employment conditions are at their best.

* * *

Job insecurity, as it strikes at the individual wage earner or the wage earners in a single plant, is as nothing in its effects compared with the mass insecurity brought on by widespread economic crises. Could anything be more direct than the connection between the child who goes to work (if he can) when the parent is laid off or receives a cut in wages?

We find several principal ways by which the incomes of child workers' families are cut down. By outright unemployment of father or other family members, sometimes for very long periods; by severe short time (in a few families about half time and sometimes as little as one or two days a week); by drastic wage cuts; by change of occupation of the father following his layoff from his regular occupation, the new job being at a much lower wage.

Take the figures from our child worker group, all but a few of whom had gone to work between 1929 and 1931, that is, just before the crisis or in its earliest stages. In over two-fifths of these children's families one or more wage earners were unemployed when the boy or girl stopped school for work. In nearly two-thirds there was both unemployment and short time. In more than one-sixth of the families the father, presumably the principal means of support, had lost his job before the child stopped school, and while now at work, had a job that was extremely low paid and far lower in the scale of skill than his regular occupation. In almost a third of the families, the father had suffered one or more drastic wage cuts. The effect of these conditions upon the weekly wage of the fathers by the time the family was interviewed was striking: one-third of the fathers were unemployed, so getting no wages at all; about one-tenth had part-time work of such irregularity that weekly wage figures had no meaning; a sixth of the fathers now had a weekly wage of not more than \$14 and some as low as \$5; less than half were earning as much

as \$15 a week or more. With the result that the median wage of the fathers who were employed was now \$20 a week, instead of \$30, which had been the median when these men were working at their regular occupations.

None of these families had any social protection from the devastation wrought by large-scale job insecurity. Unemployment insurance did not exist, although every one of these contingencies would be mitigated by an adequate system of national unemployment insurance; even wage rates would have a bottom if there were insurance benefits guaranteeing a minimum standard below which workers' incomes were not allowed to fall.

The puny dikes built by the wage earners themselves invariably were washed away almost as soon as the storm touched their homes. Their only money resources were savings and insurance—usually burial insurance. When these were exhausted, then began the struggle to live on credit, to scrape together from odd jobs, to try farming, to sell possessions, to borrow a little here and there, and finally, for large numbers, to “go on relief.”*

That tells us something of how working-class conditions precipitate poverty and insecurity for child workers' homes. Sad to relate, these events do not always come singly. Many families suffer several such disasters, especially at a time of advancing economic crisis.

How surprising it is that the hazards of insecurity should have been given such scant attention in current accounts of child labor that no general estimates can be found! Only for the child worker group we questioned can we give any data. Some two-thirds of

* It should be recalled that when our data were secured, the United States was in the era of local relief for the unemployed. No federal funds had then been appropriated to states and localities. In a state such as Massachusetts, where there is a long-established system of public outdoor relief, figures from our schedules showing the number of our families receiving relief tell us something of the amount of destitution in our sample. But for Alabama, where public relief was practically nonexistent and private societies few in number, we have no proper index of the amount of destitution in our group.

The federal Social Security Act, to which 35 states have thus far conformed, was also not yet then on the statute books. But even if it had been, it would not materially have altered the picture. The small benefits set up by the states under it, the many excluded occupations, and the very short periods during which benefits may run (usually a maximum of less than four months out of the year) would have prevented the families of all but a very few of our child laborers from feeling secure enough to dispense with their children's earnings.

these young people had come out of homes adversely affected by poverty resulting both from low wages and from unsecured hazards over which they had no control. Most of the others had experienced reductions in income which, while they did not immediately throw them below the poverty line, created strains and stresses of a serious kind.

* * *

We cannot fully appreciate how strongly children are propelled toward wage earning by a sudden and sharp depression of family circumstances unless we see in concrete terms just what takes place in workers' homes. Few privileged-class persons would have occasion to know this at first hand. We must bear in mind, however, that in periods of economic crisis these things happen widely, not to a few, and that economic crises occur at frequent intervals, not rarely, as we shall presently see. The net result is that conditions are very nearly ideal for creating a large body of workers' families who have little choice but to send to work all members who can obtain employment.

The ways in which sudden lowering of income affects workers' homes came out remarkably clearly with families of our young Alabama wage earners, and these, we must remember, represented conditions before the depression had begun to do its worst.*

The more well-to-do families began dropping to the level of the poorer in what they could afford to eat, relying chiefly upon cheaper southern staples; the poorer had to cut down on quantity, since they could save in no other way. A common dietary was one of corn bread daily "except for Sunday" or "except for breakfast," when white bread or wheat biscuit was afforded if possible. "White meat" (pork) or "boiling meat," sometimes daily, but sometimes only twice a week; potatoes, rice, dried beans and peas; cereals, especially grits; collards (a green vegetable) and turnip greens; dried fruits, not fresh; syrup, a substitute for sugar, sugar only on Sunday or in coffee; no desserts; butter substitutes habitual all along the line; decreased use of fats generally—"little lard used in bread"; no fresh

*The paragraphs that follow here are adapted from an article by the authors published in *Social Forces*, in September, 1933, and used by permission.

milk or no milk at all, unless the family had a cow; eggs occasionally when cheap.

The few families who had a farm or garden or cow were the most fortunate and their diet was less restricted on this account. But others had been unable to keep their cow or to buy sugar to can the fruits they had raised. Practically all had given up desserts; and corn meal had taken the place of flour. The articles most wished for were white flour, sugar, butter, beef, desserts—for they occasionally appear on Sunday, white bread especially when possible.

The homes just described were those where the family had formerly lived above poverty. Far worse off were those that had had no previous accumulation. They had to meet the crisis by "almost starving." The dietary being already reduced as low as could be in quality, there was only bulk left to sacrifice: "Just less food"; "Eat about the same, but less food all around"; "Very much less of all"; "Eat the minimum amount to live"; "Quality was always the cheapest, but now so much less of everything"; "Grocery bills cut to a half in the last three years"; "Mother has cut down food bill until we cannot cut more and live."

There was the extreme case of a family of six who had cut down to fifty cents a day for food for all. Their dietary was "meat scraps" once a week "of the cheapest"; peas or beans twice a week, turnip greens twice a week, potatoes or rice twice a week; corn bread every day; coffee without sugar; some butter substitute. Their luxury was white flour on Sunday.

In a period of vast surplus labor those members of child workers' families who most frequently suffer unemployment and short time would seem to be the fathers and older members; in short, the principal breadwinners. This is bitter irony indeed. For a three-year period, 1929-31, unemployment and short time was an experience for over 60 per cent of the fathers of our group, a little less for the mothers, around 40 per cent for sons and daughters of 20 and more, and about 25 per cent for those between 16 and 20. Could anything be more tragic than an economic arrangement that provides that frequency of unemployment and short time in a period of crisis should occur in inverse ratio to the importance of the individual's earnings in family support?

With the chief wage earner so frequently out of work, and with all family wage earners suffering serious unemployment (not to mention the wage cuts, lower paid occupations, etc., mentioned above), the families of our young workers had been driven more and more deeply into poverty as each year of the crisis passed. By 1932 many families had depleted their little accumulation of savings (in the Alabama child worker homes it was 33 per cent). A much larger number had gone into debt for necessities—groceries, clothing, fuel, doctor's bills, and by borrowing when and where they could. Just as many as had depleted their savings in Alabama, had overtly lowered their housing standards under the pressure of necessity, by moving to another place for cheaper rent, and in a number of instances, by losing homes formerly owned.

We have already referred to the drastic cuts in food. Clothing suffered even more. Even so early as the first quarter of 1932, in more than half the Alabama families such serious reductions of food and clothing standards were found as could be termed major in extent. Obviously those already in poverty were now in the direst straits.

In clothing there seemed little to do but do without, and this, be it noted, was in the earliest stages of the depression. When clothes had to be bought, it was "Cheapest of everything now" or "Only bare necessities, such as could not be made over." More commonly it was: "Mother makes over old clothing sent by her relatives"; "Old clothes made over for girls"; "No clothing bought except overalls for men; cotton dresses made at home for the women"; "Mother makes all clothes nearly from flour sacks obtained free at place of employment, also sheets, towels, tablecloths too." The commonest expressions remain, however, the simple refraining from buying: "No new clothing bought for one year"; "No clothes scarcely."

The time came when a large number of homes finally reached the point of destitution where they were forced to ask for public aid for necessities.

One or several of these very serious evidences of critical family conditions—going into debt, using up savings, moving for cheaper rent, obtaining relief, and drastic cuts in food and clothing—were

to be found in a large majority of this particular group of homes. For some they were so serious because an economic crisis was advancing every day. But for many these conditions were simply customary—their wages had never been enough for any higher living standard than this.*

* * *

It is neither possible nor necessary to separate, even for description, the problem of general insecurity from that of actual poverty, so frequently does the first eventuate in the second. We cannot hope to assess the influence of insecurity as a condition of child labor. When it comes to fruition in poverty and destitution, then with what figures are available we may describe the proportion of children who come out of poverty-stricken homes, and what that poverty means to them.

But economic insecurity in considerable degree applies to all categories of workers, to the employed as well as the unemployed, to those above the poverty line as well as to those below. Many more child workers' families than those that happen to come under the count taken at a given time and place know in their own experience what it means to be at some time in poverty or on the edge.

To see the full force of this condition for the child labor problem, the reader should consider the fact that every generation of working-class homes, since our country was founded, has had to

* These figures for changes, we should add, pertain to conditions some months or years after the child had gone to work. Many more of the families by that time had fallen below the poverty level than the two-thirds that were there when the child secured his first job. What has happened to the remainder since 1932 we can only surmise.

The reader should not assume that these child worker families represented the most depressed in the working class. On the contrary, the Alabama group were a sample distinctly better off than the general working class in Alabama, and those from Massachusetts were by no means predominantly unskilled. According to general occupational classifications, only 25 per cent of the Massachusetts fathers, and 3.2 per cent of the Alabama fathers were regularly employed as unskilled laborers. 61 per cent in Massachusetts and 59 per cent in Alabama were in the semiskilled classes; this includes most of the ordinary operations in a factory. 12 per cent of the Massachusetts and 24 per cent of the Alabama fathers were in the skilled trades and clerical work, and both samples had a few in semiprofessional occupations. Occupationally the sample was a cross section of the whole working class. Even in the matter of income, approximately two-thirds would have been above the poverty level had they had full-time work at their regular occupations. Instead, however, nearly two-thirds were below the poverty level when the child began work.

weather the storm of a large-scale economic crisis, with its inevitable mass unemployment and its widespread human suffering. It is this fact, indeed, that gives the condition of insecurity such far-reaching significance. It can be traced in concrete and graphic terms.

To show this we have constructed the chart on the adjoining page. Here will be found what may be called the "curve of destitution." It traces the rise and fall of the number of persons supported by public outdoor relief in representative industrial states, for the period from 1830 to the present time. There are data from New York State for 1830 to 1850.* From 1850 to the present, figures for Massachusetts can be had. Indiana figures are available from 1890 on. Each series has been refined by reducing the raw figures to number of persons per 1,000 in the general population.

We wish to make it clear that these data do not purport to show the size of the problem of unemployment, or of poverty, or even of destitution. There are no data on unemployment, except for a few isolated years and places; figures on poverty are purely estimates; and by no means is everyone who falls into destitution given relief. Moreover, states differ greatly in their public relief policies, and within a given state policies have changed from period to period. The data do show changes in the numbers in absolute destitution who received public relief from year to year. Families in the mass do not receive, and never have received, public relief until they have exhausted all other means of support, and not all of those get relief then.

The curve of destitution serves an important purpose here. It is generally recognized that for every person receiving public aid there are many, many others in poverty and on the edge of poverty. As the numbers in destitution increase, of course the far larger numbers in poverty, but not receiving relief, are also on the increase, and the same thing holds true when destitution lessens. The curve of destitution, in short, provides a reliable index to the recurrence of economic distress in the whole working class.

How true is it that every generation of the working class in the

*We do not use the New York figures after 1850 as on several scores the later data do not appear to be comparable.

United States has experienced a period of mass unemployment and economic distress? The cycle has, in fact, come more often than that. By and large, crises of more or less serious dimensions have recurred at intervals of from seven to ten years, some with greater intensity and duration than others. In between these have come lesser disturbances. These ups and downs are reflected in our destitution curve.

Turning to the curve where changes can be traced year by year, the periodic recurrence of economic distress is seen plainly. In outline form, this is what we find:

- Decade of 1830—Late 1830's, panic of 1837. Sharp rise in destitution curve. Peak in 1838, with 45 persons per 1,000 population on relief in New York State. (Observe the low point of relief given for each state. In New York it was 5 persons per 1,000 population. In Massachusetts the smallest number on relief in the early years was from 10 to 12, in later decades 16 to 17 per 1,000. In Indiana also the smallest number ranges around 16 to 17 persons per 1,000.)
- Decade of 1840—Middle 1840's, a moderate rise in the destitution curve. Wholesale prices rose here: this was a period of "hard times." Peak in our curve reached in 1844 with 36 persons per 1,000 on relief, and again in 1847 with 37 persons per 1,000 in New York State.
- Decade of 1850—Early 1850's, a definite rise in the curve of destitution. This was another period of "hard times." In New York State the relief figure was 42 persons per 1,000 by 1852. Massachusetts figures begin in 1851 and also reflect the hard times of those years. Late 1850's, the panic of 1857—hard times everywhere. Another rise in the curve of destitution. Massachusetts figures show 20 persons per 1,000 on outdoor relief.
- Decade of 1860—The Civil War breaks out with temporary economic dislocation. A rise in destitution on outbreak of war. Massachusetts figures jump from a low of 12 in 1859 to 32 per 1,000 in 1861.
- Decade of 1870—Post Civil War crisis. Sharp rise in economic distress lasting more than half a decade. Peak of distress is reached in Massachusetts figures in 1876-77, with 45 per 1,000 on relief.
- Decade of 1880—Crisis of 1884—Distress caused by the long depression of the seventies had never really waned much. Numbers on relief per

1,000 population in Massachusetts remained at 27 from 1881 through 1883, and rose to 28 in 1884. Persons on relief did not go below 24—the figure with which the depression of the 1870's began—until 1888.

Decade of 1890—Panic and crisis of 1893. Hardly had the Massachusetts curve dropped to 19 per 1,000 and remained at that level three years, when the panic of 1893 broke. Up went the curve of destitution. In Massachusetts it remained high (between 24 and 29 persons per 1,000) from 1893 to 1898. Not until 1905 did it drop below 20. Indiana figures now begin, and show the same trend.

Decade of 1900—Panic of 1907. In Massachusetts the number on relief, which had dropped to 17 persons per 1,000 in 1906, rose now to 20 following the panic. Indiana likewise showed a rise to 21.

Decade of 1910—Outbreak of World War in 1914, with attendant economic dislocation. Sharp rise in economic distress in the United States, continuing for two or three years. Then the United States entered the war, and proportions fall.

Decade of 1920—Postwar Crisis of 1921. Sharp rise in economic distress. In Massachusetts 27 persons per 1,000 were on relief, in Indiana 32 persons per 1,000 (in 1922).

Period 1925-29. A slight drop came in the destitution curve in 1923, but beginning with 1924 and 1925, and gathering momentum in 1926 and 1927, the curve rose, and by 1928 numbers were higher than in the 1921 crisis. Then came the 1929 crash, and the problem got out of bounds.

Great Crisis of 1929 to date of latest available figures.

The latest figures show proportions on relief to have reached unprecedented proportions. The curve of destitution tells the story of terrible years since 1929. In 1933 the numbers on public relief in Massachusetts were 139 per 1,000 of the population. In Indiana in 1931 it was 113 per 1,000. By 1935 it was 168 for Massachusetts and 148 for Indiana.

Beside the frequent recurrence of widespread economic distress, this curve of destitution shows something else. If the trend of our economic cycles were to throw large numbers into poverty and destitution for one year, or even two, and then return them to a decent level for a long period of years, that would be one thing. But one

lean year in the midst of seven years of plenty is not the story of today, any more than it was the story of ancient Egypt. A study of this curve shows just the opposite tendency.

For the sake of description, let us for a moment visualize the curve upside-down: whereas the descent into the pit of destitution has always been precipitous (i.e., the numbers on relief increase with startling rapidity in a few short months, and so, obviously, would the number in poverty, but not on relief, had we the figures to show it), the ascent out of the depths has been anything but swift. On the contrary, we have but to run an eye up and down the curve of destitution to see that the working class has spent most of its years struggling up a long, broken incline, out of severe economic distress and insecurity. What is more, it has hardly reached the point from which it was thrown—and many never reach it—when another disastrous crash has come. Again there set in the long-drawn-out years of destitution and poverty for great masses of workers. As the curve shows, for the working class altogether the periods of full “prosperity” (minimum destitution periods) have usually lasted not more than two or three years.

What relation have economic crises to the problem of child labor? As we examined the materials for an answer to this question and placed them in the setting of general data on unemployment and poverty, it would seem to be this: crises, at periodic intervals, widely diffuse the condition of poverty and destitution far beyond the bounds ordinarily depicted, spreading it indiscriminately to gather in workers from every stratum of skill and occupation in the whole working class (even including many on the borderline of the lower middle class). While many of these workers have succeeded after great struggle in raising their heads once more above the poverty line, it has usually been after a period of years; many of course do not succeed in doing so again. Obviously, periodically to multiply the numbers in the working class who are in poverty, or on its edge, is constantly to replenish the already abundant supply of working-class families who have little choice but to try to put to work all their members of wage-earning age, including their children.

In seeing economic crises as heightening and diffusing the condi-

tion of insecurity, let us not forget those other ever-present factors already described. Wages at poverty levels, death, illness, accident, arbitrary dismissal, wage cuts, short time, these disasters occur in season and out, during a crisis and between crises. We have seen with concreteness how they bear on the child labor problem, and with what force.

It would be impossible to show the full effect of all these elements of insecurity upon child welfare. Yet of this we can be sure: as long as these conditions obtain, and with them an inadequate system of regulation, private business enterprise will find an abundant supply of child laborers at its command.

THE DEMAND FOR CHILD LABOR

ON MOST of the pages of this book we find evidence of the business demand for children.* The many and varied operations that children are called upon to perform are just so many indications of a labor market buzzing with demand. From cotton, silk, wool, yarn and knitting mills, to clothing factories, to shoe factories, to paper box plants, to leather goods factories, to food and candy and canning plants, to bakeries, groceries, restaurants and hotels, to drugstores and department stores, telegraph companies and delivery companies, to all grades of commercial farming—tobacco, cotton, sugar beets, grain, truck—a thousand leading industries employ children in some measure.

The matter of demand, however, should be put in more precise terms. There should be no equivocation about why children are employed. Children are employed with a view to reducing costs and increasing the profit margin to business. Children enter the labor market as do any other wage earners, and in so far as they promise to be more profitable than adults, other things being equal, they are hired.

Employers themselves are not unmindful of the nature and influence of their demand, though they do not put the matter so clearly. Writing of industrial child labor, the National Industrial Conference Board asks, "Is the position of industry and trade in the United

*Needless to say, we use the terms "demand" and "supply," not as in any sense justifying the exploitation of children under our economic system—i.e., with any suggestion that their employment is necessary and inevitable under any supposed economic "laws." We use the terms merely to define descriptively what actually takes place: namely, that children are hired and released on a purely impersonal basis, according as they are available, cheap, and, at the price, as useful as adults.

States such that employers need or prefer to employ young persons, thus increasing the number of such at work?" No "general answer," we are told, will suffice. However, ". . . In some cases doubtless the lower wage and larger relative supply of young workers may lead to their employment in larger numbers, other things being equal. . . . Undoubtedly . . . there are special cases in which young workers, where readily available, are employed chiefly because they can be had for lower wages than adults. In some cases this may be done because employers do not know how to figure their complete labor costs; in others the industry may be one in which there is an immediate, if not a long run profit from employing young workers at low wages, or perhaps an industry, which because of its location or peculiarities or process, has always depended on a large supply of such workers and in which the whole weight of custom and tradition is against any other plan . . ." ¹

But is not this a "general answer," and is it not in itself a formulation of the prime place occupied by employer demand?

That would place the onus of child labor upon employer demand. In the end that is where the burden must rest. Did child employees, to the knowledge of employers, represent increased costs and decreased profits, they would not be used.

In a word, child labor as we know it today exists not because of any peculiar fitness of children for the tasks they are called upon to do but simply and solely by reason of their cheapness. Where adult labor, all things considered, yields better value for the money, it will be used; where child labor, however hard on the child, pays better, it will be used, just as impersonally. Indeed, we saw in preceding chapters that very often the trades employing the largest numbers of children furnish the worst conditions; and that the youngest children are used together with their parents for quite unregulated hours, and at a family wage that keeps the whole household in misery.

At this point a turn easily given the question might be to direct the reader's eyes toward individual employers of children, to heap them with contumely for their inhumane practice, to contrast the comfortable, often luxurious surroundings in which their own sons and daughters live, with the poverty-stricken, thwarted, tragic lives

of the children they employ. We could picture the millowner in his pleasant dwelling high upon the hill overlooking the crowded, miserable, drab company houses of the mill's village; we could show the southern planter, proud of his children whom he has reared with the advantages possible to the southern well-to-do, enjoying the solid comfort of his ancestral "big house" in the grove, as he gazes out from a cool veranda over his thousand acres, where labor little children of 6 and 10 and 12, picking cotton with their parents from "sunup to sundown" under a blazing September sun. The logical consequence of this approach would be to place upon individual employers of children the responsibility for "demand."

But we should be mistaken did we couch the use of child labor in these individual terms. America has indeed a double standard for its children. These contrasts are true enough, as any of us know who live in similarly placed comfort or luxury and yet see also what poverty in the working class means.

Yet what would be the outcome of such an emphasis? There are some benevolent-minded persons who believe the solution of child labor lies in persuading individual employers to refuse on principle to take children into their employ. There are some individual employers who cannot bring themselves to hire children—and we join in commending them for their stand. But by and large, in those areas where child labor still pays, it is few employers indeed who thus let their philanthropic feeling override their "good business sense." Of course even these employers do not drive themselves into bankruptcy. In most instances children are only a minor element in the total labor force. That is the pity of it. Often old men and old women, or older youths, could be used in place of younger children and not increase the cost of labor by very much. Nevertheless, any employer who on principle takes on older workers in place of children, when his competitors are employing children, is likely to cut down his margin of profit a little as a result. His labor costs will be higher.

It is fully apparent from the facts that the general run of employers do not refuse to hire children. At the same time not more than a few are cruel and harsh. If we must characterize the situation in individual terms, probably most employers have made what the

psychiatrist would term a "good adjustment" to the social environment as it exists. That means that they have no sense of inner personal conflict on the question. In the words of a Pennsylvania manufacturer before a Congressional committee, when asked why he employed children in his plant, "They are there, and I take the world as it is."

Many employers of child labor are corporations; the individual owners are far removed from the actual employment office where the children are hired, or the workroom where the children do their work. This is not so much the case in agriculture, where the owners of plantations often supervise their fields and are fully aware of the conditions under which children work in them. Yet even in agriculture there is sometimes corporate ownership and control by banks, insurance companies and other absentee owners whose labor policies are handled entirely by salaried resident managers.

The truth is that to try to place the demand for child labor upon a personal plane will lead us far afield.

All in all, the labor policies of business organizations here, as in other fields, are moved not at all by sentiment. The employment of child labor, taken in the large, does not hang upon the good will or malevolence of individual employers of children. We repeat, it is the result of that basic tenet of business enterprise that it must keep down production costs. Of course a major factor in production costs is wages. Children come cheap; therefore, it sometimes pays to use them.

More light is thrown on the foregoing if we ask, What kind of businesses go in for child labor? There has been a tendency among reformers to suggest that child employment is an atypical activity, not engaged in by the larger and more reputable firms. Perhaps they jump to that conclusion on the ground that a large-scale employer would see farther, or be more benevolent, or would not hire the cheapest labor, and only a small employer, in his frantic competition to survive, would go in for the usually cheap and inefficient labor that children afford. (This again envisages child employment as the act of individual malevolent employers.)

There is abundant evidence to the contrary. It is not simply the small or ignorant or poverty-stricken employer who is on the mar-

ket for child labor. On the contrary, many large-scale employers have been leaders in the use of children. Such, for example, are powerful newspaper corporations, and telegraph companies, and large-scale textile manufacturing concerns, and sugar-beet growers farming vast fields, and plantation owners growing hundreds and sometimes thousands of acres of cotton, and big commercial corporations which employ children in blind-alley messenger and clerical and bundle jobs.*

Confirmation of these facts came to us most strikingly in our own observations of working children. Our information, we believe, is reasonably representative of urban conditions in this regard, both north and south. We found that an overwhelming number of the children we saw were employed by large corporations, in some cases corporations of national and international reputation. Altogether over three-fourths of the more than four hundred Alabama and Massachusetts children in our sample were employed by business firms of large size.† Less than one-fourth were working for small businesses, little manufacturing firms, in their parents' stores, or in domestic service. In other words, it was the large corporations that offered the preponderant buyers' market for the labor of these boys and girls of under 16.

*As we shall see, it was the newspaper corporations that fought successfully to keep out of the Newspaper Code under the NRA a clause prohibiting the employment of children under 16. The great telegraph companies, we are told, prefer boys under 16 as messengers. Says a recent Bulletin of the U. S. Children's Bureau: "Officials of the Western Union Company stated that in normal times boys over 16 are not likely to enter messenger service, and that usually they do not stay with the company long after they have reached the age of 17, or after they have been employed for more than 6 months. In these times, however, many remain with the company a year or more because of the difficulty of finding other work, the company keeping them although preferring younger boys." For concrete evidence on large-scale agriculture, the reader should turn to Chapters V and VI of this book.²

†Ours is of course a rough classification, since there is no hard-and-fast line between "large" and "small" concerns. When in doubt we classified businesses as "small" or "unknown."

Let us add, we are not discussing here the question of work conditions. Wages, hours, and general work surroundings are indeed as a rule better in larger industrial organizations than in small establishments. We found this usually true for the urban group we studied, especially in mills and telegraph messenger work. Agriculture is a different matter. However, we are here making but one point: the notion has been prevalent that children work chiefly for small-scale businesses. We find both in industry and in agriculture that more often the opposite is true.

Of course, whether in large or small firms, child labor is profitable only in some operations, and these change from time to time. For the most part such operations are handwork. Children are sometimes put on machines, of course. Nothing shows that better than the accidents they meet with. But it is common only in a few industries. There are still numberless steps in manufacture and agriculture and trade and communication and personal service where handwork is necessary or is cheaper than machines, and where the requirements are for simple, repetitive operations that can be paid at piece rates or at low time rates for long hours. It is in these processes that the employment of children is widespread and profitable.

There is but one way to get a graphic idea of the really surprising number and variety of the operations on which children can be found employed and the widespread demand for them throughout industry, agriculture, and trade: that is simply to list—in an incomplete way, of course—the tasks that real flesh-and-blood children are called upon to do.*

Cotton textile mills: quill boy, weaver, battery girl, helper in weave room, clerk, doffer, sweeper, spinner, spare hand spinner, bobbin boy, office boy, buttonholes (these two may not be in cotton), marks roving, spooler, spare hand in weave room, assistant cloth inspector.

Yarn mills: spooler, winder, redrawing.

Knitting mills: knitter, spooler, winder, distributes work.

Silk mills: redrawing, checking.

Woolen mills: office boy, tilling boy, machinist's helper, hand work, ring spinning.

Thread mills: sweeper.

Braid factories: weaver, twister.

Underwear factories: examiner, distributes and takes up work, operates tape machine, operates tacking machine.

Shirt factories: sewing on buttons, presser, top-stitching cuffs, seamstress on collars.

*We have tried to eliminate duplicate processes. In a few cases there may be some that go by different names but refer to the same tasks. Obviously the list is far from complete. We have drawn these not only from our own materials but from several other studies of child laborers; however, all the processes and industries are by no means included.

Men's clothing: sewing on collars, making buttonholes, cleaning pants, pulling bastings.

Clothing factories (not designated): hand sewing, trimmer, stitcher, finisher, folder, pulling threads.

Curtain factories: folding, pressing.

Umbrella factories: tipper, inspector.

Raincoat factories: folder, cleaning raincoats.

Pocketbook factories: porter and errand boy.

Food factories: apprentice, grader (pickles), bottler (pickles), pitting dates, packing, weighing, general helper.

Candy factories: packing, wrapper, floor girl.

Paper mills: sorting waste or rags, machine tender, hand work, edger, cut and tie tapes, packer.

Shoe factories: helper (cobbler's shop), "hand work" or "table work," lacing shoes, general helper, cementing.

Artificial flowers: bunching flowers, making wreaths.

Peanut oil mills: grader.

Foundry: cleaning molded parts, helper to crane operator, coremaking.

Paper bag factory: machine tender.

Box factory—woodworking: closing boxes by hand.

Footstool factories: patcher.

Leather goods factories: handwork, pasting, gluing, packing.

Machine shop: helper.

Cosmetics factories: labeling perfumes, putting stoppers in bottles, filling bottles.

Laboratory supplies and chemicals: assembling, packing bottles.

Eraser factories: "general helper" (perhaps other).

Basket and crate factories: staple machine helper, stapling and wire stitching machine operators.

Lumber: pole peeling, logging.

Turpentine: chipping, pulling, dipping.

Paper box factories: turning in, lidding up, bending, covering, shaping, packing, gluing off, wrapping.

False teeth: trimming and finishing.

Hooking together hooks and eyes; separating buttons; labeling cigar boxes; packing and inspecting in publishing houses; putting buttons in pencilboxes; packing twine; cutting and folding chamois.

Coal mining: breaker boys, sometimes other tasks.

Street trades: selling newspapers, delivering newspapers, shoeshining, peddling.

Industrial homework: children help in work on men's, women's and children's clothing, neckwear, artificial flowers, feathers, trimming novelties, stationery, lamp shades, jewelry, lace, dolls, toys, folding and pasting cellophane envelopes, sorting waste and rags (sometimes before they are washed).

Clerical work: unskilled, in stores, banks, telephone and telegraph companies, offices of factories, and other offices of all sorts and kinds. Occasionally bill clerks, helpers in shipping departments, filers, bookkeepers, etc.

Grocery stores: delivery boy and clerk, driver of delivery wagon, selling clerk.

Bakeries retail: baker's helper, general helper, delivery boy, helper sales.

Meat and fish markets: bundle boy, fish cutter, butcher's helper.

Fruits: assistant to pedler, selling clerk, cashier.

Stores: bankrupt stock store—clerk; 5-and-10—clerk, stock boy; hardware store—general clerk; jewelry store—errand boy; tailorshop—errand boy and helper; candy store—sales clerk; stationery store—sales clerk; department store—stock boy, bundle wrapper, salesgirl.

Communications and trade: helper on wagon for junk dealer; messenger for taxi company; laborer, hauling on truck; messenger for printing company; messenger for telegraph company; helper on milkman's truck; helper on moving company truck.

"Apprentices" to trades. Chiefly: boy "helpers" to carpenters, electricians, tinsmiths, plumbers, blacksmiths, boilermakers, machinists, printers, bookbinders; occasionally girl apprentices to dressmaker and millinery trades.

Laborers: in manufacturing industries. (In 1930 many boys and girls of 14 and 15, and a few under 14, were listed as "laborers" in all the different industries. Many thousands aged 16-17 were so listed.)

Theatrical work: "of every kind and description."

Domestic service: mother's helper, housework.

Laundries: folder, shaker, wrapper.

Drugstores: delivery boy, table boy, soda boy.

Tea-rooms, restaurants, etc.: curb boy, waitress, preparing fruits, cashier, selling clerk.

Hotels: bellboy.

Other personal service: kitchen helper in clinic; hospital—waitress, seamstress, cleaning; apprentice in beauty parlor; apprentice in barbershop; usher in movie theater; general helper in pottery works; auto polisher in garage; printing machine worker.

Canneries: can boys, can girls, peeling tomatoes, snipping beans, shucking and cleaning corn, "inspecting" vegetables and berries on tables or at moving belts, "shucking" oysters, "peeling" or "picking" shrimp, and other processes of a miscellaneous kind.

Tobacco culture: weeding, hand transplanting, hoeing, topping; suckering, worming, and picking, also "bulking" and "stripping," and occasional other processes.

Cotton culture: planting, plowing, harrowing, chopping, hoeing, picking.
Sugar beets: thinning, hoeing, pulling, topping, and occasional other processes.

Grain regions: hoeing, picking up potatoes, picking and husking corn, shocking grain, hauling of all kinds; herding cattle, helping to butcher, cleaning seeds, clearing fields of stones and thistles, preparing manure for fuel, helping with sheep shearing, plowing.

Truck farms: plowing, harrowing, planting, transplanting, thinning, weeding, hoeing, spraying, gathering of small fruits and vegetables (cucumbers, peppers, radishes, eggplants, cantaloupes, watermelons, kale, spinach, cabbage, lettuce, picking strawberries, peas, beans, tomatoes, gathering potatoes, cutting asparagus).

Onion culture: weeding (sometimes four or five weedings a season), harvesting (pulling up and twisting or cutting off tops).

Orchards and hopyards of the Pacific Coast: picking cherries, prunes, raspberries and other berries; less often, apples, peaches, pears, and hops. Some hoeing and weeding, and by older boys harrowing and cultivating.

Cranberry bogs: picking.

The matter boils down to this: when businesses consider the labor of children to be not only cheap but sufficiently productive to be profitable, children are hired. Where there is no demand, there will

be no children at work. (Even many millions of working-class adults go without work when business presents no demand!)

Of course to get children onto the labor market there must be more than business demand. Unlike adults, for whom work is the expected corollary of adulthood, under our civilization children are not supposed to work. They are supposed, if possible, to be engaged in education throughout their period of childhood. There must exist, then, a special set of circumstances that will propel children into the labor market. We have weighed and analyzed these conditions in the foregoing pages. The conditions, we saw, are not to be found in the personal characteristics of children, though going to work is facilitated by personal problems. Primarily children are forced onto the labor market by the condition of poverty and the threat of economic insecurity which is the common, everyday experience of the American working class. If working-class parents were able to provide comfortably and securely for their families from the earnings of adult members, we should soon find a dearth of children seeking work.*

However, given on the workers' side a widespread condition of poverty and insecurity, and given on the business side, from enterprises both large and small, a widespread demand for the use of children, and we should expect nothing else but a continuance of the child labor system.

*Even the White House Conference of 1931 said in unequivocal words, "Child labor is in large measure a question of poverty." ⁸

Part III

PROSPECTS FOR CONTROL

OPPOSITION TO CONTROL

THAT magic catchword "public opinion" is one of the most misleading in the English language. Always it carries with it a flavor of universality, of general acceptance, of harmonious concurrence, which the users of it are swift to capitalize.

But of course there is no such thing as a general public, a great homogeneous population, sitting dormant in the market place, as it were, on whom spokesmen of rival factions play with honeyed words, until one or the other sways them to shout, "Your side wins!" The social-economic forces of our competitive society provide no such *tabula rasa* social mind.

We see this unmistakably when an issue comes to the fore profoundly affecting the lives and interests of many people.

Child labor is such an issue. From the start there are two publics ready-made, so to speak. The first step taken by the leaders on each side of the issue is to consolidate the following that they know they already have. This is true despite the amorphous in-between body, a public that we shall come back to again, whose interests are affected both ways, and which on that account becomes an unpredictable quantity.

In the case of child labor, the two opposing publics are both powerful groups, the opposition in influence, the advocates in numbers, with the opposition thus far registering the major victories. For unfortunately the outcome for issues of social welfare in our society is not predicated upon numbers. Prestige, power, strategic position, effectiveness of tactics, cohesiveness of organized action—these and similar factors may be decisive irrespective of majorities. This is the more true since measures for child protection, being

acted upon by elected "representatives," are in the hands of a small body whose stand is vigilantly followed by their influential constituents, and who consequently may be extremely sensitive to their pressure.

But is it really true that the public gravitates toward one pole or the other of this question following a well-defined pattern? We can but look at the facts and see. Analyze any single contest over any single child labor measure and the outline begins to show. Analyze one contest after another over a period of years and it becomes unmistakable, the pattern repeating itself consistently, with beautiful historical continuity. Certain sectors of the public are always in alignment with the opposition, others year after year form the groups advocating control. The import of this will become apparent as we proceed. We shall see it as we appraise first the opposition, then the advocates, in the long years of struggle around the problem of child labor.

* * *

No more sobering experience can come to any person of open mind than for the first time to see with what dogged resistance certain groups, decade after decade, have fought child labor control.

Going back to the years when labor legislation was first projected, we get our first glimpse of the opposition group. We can see it as early as the 1840's and 1850's, when hours legislation in particular was being pushed by organized labor in the northeast states. From the first the opposition stubbornly fought against all such measures. The obstacles that were placed in the way of proposed laws, and the years that it took to achieve even piecemeal measures, are eloquent evidence.

As early as 1838 the organized workers of Rhode Island had secured the introduction of a bill in their legislature providing for three months' schooling for their children of under 12 in the year preceding their employment. In their petition they had also called for a ten-hour working day. But the manufacturers, we learn, were against the measure, arguing that it would work a hardship on the "poor parents"; it was only to relieve the "necessities" of the workers, they averred, that the children were employed.

A mutilated ten-hour law was passed in Pennsylvania in 1847.

It related to both minors and adults. For children it provided that none under 12 years of age could work in designated factory industries, but that minors above 14 could be employed more than ten hours if "special contract" was made by parent or guardian. But even so mild a prohibition as this was disapproved of by manufacturers. Those around Pittsburgh agreed that they would continue to operate a twelve-hour day despite the new statute. The workers went out on strike to enforce the law. "The mills closed, and when some of the operatives entered into special contracts for 12 hours, riots followed." Workers were taken into the courts and indicted for riots; a 13-year-old girl was sent to prison because she could not supply bail. For six weeks the workers stayed out. When an agreement was finally reached, they went back to work on the ten-hour day (in accordance with the law), but they also went back with a 16-per-cent wage cut.¹

Maine also illustrates the early opposition movement. In 1848 a child labor measure, sponsored by the labor movement, came up in the legislature. It was an attempt to limit the working day to ten hours for children under 16 in manufacturing industries. Apparently the law was passed before it could be stopped. But quickly thereafter it "called forth the opposition of manufacturers, and so effectively that in the following year it was repealed in both house and senate." The governor, fortunately, did not sign the repeal bill.²

New Jersey repeated Pennsylvania's earlier experience. A bill limiting the working day to ten hours was passed in 1851. This was a general hours law, but it had in it child labor provisions: no minor could work more than ten hours a day or sixty hours a week, and no child under 10 years of age could be employed in a factory. An employer "knowingly" breaking the law was to be fined. We have no record of what the manufacturers may have done in the way of opposition before the law was passed. After it was passed, they took decisive steps. Millowners around Paterson reduced wages from a half to an entire day's pay with the legal reduction in hours. In consequence the workers struck. Later they returned to work upon a compromise agreement. The manufacturers around Gloucester simply stood their ground and did not shorten hours. There

the workers voted to petition the legislature for enforcement of the law. What happened as a result we do not know.³

In Massachusetts in 1866, in the first flush of the eight-hour-day movement, labor managed to get a law passed setting a ten-year age limit for children in factories, limiting the labor of children under 14 to eight hours a day, and requiring six months' schooling. By the following year the opposition forces were sufficiently organized to substitute for the children's eight-hour law (applicable only to factories) a sixty-hour-week law, applicable to all occupations. "The schooling requirement was reduced to three months, and the penalty applied only to those 'knowingly' violating the statute." "The manufacturers," it is explained, "felt they could not afford to employ children [*sic*] if they were to be in the mill but half the year." Moreover—an interesting sidelight upon immigration policy and the family wage basis—"It was declared that Canadian operatives could not be induced to come into Massachusetts . . . if they were not allowed to keep their children constantly at work. . . . 'These people are . . . absolutely dependent upon their labor. . . . They were born in misfortune and by enacting this bill [for six months' schooling] we but increase the mischief.'" Much was also said of the tendency of the bill "to promote idleness and vice."⁴

The tactics of New York State manufacturers were highly sophisticated. In 1884 organized labor in the state, backed by certain philanthropic societies, had introduced a bill regulating child labor. The manufacturers came forward with a number of other bills which they sought to have substituted for this measure. "These [manufacturers'] bills were either so framed as to be unenforceable and wholly harmless, or contained provisions which would render them unconstitutional." No bills were passed in that year.⁵

The opposition also managed to prevent adequate enforcement machinery, so successfully, indeed, that "because of the impossibility of securing convictions under the law" the first deputy constable, "a distinguished citizen," "resigned in disgust after two years' service." After that, deputies were "carefully cautioned" "not to incur extra expenses in making investigations." But most successful was the emasculation of the measure itself by restricting penalties to violations committed "knowingly." The employer had "knowingly"

to be hiring children below age or without their requisite three-months schooling in order to be convicted. We find this useful term "knowingly" appearing in child labor laws far and wide.

As we should expect, the South furnishes some of the best early lessons. Labor legislation attempts did not begin there until the latter part of the nineteenth century. In North Carolina in 1893 a child labor bill was pending—not an extreme one—just to set an age restriction on the working child. Into Raleigh poured the cotton and woolen manufacturers. "There are 490,694 spindles operating in the State," the *Raleigh News and Observer* declared, "and of these 371,284 were represented here yesterday." "As a unit," it adds, "against the bill."⁶

In the late 1890's in Georgia organized labor was pressing the legislature for a child labor law. The cotton manufacturers organized an industrial association and tried the very modern expedient of staving off government action by proposing voluntary limitation instead; no child under 12 should work at night, they said, and parents would not be permitted to work their children unless, of course, the parents needed the wages! Did this voluntary agreement work? It worked only to fulfill its own intention, i.e., temporarily to stop legislative measures. In 1903 we find manufacturers again busy against proposed legislative action. "Socialism!" cried the president of one cotton mill—a modern note indeed.⁷

Alabama was bedeviled at about this same time. In 1903 the American Federation of Labor sent a special agent to that state to push a child labor bill. Opposition was organized apace. "Outside interference," said the manufacturers; organized labor "in cahoots" with the New England mills to stir up labor trouble and remove Alabama's competitive advantages over the North; an "entering wedge" for more labor legislation, and industry would be destroyed. Then a device was found to defeat the measure, by incorporating in it a compulsory education feature. (The same device was successfully used in South Carolina later on.) None but a southerner can fully appreciate the efficacy of such a maneuver! For what southern legislature would without struggle provide compulsory education for the vast Negro population of its state? Or what southern white farmer constituency would want to pay taxes

so that every child (including Negro children) might go to school? Said contemporary proponents, it is "but part of an attempt to block a reform which is possible, by the safe proposal of a reform which is impossible." A year later the legislature passed a measure, but it was not without the opposition's mark. "The State Child Labor Committee, the representative of the Federation of Women's Clubs of Alabama, and the mill men agreed on a compromise . . . it was less severe than the 1901 bill. . . ."⁸

In 1901 in South Carolina the Federation of Labor was pressing for a bill. A mill president reported calling his workers together and putting the question to a vote. (How familiar to the reformer this should sound.) Of course, "without exception" the operatives called together in their employer's presence voted against the bill. "The usual attempt to delay, to carry the bill over to the next session," virtually was successful, for it was delayed long enough to reach the House just before adjournment, too late to be acted upon. (Compare New York State in 1934-35.) In 1902 a bill was up again, the manufacturers again were ready. They addressed an open letter to the legislature signed by five of their leading men. The bill was but a device, they said, for labor unions to get a foothold. "In the house the senate bill of the previous year was amended in favor of the manufacturers."

North Carolina again instructs us on the ways of the opposition. In 1909 the National Child Labor Committee was accused [*sic*] of fostering a bill. The result was a conference of manufacturers. Fifty millmen traveled to Raleigh and plans were made. "The Committee [of the legislature] reported unfavorably both [reform] bills and reported favorably a substitute bill drafted by the manufacturers. This bill dealt only with factory inspection, which it attempted to secure without having inspectors." (Inspection, we learn, was to be by sheriffs of counties, and no extra pay for their work.) The bill was then thrown into a series of conferences between the legislative committee, millmen, and operatives, with a compromise measure as the result. So compromised indeed that it was said that all "agreed on the bill as not prejudicial to the interests of any of them." Everything was neatly arranged. But then the manufacturers decided (or had they decided all along?) that no bill of any kind was best at

this time: "The people [*sic*] did not want a change in the law." Neither did the Spinner's Association of Charlotte, which sent a wire protesting the bill, nor yet the Cotton Manufacturers Association, which also strongly urged its defeat. These messages came just before the third reading on the bill. It was killed when read.

Miss Grace Abbott in her testimony before a Congressional committee in 1925 refers to North Carolina also. "The friends of the children [before the legislature] were opposed at every turn by the manufacturers of North Carolina, but . . . when the sentiment of the state for the Act [the federal law] had become general, then they [the manufacturers] turned their attention to enacting a [state] law, but at the same time providing that there would be no enforcement."⁹

A representative of the National Child Labor Committee, testifying almost ten years earlier (1916) on the question of a federal child labor law, described the North Carolina situation thus: "The North Carolina Senate, a body of fifty men, has been controlled by representatives from the cotton manufacturing counties of the State for the last dozen years. More than that, the Committee on Manufactures of the Senate, composed largely of cotton manufacturers and their attorneys—for these always seek to be put upon this committee, and their request is complacently granted,—is the committee to which all child labor bills are referred, so that even when the House, answering to popular demand, has passed a child labor bill, the Senate has defeated it. The chairman of that committee for the last two sessions, in North Carolina, has been a prominent cotton manufacturer."¹⁰

In recent years occasional timid efforts have been made against the most flagrant abuses in the commercial agricultural field. They have met with similar opposition. New Jersey offers an instructive example. Of the New Jersey truck gardening regions with their long-time use of family labor from Philadelphia, we read: "In 1927 in New Jersey and Pennsylvania the 'school and labor authorities' and 'certain welfare interests of the two states'" introduced bills "making it unlawful for non-resident children to be employed during the time when laws of the State of the child's residence require his attendance at school. . . . Neither bill became law however."¹¹

Similar bills were introduced in 1928 and 1929. The 1929 New

Jersey bill forbade the employment of all children, whether resident or nonresident, during the New Jersey school year. None of these bills passed.

In the spring of 1929, however, a Bureau of Women and Children had been set up in the New Jersey Department of Labor, "and very soon thereafter the welfare groups which had sponsored, in vain, migratory legislation for years, asked the director . . . to take over the work of securing such regulatory provision."

The procedure that followed is instructive. The director "called together representatives of the farm group [i.e., the employers], labor and welfare organizations and others, and after many meetings an agreement was reached that a study should be made. . . ." (Note the delay for purposes of study. The New Jersey situation had been notorious for many years.) A resolution authorizing a state commission to make the study was then passed through the legislature. (It took from February through April of 1930 to get this done.)

Meanwhile, however, the American Cranberry Growers' Association (in January) had hastily persuaded the State Board of Agriculture to make a survey instead. This survey was to study "the economic needs of both employer and employee, that necessitate such labor" (i.e., migratory child labor), and they got under way without all the delays characteristic of the welfare groups. "Pending the adoption of the [legislature's] Resolution, the State Department of Agriculture secured the unofficial cooperation of the agencies mentioned and proceeded to collect the information in the field. By the time the Commission was named the field work was well under way. . . ." ¹²

Thus sponsored, the conclusions of the survey are not surprising. They agree in every respect with the conclusions of the American Cranberry Growers' Association.

"For many years," the survey commission writes, "it has been the custom of Italian families" (the padrones, we assume, have also been a custom) "to migrate from Philadelphia. . . . The employers need the labor and the families need the work."

As to the indecent barracks and lack of toilet facilities offered by the growers, the commission would rather emphasize the careless

living habits of the Italian families. In many cases they were found crowded together in dirty quarters.

"Italians," the report goes on, this time quoting the employers, "are short in stature" and therefore "best suited for New Jersey crops," "preventing [it is pleasing to learn] extreme fatigue in harvesting."

Now the main point emerges: "Family labor [say the employers] is steadier than that of single men. Once the family is on the farm it stays there, because the cost of moving the family from one place to another is high." "In the long run family labor is cheaper. . . ." ¹³

Thereupon the final conclusion of the commission is not surprising. "It has been proposed that the compulsory school attendance law be extended to include migrant children and that the child labor laws be amended to apply to agricultural employments. The Commission finds that these measures would tend to work a hardship on local districts. . . . Additional teachers . . . would unduly tax the financial resources." ¹⁴

Even in the matter of hours of labor for the children, the commission concluded ¹⁵ (the same commission that in the body of its report gave statistics of up to seventy hours a week for children of 6 and more, with averages of fifty hours for even the youngest and with Sunday work universal): "Concerning the hours of labor of the migratory children, the survey developed the fact that in general they were not excessive." *

*Subsequent news from the New Jersey field indicates that the following year the welfare interests succeeded in having the life of the same commission prolonged, some further data assembled, and a school attendance law (not an agricultural child labor law which would have protected the little children during the summer) submitted by the commission. ¹⁶ In the 1931 *Proceedings* of the National Child Labor Committee we read that "1931 also saw the Second Interstate Conference on Migratory Child Labor" in Baltimore. "Official delegates," we are told, "were present from four states,—Delaware, Maryland, New Jersey, and Pennsylvania." The conference, we are informed, in addition to child labor laws "recommended that the employing state should be responsible for the temporary education of the migratory children." ¹⁷ However, in 1936 as in all previous years the migratory children of New Jersey (and of all the other states mentioned) continued to labor.

Many further illustrations of the same process could be cited. For example, in the Massachusetts tobacco fields, where child labor had long been general, an investigation by the Massachusetts Consumers' League in 1930 "showed that the same conditions exist today [1931] as were shown to exist in 1923 by the Federal Children's Bureau." The Massachusetts Children's Committee thereupon

The same opposition methods directed against child labor measures in the various states were employed to oppose federal bills when these began to appear. Two federal laws were successively declared unconstitutional by the courts. But did this come about by an indignant parent impulsively demanding his rights over his minor child, or a poverty-stricken widow demanding the earnings of her son? It did not. It came about quite simply by organized employers laboring patiently in season and out. The opposition knew better than to give up its cause even though for the moment a federal law might be on the books. "It seems a long, long time since we began the fight against the law," editorializes the *Southern Textile Bulletin*, trade journal for southern textile millmen, after the 1916 Federal Child Labor Law had been declared unconstitutional by the courts in 1918. "We had believed that we would win, and because we realized that it meant so much to the textile industry, we kept up the fight."²⁰

Said Mr. David Clark, former textile manufacturer and editor of this same journal, in an editorial about himself in 1918: "The task of getting a man to apply for an injunction [against the federal child labor law] and a mill to permit the case to be brought against

"introduced a bill into the Massachusetts legislature prohibiting the employment of children under 14 in industrialized agriculture. The bill did not apply to farms employing ten children or less in addition to the operator's family." But even so it did not pass. Ultimately a private agreement was drawn up by a number of the growers, agreeing not to employ children under 14.¹⁸

In the case of sugar beets, throughout the 1933 and 1934 seasons protests against the extreme conditions of child labor permitted in that industry with children from 8 years up working the twelve-hour day—protests by the National Child Labor Committee, the United States Children's Bureau, and the Federal Emergency Relief Administration—went unheeded. The Sugar Stabilization Agreement went unsigned "and the beet harvest proceeded as usual, without improvement in laboring conditions." In 1934 the Sugar Act contained a "voluntary agreement" clause, which of course could not be effectual, reading, "All agreements authorized by this Act . . . may contain provisions which will limit or regulate child labor, and will fix minimum wages for workers or growers employed by the producers and processors."¹⁹

Finally for the 1935 season a mandatory clause was embodied in the beet contracts, but then the AAA was invalidated. For the 1936 season the National Child Labor Committee reported: "Now *all the gains have been lost*. The situation is back to exactly where it had been for many years prior to AAA. . . . In family after family children who were not permitted to work last year were again carrying their full load in beets—even the 7- and 8-year olds. Hours are absolutely unregulated and even the youngest frequently toil from sunup to sundown." (*American Child*, Sept. 1936.)

them, was placed upon David Clark, and after considerable work he found Ruben H. Dagenhart at the Fidelity Manufacturing Company of Charlotte, whose family offered an ideal case, and he induced Dagenhart to permit his name to be used. It can be stated now that Dagenhart never had an idea of making a test until approached by David Clark, and was only a figurehead. He was not even in the employment of the Fidelity Manufacturing Company when the case was heard before the United States Supreme Court." (When Mr. Clark was asked whether it was brought to the attention of the Supreme Court that the person named in the action was no longer employed by the company, the reply was "No.")²¹

Fifteen years after, in 1933, Mr. Clark's journal, upon the occasion of his opposition to another labor measure, was reminding its readers of this "successful campaign" against federal child labor laws. "The 'Visiting the Mills' story . . . is postponed because David Clark found it necessary to go to Washington, D. C., to offer opposition to the '30-hour-week' bill now being considered there. Mr. Clark a few years ago, personally conducted the successful campaigns against the two Federal Child Labor Laws and the proposed Child Labor Amendment. . . ." ²²

When a constitutional amendment to give Congress the power to "limit, regulate and prohibit the labor of persons under 18" was finally approved by Congress in 1924, the long-drawn-out struggle to defeat it in the states began. Thirty-six states must approve it if it was to become law. The states again became the major battleground. This situation was a happy one for the opposition. They are not unaware of the strategic advantage of scattering an enemy's strength. Make the friends of child welfare distribute their battle over forty-eight fronts, and their task of winning support is many times more difficult.

The opposition felt fairly safe about the southern states; but when other legislatures, especially those of key industrial states, were considering the Amendment, these immediately became the focus of their attack. Meanwhile organizations and activities commensurate with a nation-wide fight had to be coordinated, and a centrally planned campaign ensued.

The report accompanying H.R. Resolution 184 (1924) on the

Child Labor Amendment lists some of the opposition bodies: the National Association of Manufacturers, the Pennsylvania Manufacturers Association, the *Southern Textile Bulletin*, the Sentinels of the Republic, the Moderation League of Pennsylvania, the Women's Constitutional League of Maryland, the Woman Patriot Publishing Company of Washington. We infer that those nearest the capital city had been commissioned to push the fight.

Many more were represented there. We learn that Mr. James Emery, general counsel for the National Association of Manufacturers, in opposing the proposed Child Labor Amendment before the Committee on the Judiciary of the House of Representatives represented the manufacturers' associations of the following states: California, Connecticut, Delaware, Idaho ("Associated Industries of the Inland Empire"), Indiana, Iowa, Kansas, Kentucky, Maine, Massachusetts, Michigan, Missouri, Nebraska, New York, Ohio, Oklahoma, Oregon, Pennsylvania, Rhode Island, South Dakota, Tennessee, Utah, Vermont, Virginia, Washington, West Virginia, and Wisconsin.²³

The Manufacturers Club of Philadelphia, we learn, sent a letter to each member "explaining the Amendment" and asking the members to indicate their approval or disapproval. Of 2,027 cards returned, 1,933 voted against it and 94 favored it, while 10 did not vote.

In 1925 the Pennsylvania State Chamber of Commerce published a pamphlet against the Amendment. In December 1924 the Cleveland Chamber of Commerce adopted a resolution opposing it. The Chattanooga Chamber of Commerce did likewise in the same year. The New York State Chamber of Commerce in 1924 issued a thirty-two page bulletin against it and passed a resolution in opposition in December 1924.

At the 30th Annual Convention of the National Association of Manufacturers in 1925, the secretary reports, "The outstanding activity of our association during the year has been close cooperation with the National Committee for the Rejection of the 20th [Child Labor] Amendment to the Constitution." That committee, he it observed, was made up of seven manufacturers from Pennsylvania, Massachusetts, Georgia, West Virginia, Chicago, Denver, and St. Louis. It had its offices in the same building in Washington as did

the general counsel of the National Association of Manufacturers, and was directed by a former editor of a journal described by the late Senator Thomas J. Walsh (who cited this information) as an "anti-labor journal which has devoted much space to a campaign against the eight-hour day."²⁴

From this same convention of the National Association of Manufacturers, we learn that a brief had been prepared by General Counsel Emery and "given widespread circulation." "Following this presentation of facts [*sic*] . . . general hostility was aroused, and many agencies sprung into being to combat its [the Amendment's] ratification and exchange information relative to developments in various sections of the country." Meanwhile the "National Committee for the Rejection of the 20th Amendment is continuing steadfast opposition to the ratification of the Amendment. . . ."

The Sentinels of the Republic, a patriotic organization formed to defeat welfare legislation—"Every citizen a Sentinel! Every home a sentry box!"—also appears to have served as a coordinating agency. We are told that it called a meeting in Philadelphia in December 1925 to consolidate sentiment for defeating the Amendment. Here were representatives from the National Association of Manufacturers, the Pennsylvania Manufacturers Association, the New York Commercial, the Woman Patriot, the Moderation League, the Constitutional Liberty League, the American Constitutional League, the Women's Constitutional League, the National Security League, the American Defense League. The propaganda machinery, according to speeches reported to have been given, was the publicity bureau of the National Association of Manufacturers, the "New York Commercial's special service to 500 newspapers," and the columns of the *Woman Patriot*, a semimonthly organ opposed to welfare laws.²⁵

Other so-called patriotic organs* to take action against the Amendment and in some cases actively to work against it are: the

*We do not know how many state and regional groups of civic or patriotic type went on record against the Child Labor Amendment. Here are a few that we happened to hear about: the New York Committee to Protect Our Homes and Children, the Massachusetts Public Interests League, the Women's Constitutional League of Maryland, the Good Government Club of Topeka, Kansas, the Woman's Constitutional League of Virginia, the Massachusetts Citizens' Committee to Protect Our Homes and Children, and the Maryland League for State Defense.²⁶

Sons of the American Revolution, the Sons of the Confederacy, the National Sentinels of Washington and the Daughters of the American Revolution.²⁷

The determination of the manufacturers and their sense of power is succinctly voiced in an editorial in the *Manufacturer's News* of January 3, 1925, published in Chicago.²⁸ "Finally it is our duty to advise our state legislators of our wishes in the matter and it is their duty to carry out our wishes. They are not placed in our state capitols to be kings over us, independent of our desires. They are there to represent us. We must advise them—by letter and telephone, and telegraph and word of mouth—that it is our desire that the proposed 20th Amendment be rejected and stay rejected. And we must hold them—each state senator and representative—personally accountable for their vote."

The opposition saw the potentialities of the farmer vote—indeed have always seen the potentialities of this portion of our population—and went after it. Farmers are a very important element in the constituency to many a legislator.

As far back as 1914 this reservoir had been tapped. In that year, Mr. Emery, general counsel of the National Association of Manufacturers, Senator Thomas J. Walsh reported,²⁹ sent a letter to editors of farm journals in which he urged them to join the manufacturers' campaign against a federal law, not because the manufacturers would be affected by the law—there was next to no child labor left in manufacturing, so he said—but for the general public good. (In 1920 there were 175,000 children from 10 to 15 years of age in factories alone.)

With the advent of the Amendment the campaign took on fresh life. A "Farmers States Rights League" appeared to defend the interests of the farmers—so it averred—against encroachment of bureaucratic federal control. It was but another vicarious offering by the manufacturers to oppose the bill. The Washington newspaper *Labor* investigated the organization, and Congressman Foster of Ohio, defending the Amendment, gave the facts one day to the House:³⁰ "There was also organized last July in Troy, N. C., a so-called 'Farmers States Rights League,' under which innocent title the textile interest of the South hoped to and did reach the West and

Pacific Coast States." It has inserted "columns of advertising in newspapers, particularly those serving the smaller towns and rural districts. . . ." It has been "widely used by the opposition. . . ." It is "not a farmer organization. Its president is the cashier of a cotton-mill store. Its chief agent—the man who writes the ads for agricultural papers—is listed in the Charlotte (N. C.) city directory as an employee of the Clark Publishing Company. The Clark Publishing Company is owned by David Clark, editor of the *Southern Textile Bulletin*, organ of the cotton mill owners of the South." (This is the same Mr. Clark who "discovered" the "ideal" cotton mill family to bring suit successfully against the 1916 Child Labor Law.) In another account we hear that two of the incorporators related that they had been asked by a person unknown to them to sign an incorporation petition for an organization to fight the Child Labor Amendment, but who the officers might be, or where its place of business was, and whether effort was made to secure membership from farmers, they apparently did not know!³¹

Meanwhile the campaign went on in the states. Massachusetts was a crucial point. Could the Amendment be defeated in this industrial stronghold, the effect would be widely felt in others. It was defeated, and by a popular referendum. Was that not evidence enough that the "people" were opposed? We think not. Can the mass of people be other than helpless to discriminate when trained upon them is a propaganda stream, as perfectly organized, as single-minded in its theme, as by all accounts was the propaganda that kept Massachusetts out of the ratifying group of states?

The reform forces describe the Massachusetts struggle somewhat as follows: Editorials, articles, cartoons, were poured out upon the public by the opposition through the press. (See the letter of a Mr. Gow, below.) "We could not get editorial replies into most papers." "We had to reframe many of our replies in a series of questions in order to get them printed." "We could not get paid advertisements into certain controlled papers." Inroads were made upon the directorates of organizations that had supported the Amendment—women's clubs, YWCA's, etc. (We suppose the writer means that some ladies and gentlemen were persuaded that they had been wrong.)³² So naïve as to carry conviction is the confession of a re-

form leader after his experience in this Massachusetts referendum: "Manufacturers in Massachusetts, especially big manufacturers, were against the Amendment. That was a surprise to me at least. During the past twelve years, working as the representative of the National Child Labor Committee, I had come to believe that the average big manufacturer in Massachusetts was altogether different from the average big textile mill owner in North Carolina, South Carolina, or Georgia. While I do not understand just how I came to this belief, I know that I thought that manufacturers of Massachusetts as a rule had more social vision than manufacturers in my own state and adjoining states [in the South]. I was wrong. After a number of my experiences in the campaign for the ratification of the Child Labor Amendment in Massachusetts I am thoroughly convinced that the average manufacturer of Massachusetts wants to be let alone to do as he pleases on the matter of working children just as much as does the average manufacturer of North Carolina. Both are controlled in many cases—in most cases, so far as my experience goes—by a dogged determination to do as they please regardless of its effect upon the individual, the State or the Nation. Massachusetts has excellent laws to regulate the employment of children, not because her big manufacturers want them, but because her people were determined to have them and got them in spite of the opposition of those manufacturers."⁸⁸

That the manufacturers of Massachusetts were determined is pointed out by the late Senator Thomas J. Walsh, in his 1925 Senate speech already referred to. He quotes from a letter sent by a Mr. C. R. Gow, an officer of the Hood Rubber Company, past president of Associated Industries of Massachusetts and chairman of the finance committee of the National Association of Manufacturers. This was apparently circulated widely. "The most dangerous assault upon our institutions," so it describes the Amendment, ". . . will establish for all time Federal bureaucratic control over all activities of all youth under 18." "The voters are not aware of its true significance. They must be informed and aroused. Meetings have been arranged and speakers enlisted; advertisements must be published in newspapers and on billboards, and hand bills widely distributed." "The enclosed pamphlets present briefly some cogent facts." The

Amendment was defeated not only in Massachusetts but in most of the other states.

But there was no time limit within which the Amendment must be voted, and with the crisis of the 1930's throwing so many adults out of work, the campaign for its adoption took on new life. So the opposition girded itself once more for the fight. Again coordinating machinery for the opponents was set up. One agency was the National Committee for the Protection of Child, Family, School and Church, organized in St. Louis in 1933. It especially sought to appeal to farmers, though it did not neglect any other group. The *Kansas Farmer* was very severe with this committee in an editorial written in 1934.³⁴

It is, said this journal, "bombarding editors of farm journals with propaganda against the proposed child labor amendment. It is evident that this self-constituted 'committee' cloaks an interest; at heart [it is] not opposed to exploiting children at pittance wages in mills, factories and sweatshops. . . . [It] mails its publicity from a room in St. Louis, but more than half of its personnel lives in the East. . . . [It] adopts an old and cheap expedient; [it] attempts to 'scare' the public with a warning . . . that the Amendment against child labor would result in a sweeping Federal law prohibiting children under 18 from doing any work in their homes or on the home farm. . . ."

When ratification of the Amendment came up again in New York State, another crucial state from the opposition point of view, the lines were once again drawn. The ins and outs of this struggle have not yet been told, but even following the press dispatches we get some notion of the campaign waged. The conflict began in 1933. We find President Nicholas Murray Butler of Columbia, an eminent opponent of the Amendment, taking his stand at this time. In a letter to the *New York Times* late in that year he uses nearly all the favorite opposition arguments: "forty-five million children" under direct control of Congress; "indefensible," "inexcusable"; "child labor is on the point of becoming non-existent in this country"; the proponents "had definitely in mind" a federal control "equal to anything which has been brought about in Communist Russia."³⁵ On this level of emotion and prejudice was the controversy launched and waged.

In 1934 the question came before the New York Legislature, but was soon killed in the Senate. Besides Nicholas Murray Butler and the manufacturers of the state, it had Alfred E. Smith, Elihu Root, and a vast committee of "leaders" throwing themselves and their influence into the fight. "Sixty-eight Leaders Fight Law on Child Labor: Root, Dr. Butler and Guthrie, Head State Group Seeking to Block Amendment: Warn of a Major Peril." Thus a *Times* headline reads.⁸⁶

The New York *Post* takes note of the committee in a leading editorial entitled an "Open Letter to Al Smith," appealing to the "Brown Derby" to remember the good old days and all that it once stood for in welfare legislation. "Suppose you saw the story in yesterday's newspapers [it appeals]. 'Sixty-eight Leaders Fight Law on Child Labor.' Most of the sixty-eight are society leaders, corporation lawyers, counsel for the steel, sugar and transit magnates. . . . You won't see many common men on that petition with Alfred E. Smith. You'll see the mighty corporation lawyers of the swell downtown firms. . . . Here are some more of the co-signers: . . . Attorney for Morgan-Chase interests . . . chief counsel for United States Steel . . . junior counsel in the famous fight against the Federal income tax in 1894 . . . counsel for the Lusk Committee, open shopper and patrioteer who helped frame the Lusk laws that you vetoed at Albany."⁸⁷ A few days later the press declared: "Ratification of the anti-child labor amendment to the United States Constitution is dead today in the New York State Legislature. It was overwhelmed in the Senate Judiciary Committee, headed by Senator William T. Byrne. . . . According to authoritative reports, the proposal was killed by unanimous vote." The time for the killing was apparently well chosen, not the first time such a method has been used. "In most quarters . . . the action . . . was regarded as a death blow to ratification, due to the fact that final adjournment of the Legislature is only forty-eight hours off. . . ."⁸⁸

The Amendment was revived again when the New York Legislature convened in 1935. It met with the same defeat. "The subject of a long public hearing, New York ratification of the proposed Federal Amendment appeared doomed tonight. . . . Many powerful groups have registered their disapproval of the measure. . . ." Again

the Senate Judiciary Committee voted to kill the resolution in committee.³⁹ The New York *World-Telegram* editorializes thus: "The State Senate Judiciary Committee yesterday committed the cowardly and unpardonable offense of killing an urgent national measure—ratification of the Federal Child Labor Amendment—in the secrecy of a committee Chamber. . . ." ⁴⁰

But for this kind of action the president of America's largest university, Dr. Nicholas Murray Butler, had naught but praise. The *New York Times* of April 7, 1935, reported a letter that he made public, sent to State Senator Byrne, "congratulating the Senator and his associates" "upon your action in blocking any step toward ratification." He had, he said, tested by personal observation "in those sections where formerly it was most rife" the existence of child labor, and found it "has practically disappeared in the United States today." The Amendment came before the New York Legislature again in 1936 and got no further than it had before.*

The *Southern Textile Bulletin* stated in its April 1934 issue: "We have been assisting in the movement to acquaint people with the far-reaching effect of the proposed Federal Child Labor Amendment and have sent out a considerable amount of literature to members of legislatures and persons of influence. We understand that another publication (not a textile journal) has been soliciting advertising from cotton mills upon a claim that they are active in the fight against the ratification of the Federal Child Labor Amendment, but the truth is that they had absolutely nothing to do with the opposition, and we doubt if they even know the location of the opposition headquarters." ⁴¹

From other quarters we find echoes of the continuing campaign.† The Georgia Manufacturers Association in 1935 took action opposing ratification, as did the Associated Industries of Kentucky and the Tennessee Manufacturers Association which claimed credit for

* This year (early 1937) it passed the State Senate only to be defeated in the House.

† Since the above account was written the organized manufacturers have added another chapter to their campaign against the Child Labor Amendment. With ratification threateningly near they have suddenly come out in favor of a substitute proposal (see our Preface) which once more "recognizes the right of each state to fix its own standards. . . ." (*New York Times*, Feb. 6, 1937.) The method of attempted defeat by substitution is an old one in the history of labor legislation.

getting ratification defeated in the Tennessee House of Representatives. The New York Economic Council has waged an active campaign against ratification since 1933; the New York Merchants Association has in recent years passed a resolution against it. In the March 1935 *Rotarian* we find a debate between Miss Jane Addams for the Child Labor Amendment, and Mr. C. L. Bardo, president of the National Association of Manufacturers, taking the opposing side.

Lately the patriotic organizations have joined forces in an "American Coalition of Patriotic Societies," representing one hundred and seventeen member groups. These took their stand against the Child Labor Amendment in a resolution passed in 1935.⁴²

In 1934 the American Bar Association appointed a special committee of five to "oppose ratification by states of the federal Child Labor Amendment." At the 1936 annual meeting held in Boston this committee was opposed and a substitute resolution offered calling for its discharge. The convention voted down the substitute motion and voted to continue its special committee to oppose the Amendment. The *American Child* for October 1936 quotes from the *Hartford Times* ("no special friend of the Child Labor Amendment") on the Bar Association's action. "Without debating the issue," says the editorial, "it may be said that the bar is characteristically conservative and moved in its viewpoint by a more habitual interest in employers than employed, and in the well-to-do class rather than the general mass of bread-winners, for reasons that are natural in a profession which, however high-minded, nevertheless lives upon fees. . . ." And the *Cleveland Press*: "A lawyer's first duty is to his client and lawyers' clients are not children who work for a living."

One of the most instructive stories of the opposition's resistance, for one who does not know their ways, is the fight waged against the regulation of child labor by the organized newspaper publishers in recent years. Not all newspapers have opposed regulation, as the editorials quoted above will show. There was a time, indeed, when the proposed Amendment had the editorial support of numbers of publishers. Lately, however, that number has been reduced. Much opposition to the Amendment developed after proposals were made to regulate the work of children under the newspaper publishers' NRA code.

The code first submitted by the American Newspaper Publishers failed to give any protection to newsboys and girls of any age. "Without restriction as to age or hours, children would be permitted to sell and deliver newspapers, while children from 14 to 16 would be permitted to engage in any capacity in the industry except manufacturing and mechanical processes." So the *Survey*, social work journal, summed up the proposed code.⁴⁸ At the code hearings the National Child Labor Committee proposed an Amendment that was supported by many reform groups. It still left the publishers all boys between 14 and 16, for delivering and selling between 7 A.M. and 7 P.M. But, as the *New York Times* significantly commented, "There has been no indication that the publishers will yield willingly. . . ." Nor did they, as the adopted code showed. That the publishers worked for what they got no one can doubt. We are told in *Editor and Publisher*⁴⁴ that the American Newspaper Publishers Association sent out a bulletin urging special attention to a questionnaire circulated to collect information on living conditions of newsboys. The data were being gathered ". . . to substantiate the case . . . at the public hearing on the A.N.P.A. code in Washington. . . ." "The Inland Daily Press Association also sent out a bulletin . . . and urged prompt action. The Bulletin was headed: 'Newsboy Situation Needs Quick Help, Action.'"

In one city at least a most ingenious method was devised to fight prohibitions in the codes and through a constitutional amendment. In 1933, the National Child Labor Committee reprinted a copy of a letter that came into their hands. The letter was delivered by newsboys in St. Louis and read in part as follows:

Dear Subscriber: I am the carrier on this route and I deliver your paper. . . . I should like to be able to continue delivering newspapers, as I find it profitable and it requires but little of my time. . . . Reformers are attempting to prohibit through the National Recovery Act and through proposed amendment to the Constitution of the United States boys under 18 years of age from being gainfully employed. And so, as the carrier boy on your route, I want to ask you to write a note in my behalf and address it to General Hugh S. Johnson. . . . I am giving you

the paper herewith and Saturday I will call for the letter and see that it is properly mailed for you. . . .⁴⁵

Early in 1934 the President of the United States made public, through a letter to a friend, his indorsement of the Child Labor Amendment. But apparently the newspapers were overcrowded that day. The *New Republic* comments: "The letter was given to the Associated Press in Boston on February 6. It failed to appear in the New York papers on the following morning. Inquiry revealed that the AP did not relay it outside New England. The story was then sent out by the National Child Labor Committee, but was either buried or not printed by most of the papers; in some cases personal protests were necessary to cause its publication. Of course it is mere coincidence that most of the newspaper publishers are opposed to the Amendment, that they fought a child labor provision in their own code."⁴⁶

All in all we are not surprised that Mr. A. J. Altmeyer, Assistant Secretary of Labor, stated after several months, at the time of a re-hearing on the Newspaper Code, that the newspaper industry "is responsible for the largest single pool of commercialized child labor" in the country.⁴⁷ "Publishers to be heard later," says the press account, "contend varying conditions would make impossible a set limit of fourteen years for the entire country and that furthermore selling and delivering newspapers gives boys experience by which they profit later."

Meanwhile the fight against the Child Labor Amendment was continued. The American Newspaper Publishers Association and the International Circulation Managers Association "have gone on record against the Amendment and have flooded the papers of the country with material against it." The National Child Labor Committee, authority for this statement, further reported that "more than sixty newspapers which were in favor of the Amendment in 1933" (before code regulation came up) now opposed it editorially. Some of the most influential newspapers were now editorially silent, "and the bulk of the press is violently opposed. . . ."⁴⁸

The foregoing sampling of the evidence on opposition activity could be multiplied many times. It should suffice to bring out the pertinent facts. The opposition arose simultaneously with the earliest agitation for protective labor laws for children. It early found effective tactics—defeat, delay, emasculation. It has used these tactics over the entire one hundred years. And it has always had strategic power and prestige. These features stand out on all the pages of opposition history.

THE OPPONENTS' CASE

SURELY we do not suggest that any sector of our civilized nation baldly proclaims that it is right for children to be exploited for private gain? If life were like that, how sweet and simple it would be; then one "public" would be able to know precisely what to expect of another, and could come to its own conclusions as a result. No, while in action the opponents of regulation have driven straight toward their objective, the mental path trod in explaining and campaigning has always been a circuitous one, gathering unto itself on its journey to its goal such a variety of extraneous matter as to confuse many and satisfy the yearnings after Christian virtue of not a few.

They too, the opponents tell us, are "opposed to the exploitation of children"—yet strangely enough, no measure that is proposed by defenders of the children (read any date and any state) has merit! On the contrary, each and every law as it comes up deserves only defeat—on a number of grounds.

Opposition arguments, then, are highly sophisticated. Just because of that they should be closely attended. They tell us about the supporters of the opposition. They show in what terms the opposition argues its case. And indirectly they give evidence of how so influential a sector of our society can bring itself consistently to oppose control.

The opposition have always told us that they oppose control for "the child's own good." It is for the child's good that he be not barred from labor ("reasonable" labor, in recent years): it strengthens his character, makes him a good sober citizen, provides trained operatives to run the nation's industries.

National Association of Manufacturers (1924): We join in the condemnation of the exploitation of children . . . and we insist that our growing youth shall be taught the dignity, duty and necessity of labor.¹

Lutheran Pastors of Boston (1935): We protest . . . it would be a crime against the youth of our land to force them to grow up in idleness or to deny them the right to work for their living. . . .²

A southern textile manufacturer (1907): The dangers of child idleness are as great or greater than the danger of child labor.³

Another textile manufacturer from the South (1916): If you discharge the children at the mills . . . under 16 years of age, and let them loaf around on the streets, . . . the morals of the children are going to be corrupted . . . for the good of the children and for the good of the people we ask you to be kind enough to leave us alone.⁴

Representative of the Massachusetts Farm Bureau Federation (1935): The habits of industry . . . which are inculcated by the employment of youth are an invaluable asset in later life. . . .⁵

Virginia employer of six thousand textile workers (1916): Unless young people are taught and educated and prepared for their work . . . the industry itself would be without efficient, trained, expert operatives.⁶

A lawyer from Pennsylvania (1924): Yes, the sacred right to labor! . . . The Savior has said, "My Father worketh hitherto, and I work" . . . May not the child follow the footsteps of the Savior in this? ⁷

* * *

A second argument avers that the work that children do is "harmless."

A Virginia textile mill owner (already quoted): After all, the treatment they receive and the conditions under which they work and the advantages which they enjoy make it nothing more than an industrial school to them that gives them a training and experience that must be valuable to them in life. . . . The idea that a child who is employed in a spinning room is doing arduous work is a mistake. There is no arduous work in the spinning room. The physical work is so light that it does not deserve to be called manual labor at all. . . .⁸

Manager of a southern mill (1916): There is no work in the mill that is laborious.⁹

Representative of the Federation of Democratic Women of Baltimore (1924): I think that mill work for children would have to be on a basis where they would not be kept in a cramped position hours and hours, but I think with the expensive machinery furnished, the manufacturer would not let children handle anything which was complex and too cramping. . . .¹⁰

Back in 1916, a mill physician came from North Carolina to the Congressional hearings. He testified that he was employed and paid by the mill.

Congressman: How many hours a day do you believe it safe to employ a girl 12 years of age in a cotton mill?

Mill physician: I do not think they should work over 10 or 12 hours.

Congressman: At what hour in the morning do these girls of 12 years of age go to work?

Mill physician: They go down there about 7 o'clock . . . they get back about—the mill whistle blows at 6:30 in the evening.¹¹

Mr. Bernarr Macfadden (editor of *Liberty Magazine*—1934): Many gainful occupations are much less of a strain on child life than the night-and-day work that is carried by many of the students in our schools.¹²

A Maryland physician (1924): I know that children have not been hurt by going to work early. . . . I am now saying to you that there has been nothing deleterious at all about going to work early. On the other hand, it has been a very great benefit to these poor people.¹³

* * *

Only "real" child labor, the opposition tells us, should be regulated. Nowadays this argument takes a special turn. It avers that the fight has already been won—that anything going beyond the present extremely inadequate limits as to age, occupations and conditions is getting outside the real child labor field!

Congressman (to Mr. Clark, editor of the *Southern Textile Bulletin*):

Do I understand you to say that a child's education should cease at 14?

Mr. Clark: No sir; I think it should be optional after that time. I think the parents are pretty well capable of taking care of the children. . . . That has been the law of the world.¹⁴

A woman citizen (1934, before a Massachusetts legislative committee):

I do not think boys and girls of 15 or 16 come under the heading of children. They are old enough to help their parents.¹⁵

A representative of a cardinal of the Catholic Church (1935): All of us are opposed to exploitation of child labor properly so-called. . . . [the Amendment] curbs the freedom of action and ambition of American youth between the ages of 14 and 18.¹⁶

A retired Army captain (1934): I spoke to a man and asked what he thought was child labor, and he said between 10 and 14, and I said good, that is what I think also—that is what most citizens believe child labor is. We were always opposed to child labor in gainful occupations.¹⁷

President Emeritus A. Lawrence Lowell of Harvard University (in the *Boston Herald*, Feb. 8, 1934): If the new Amendment were for this purpose [to prevent the exploitation of children in mines, factories, and industry in general] none would be here to oppose it. At the time it was urged it was suggested to the proponents that it be limited to regulation of the work by children in mines, factories and the like* but they objected; they wanted to go further.¹⁸

* * *

Above all, the opponents tell us, the "child belongs to the parents," the "home is the castle." Proposed child labor laws (they said this of state laws as well as of a federal law) invade and threaten the home.

Lutheran Pastors of Boston (1934): We hold that the child belongs to the parents, not to the State. Any infringement of the fundamental rights of parents would be not only un-American, but also anti-Christian, necessitating continuing opposition on our part, on religious and moral grounds, against this Amendment. . . .¹⁹

* Such a limitation, be it noted, would make impossible Congressional legislation for the great mass of children now gainfully employed, namely, those in agriculture. (See Part I of this book.)

A Catholic priest (1934): We wish no gangs and spies and pursuivants snooping in homes in the States and issuing mandatory decrees as to what parents may and may not do in the control of their 17-year-old children.²⁰

A branch of the Knights of Columbus (1935): [The proposed Amendment is] unwise, unnecessary, and destructive of the natural rights of parents, families and individual States.²¹

Representatives of patriotic groups are always eloquent on this point.

President of the Woman Patriot Publishing Company (1924): I cannot quite understand the position of labor on this Amendment. . . . In the Maternity Act and in the proposed Child Labor Amendment it is solely the poor man's right of castle that is sacrificed. . . .²²

From Nationalizing the Young of America (a pamphlet): Thus we confront the amazing situation that today, the people and the states are asked to confess themselves incapable of managing their own children, and to ratify a constitutional amendment which transfers final authority to a bureau in Washington. This means nothing less than that private parental authority and responsibility shall give place to national bureau parental authority and responsibility.²³

The Senate of Georgia (in refusing Amendment ratification in 1924): [The Amendment] would destroy parental authority and responsibility throughout America . . . would place Congress in control of every home. . . .²⁴

An eloquent citizen before a Massachusetts legislative committee (1934): For the first time, if this [the Amendment] goes through, Massachusetts is to surrender the responsibility, the parental responsibilities of the father or mother to the child. Who shall tell us what to do within the walls of our state and by the side of our hearth stones? Who shall teach us? Are we to submit to the laws, to the mandates of the state of Alabama, of Mississippi, of Oklahoma?—or to the windblown countries of the north west? ²⁵

The Honorable Elihu Root (in the *New York Times*, March 4, 1934): This Amendment would confer upon the people of any state compulsion as to the way in which they should bring up their children.

President Nicholas Murray Butler of Columbia University (in the *Christian Science Monitor*, March 10, 1934): It was nothing other than to have the Congress take over the control of the nation's children and, if thought desirable and necessary by them, to invade, through federal officers, the family, the home and the school for that purpose. These persons made no concealment of their aims or of the philosophy of social order and of government which underlay their aims. The ratification of this unnecessary and obnoxious amendment would bring these aims within reasonable distance of accomplishment.

* * *

There is always, so the opponents remind us, the poverty-stricken home that requires their protection. Some parents *need* their children's wages, and who are we to prevent even young children from helping "those on whom God has laid poverty"?

Mr Bernarr Macfadden (editor of *Liberty Magazine*—1934): We will find in some families that there are boys of 14 or 15 years of age who are the sole support of widowed mothers. They are growing into self-reliant, strong, capable citizens because of the character-building influence of the responsibilities they are assuming.²⁶

The chairman of a Congressional committee holding hearings on the Child Labor Amendment (1924): If poverty and necessity compel children to work at an early age, you think the lash of a national law should be applied to them and take away that help from their parents? ²⁷

We find that the very same argument was used nearly a hundred years ago.

"A New England manufacturer . . . told Horace Mann in 1848 that the children under 15 years—they were about 13 per cent of all the operatives—were employed simply from motives of charity." In 1842 in Rhode Island "the manufacturers pointed out that it was not to their interests to employ children; that they did so to relieve the necessities of poor parents and that the (proposed) law would inflict hardship on poor children."

Fifty years later the argument was still flourishing. A state senator

of North Carolina in 1893 is reported to have declared "that though he had charge of a mill he was sent to the Senate by the laboring men and he spoke for them. The people who worked at night in the Gaston mills needed the money, and if the work of the children under 14 was kept out it would bring want to many poor families. . . . The most needy worked at night, as all could not be employed in the day."²⁸

The argument continues uninterrupted through the World War period.

A cotton mill manager (1916): Take for instance a widow woman, who has two children, we will say, under 14 years of age, but of legal age, as we now employ them between 12 and 14. If they are deprived of their work, what are they going to do?²⁹

Another mill official from the South (also 1916): When it comes to working child labor the word "child labor" is repulsive to every intelligent man in the world. . . . I do not think that any manufacturer in the South would say that he makes any money out of any child twelve years old, thirteen years old, or fourteen years old. I would not say it, but, unfortunately, it is necessary for some of those children to work.³⁰

A southern mill physician (quoted above): There are innumerable instances where it is absolutely necessary for the children to work in the mills in order to supply the funds for the purpose of taking care of the rest of the family, those who are not big enough to work.³¹

A Virginia textile mill owner: Now, if you raise the limit to fifteen or sixteen you would simply exaggerate to a much larger extent the hardship that would be visited upon large numbers of people through the country who have had to contend with adverse conditions and upon whom God has laid poverty.³²

* * *

As to business, it is invariably bad for business to have any given measure go through when it is up for consideration. "Business does not want" that particular measure.

This argument was advanced about a child labor bill in South Carolina back in 1892. "It is noticeable at this time," said a govern-

ment study, "that the manufacturers made no attempt to minimize the extent of child labor, as later, but freely admitted it. The president of a large mill stated that children between ten and eleven years old did almost all the spinning in the State and the passage of the law, in the estimation of some manufacturers, would stop 20 per cent of the machinery." And again in North Carolina in 1894: "Equality of opportunity is the sole distinguishing feature of American civilization, yet we see a supposed conservative body of representative North Carolinians [the state legislature] unknowingly abridging this principle of liberty and laying the mudsills upon which will germinate unions and all of the attendant evils connected with [the] same, which are becoming dangerous not only to their original purpose, but to our very Government itself."³³

In 1916 the South Carolina cotton mill owners' association was opposing child labor laws for business reasons.

President of the South Carolina Mill Owners Association (and owner of three cotton mills employing 1,000 operatives): The association members and I, individually, oppose this bill for two reasons, principally. One is that it would work a very great hardship on certain of our operatives; or if we took steps to minimize this hardship at all, possibly it would cause us to expend a great deal of money and we are very doubtful if on that basis we could then put the plan into practical operation.³⁴

A Virginia textile manufacturer (already quoted): But I will say, with Christian spirit, asking you to enact legislation that will compel certain improvements . . . in conditions upon a class of people, . . . [that] the manufacturing interests of the country and the people themselves that are employed in those manufacturing [establishments] . . . would [not] for one moment want you to pass any such legislation.³⁵

Mr. Clark (editor of the *Southern Textile Bulletin*): The mill people need employment, and what are you going to offer them? . . . What are you going to do for them when you turn them out of the mills? . . . [Also] it will injure the business interests to a certain extent. . . .*

*At this time these business men were appearing before a House committee in opposition to a proposed federal law regulating child labor. But a year or

The National Association of Manufacturers (1925): Attacks upon the opponents of the Amendment have laid stress on the hostility displayed by manufacturers; the campaign of education [by the National Association of Manufacturers] has, however, showed that American industry is free from child labor [note: 175,000 children under 16 were reported as engaged in manufacturing at the preceding United States Census] and without pecuniary interest in its employment, and has confirmed the right of American manufacturers to be heard on economic, political and social questions.⁸⁶

Representative of a truck- and fruitgrowers' association in Ohio (1924):

We are employing a great many of the city children in our gardens, in picking fruits. . . .

Congressman: Are you in favor of or opposed to this Amendment?

Fruitgrower: Well, sir, not to the principle so far as education is concerned, but if it is going to infringe on agricultural labor—I can hardly decide the two things.⁸⁷

A Pennsylvania manufacturer: As a manufacturer only, were I to think for my own private gain and what I would say was my immediate interests, I would be heartily in favor of the passage of this Amendment to the Constitution; were it not that I place paramount, to that personal and immediate gain, the gain to the State. . . .

Congressman: Why does the gentleman himself employ children?

Manufacturer: They are there and I take the world as it is and not as I want to make it. . . . Now labor today is as much a vested interest as is capital, and labor is here to protect what it thinks is its vested

two before they had appeared before their respective state legislatures of Virginia and North Carolina, in opposition to state laws as well. Says Mr. A. J. McKelway, representing the National Child Labor Committee at the same hearings (64th Congress of U. S., Hearings on HR 8234, 1916), "Mr. Chairman, I have met these very same gentlemen who are here in the State legislatures. . . . For example, Mr. David Clark, Mr. Samuel Patterson and Mr. W. C. Ruffin [the latter two cotton manufacturers of North Carolina] who urged you here not to pass a Federal law, I met before a joint committee of the House and Senate of the North Carolina Legislature in Raleigh about a year ago. They were in a group of some forty cotton manufacturers who were opposing, and who succeeded in defeating, a bill introduced by Senator Weaver of Asheville, providing for a fourteen-year age limit, and providing for an 8-hour day for children under fifteen; and, more important than anything else, providing for factory inspection. . . . By the way, Mr. Fitzgerald [manufacturer from Virginia quoted above] is another gentleman who appeared before the legislature of Virginia in opposition to any advance in child labor legislation."

interest. So, therefore, there is no odium to be attached to the manufacturer who wants to protect what he claims is his vested interest.

Congressman: Has he got a vested interest in the child—the manufacturer?

Manufacturer: Well, he has as much—and more probably—as the trade unions.³⁸

A Pennsylvania lawyer (appearing, as he said, at the request of a gentleman “representing Mr. Grundy of the Pennsylvania Manufacturers Association”): The business men do not want the Amendment. As a business man I should say it merely means you will have to watch out for an additional number of inspectors. . . .

Congressman: Do you think his [the business man’s] opinion should be considered in arriving at a proper conclusion with regard to child labor?

The lawyer: I should think his convenience should be considered. . . . Generally speaking, children are better off employed as an economic proposition.³⁹

* * *

Since the appearance of a demand for federal legislation, the opposition has become apologist for state laws. We are told that state laws are now adequate, or nearly so, and that child labor has “practically disappeared.”

President Eugene Colligan of Hunter College (*New York Times*, Jan. 24, 1935): How can they establish these positions [that an Amendment is necessary] in the light of President Roosevelt’s declaration: “Child labor is abolished”? Every state has enacted child labor laws to protect children and youths with *due regard* to local needs, to differences of resources, industries and climate [*sic!*] among the states.

President Nicholas Murray Butler of Columbia University (*New York Times*, April 7, 1935): In almost every state *adequate* laws for the protection of children are now upon the statute books.

(And again, April 1, 1936): We have the word of the President of the United States who three times publicly repeated that child labor is no longer to be found in this country. Let it lie in the graveyard where public opinion buried it many years ago.

But even if the laws were not adequate, say the opponents, no federal law should be tolerated, since it would contravene states' rights, and the "sacred principle" of local control.

Organized manufacturers always appeal to this argument.

General Counsel Mr. James Emery: I represent the opposition of manufacturers in this country to the principle of control here invoked, because it proposes to substitute an exercise of police power by Congress for that of the legislatures of the respective states themselves.⁴⁰

The National Association of Manufacturers (from a resolution, 1924): Whereas such proposal [the Child Labor Amendment] would destroy not merely the right but the obligation of each American community to meet its local problems in terms of its special conditions . . . and under the guise of protecting childhood, would authorize by necessary implication the control of all the minor life of the nation, the mode of its training and education; the duties of its parents and guardians, and substitute the bureaucratic regulation of remote, expensive and irresponsible authority for local and parental control. . . .⁴¹

Again Mr. James Emery, general counsel for the N.A.M.: I hope I have made plain the fact that I am speaking for manufacturers as citizens, who bring to this subject the experience they have gained in the carrying on of their industries . . . and no matter what the standards which would be proposed might be, they would be opposed to it as a subject for Federal regulation.⁴²

Patriotic organizations also appear to defend states' rights.

A representative of the Constitutional League of Maryland: We stand for local self-government, the sovereignty of the states, a sovereign nation of many sovereign states. . . . Take away the rights of the States and you take the stars from our Flag of a sovereign nation of many sovereign states. We believe in local self-government. We stand for the preservation of the principles of the Constitution and the Bill of Rights of the states and the United States in letter and in spirit, against violation, whether by direct assault or indirect invasion, whether in the name of socialism, feminism, or in the

name of humanity. . . . We are simply only too glad to do what we could to further the idea of asking for the loyalty of the states in taking care of their own mothers and children.⁴³

Prominent individuals come forward, as do legal bodies.

Dr. Henry S. Pritchett, President Emeritus of the Carnegie Foundation for the Advancement of Teaching (also a member of the National Committee for the Protection of Child, Family, School and Church): Local self-government alone can solve such problems as local abuse of child labor. . . . In a short time all the states will have satisfactory laws.⁴⁴

Lawyers (New York Times, Jan. 24, 1935): In the Bar Association's view, Mr. Guthrie said, the Amendment was unjustifiable invasion by the Federal government of the domain of the states.

These states' rights pleas cannot be taken very seriously by those who are familiar with the turn that the argument takes when measures are sought in the states themselves. An example from Georgia will illustrate what we mean. "The bill," we are told by a government report, "was declared to be subversive of democratic government, inexpedient, unwise, and not desired by the people. The cotton manufacturer in providing employment was as much a philanthropist as the founder of a hospital. Such legislation was the entering wedge for further destructive legislation, it was class legislation, interference with parental authority, a sumptuary law, and it enforced idleness. 'The child carries his sovereignty in his own hands,' said one legislator, 'and belongs to no state.'" ⁴⁵

* * *

Besides all this, we learn, some children are "work-minded" and can gain little from further schooling, and should not be allowed to grow up in idleness and crime.

A representative of the Federation of Democratic Women of Baltimore: The other cause of child labor, I feel . . . is inherent in different types of children. . . . In Baltimore . . . they have found throughout

the public school system that there will be a class of children called the "work-minded" children. Those are the children incapable of receiving a higher education. They can work with their hands and become useful citizens. . . . Of course we do not feel that the taxpayer's money should be wasted on those children keeping them in school until they are eighteen, and it would not really be fair. But of course we do not want to exploit them any more than any other children, but nevertheless there are things that they can do, and I think all of us realize how active children want to be. . . . And now the other type of child is the type of child whose mind is all right but who has not a moral force . . . and if they did not have a definite task to do and were coerced a little, would probably sink back to what they call in the south "poor white trash" sometimes.⁴⁶

* * *

President of the Woman Patriot Publishing Company: I contend that this Amendment would result in the practical-minded children becoming idlers and loafers. . . .⁴⁷

A manufacturer (he described himself as "the executive head of the Salvation Army . . . a manufacturer . . . a wool grower . . . a wool jobber . . . a wool merchant"): There are a lot of children who cannot take education; that will not take education; and to compel certain people with vision, with imagination to study that which they do not like is wrong. It is evidently better to let those children go to work with their hands, whereby they create a certain man building, a character building, which never can be created by study or idleness. . . .⁴⁸

In recent years there has appeared the argument, advanced with apparent seriousness, that if the Amendment to the Constitution passes, children would even be prohibited from helping parents out with dishes and the stovewood. Ridiculous as it seems, it has been used with marked success.

A Catholic bishop of Massachusetts (1935): The minority report of the Judiciary Committee of the House, on March 29, 1924, stated that if this Amendment became a part of the Constitution of the United

States "The New England farmer's boy could not pick blueberries on the hills. . . !" ⁴⁹

President Emeritus A. Lawrence Lowell of Harvard (Boston Herald, Jan. 26, 1934): Suppose it should provide that these young people shall not do any work, paid or unpaid, in the household, farm, garden, in assisting their parents, or in making for their own play, buildings, sleds, toys or anything else. . . . They can do almost anything under it. They can prohibit household work or farm work up to that age.

President of the Woman's Patriot Publishing Association: This Amendment would authorize the prohibition of a child, a girl, making the beds or washing the dishes. That is labor. Or the boy helping his father milk the cows on the farm.⁵⁰

This argument has been used by the organized opposition in particular to arouse farmers' fears.

The Committee for the Protection of Child, Family, School and Church (in a propaganda pamphlet addressed to "Mr. Farmer"): [The proposed Amendment] gives Congress power to prohibit your seventeen-year-old boy from milking the cow and your seventeen-year-old daughter from helping her mother in housework. It grants power to Congress to send inspectors into your home. . . .⁵¹

* * *

Finally, the proposed Amendment is found by the opponents to be a "dangerous assault upon our institutions"—in short, a "pernicious socialistic, communistic so-called child labor Amendment." It emanated from Moscow, no less, and its object is to nationalize our children.*

* Ironically enough, we are told that the Amendment was framed by a group of lawyers, among whom was Senator Thomas J. Walsh, late Democratic Senator from Montana, and prominent in the Democratic party, and George Wharton Pepper, Republican Senator from Pennsylvania. (See *The Child Labor Amendment*, a leaflet issued by the National Child Labor Committee.)

Child labor reforms were opposed as "red" or "socialistic" of course long before a federal law was ever brought forward. A Georgia manufacturer as early as 1903, in opposing a proposed state law to regulate child labor in Georgia, said that "if they were taken out of the mills to attend school, the

- A Massachusetts representative of the National Association of Manufacturers* (from a letter issued to citizens): This is the most dangerous assault upon our institutions ever publicly proposed. Nationalization of youth is the keystone of the Red program—challenge to every thinking American. . . .⁵²
- Knights of Columbus representative* (at the Massachusetts legislative hearings in 1934): The proposed Amendment would nationalize the children of America and destroy our system of government. . . .⁵³
- A Lutheran pastor's organization* (already quoted): This Amendment would . . . put the whole care and training of our young people and children into the hands of bureaucrats, who may abuse the power thus given them to destroy the Family and the Church.⁵⁴
- A cardinal of the Catholic Church*: The Amendment now drawn is a long step in the direction of the nationalization of children which is the great desire of extreme socialists and bolshevists. . . . Is Massachusetts prepared to take a step in this bolshevistic and communistic direction? ⁵⁵
- A member of a patriotic organization in Massachusetts*: This is not a Child Labor Amendment. The President of the American Bar Association says it is not a Child Labor Amendment—it is the nationalization and socialization of the women and children of America. He proves it in his speech.⁵⁶
- Representative of the Massachusetts Women's Constitutional League*: Members of the Massachusetts Women's Constitutional League unanimously adopted: "We strongly register emphatic opposition to the invasion into the Constitution of the United States by communistic, socialistic, legislation." I am opposed to this amendment because I do not believe in giving away control of the children.⁵⁷
- Another member of the same organization*: Nicholas Murray Butler said that this amendment did not emanate from Congress. He is a well known man throughout this country and is on our side of this debate. He is right. Nicholas Murray Butler knew that that element was behind it when he made that statement. . . . We don't believe our children should be taken away and handed to the state.

state would have to bear the expense of maintaining as well as educating them. This condition of affairs was worse than paternalism, it was 'downright socialism.'"

President Nicholas Murray Butler: There is no need to overturn our government in order to deal with an abuse that no longer exists.⁵⁸

* * *

Now that the opposition's views are before us, how do we account for them? What do we say of them? Are these statements really put forward as the considered opinion of leading citizens of our country? Of industrialists, bishops, patriots, legal lights, university presidents? Alas, yes, it cannot be denied.

Nor are the spokesmen without support. Their views are echoed by many, of far less influence, to be sure, but of like mind.

At first glance this array of opponents may seem meaningless, a company to whose conjoining little rhyme or reason can be found. But it takes only a reasonably discerning look to see a picture emerge. We spoke earlier of a definite pattern formed by the gravitation of certain groups to the opposition and of other groups to the side of control. We should have no difficulty now in tracing that pattern for the opposition side.

Most prominent in the picture are the organized manufacturers. It is they who have led the movement against protective laws since measures were first introduced a hundred years ago. This stands out in all the evidence. One with the manufacturers are most other groups of organized business. (There are numbers of individual business men of course who can be found on the side of control. We shall deal with them presently.) Many of business's salaried employees—physicians, lawyers, and so on—support the position of business with the influence of their specialized crafts. Industrialists are joined by commercial farming interests from East and West and by planters from the South. Business takes first place in the movement against control.

But business is not the entire opposition. Certain Catholic and Lutheran Church bodies have joined the opponents, together with organizations of their laymen.* A maze of so-called patriotic or-

* How widely these church bodies have opposed the proposed Child Labor Amendment we do not know. The organized Lutheran pastors in Massachusetts did so, as did the Missouri Synod of the Lutheran Church (which we understand is not limited to one state). Two Catholic bishops of Massachusetts opposed, as did large organizations of laymen and laywomen in that state. President Eugene

ganizations are on the opposition side, in numbers probably unimportant, in propaganda activity busy out of all proportion to their size.* There are coalitions built up especially for the defeat of certain measures (the Farmers' Rights League, Committee for the Rejection of the 20th Amendment, Committee for the Preservation of Child, Family, School and Church). These and some of the patriotic organizations are but business groups in another garb.† They represent little in the way of new forces; rather, they are only new channels through which propaganda can be spread. In addition there are prominent individuals, sometimes representing opposition committees, or at least voicing opinions like theirs. Such are President Nicholas Murray Butler of Columbia, President Emeritus A. Lawrence Lowell of Harvard, President Emeritus Henry S. Pritchett of the Carnegie Foundation, President Eugene Colligan of Hunter

Colligan of Hunter College appeared before the New York legislative committee as opposition spokesman for a Catholic welfare organization of that state. Several Catholic organizations of New York are reported to have gone on record in opposition, including the Catholic Club of New York, the Catholic Lawyers of Brooklyn, the New York State Catholic Welfare Committee. New York and Massachusetts are the states where the fight around ratification has been most keen. We are informed also that the Catholic Daughters of America and the Catholic Central Verein of America have both definitely opposed the Amendment. But outstanding Catholics have been in favor of the Amendment. Father John A. Ryan has for years been a leading advocate; lately a large Catholic committee has been organized by Mr. Frank P. Walsh of New York containing many names of considerable prominence in support of the measure. (A list of these will be found in the *Handbook on the Child Labor Amendment*, 1936 edition, of the National Child Labor Committee. The information recorded above not otherwise documented was obtained from the National Child Labor Committee.)

*The American Legion is not among these. We understand that it acted in favor of the Child Labor Amendment at its Chicago convention in 1933.

†By "business groups" we mean groups organized and supported by business men. We have seen how the Farmers' Rights League was brought into being by a Southern cotton textile manufacturers' group. The National Committee for the Rejection of the 20th Amendment, according to the late Senator Thomas J. Walsh, was composed of seven manufacturers and business men of Philadelphia, Worcester (Massachusetts), Atlanta, Georgia, West Virginia, Chicago, Denver, and St. Louis. It was housed in the same building in Washington, D. C., as the general counsel of the National Association of Manufacturers; it had as its executive director the former editor of what Senator Walsh termed "an anti-labor journal." The Sentinels of the Republic, an organization of "patriots," was begun by Mr. Louis A. Coolidge, an officer of the United Shoe Machinery Corporation. According to *Professional Patriots* (New York, 1927), edited by Norman Hapgood, this organization received its support from other manufacturers (pp. 170-172).

College, ex-Governor Alfred E. Smith of New York, the Honorable Elihu Root.

Finally, there is the indiscriminate body of opposition followers, its "mass following," so to speak. Middle class in social status, most of them belong to that part of our body politic which, for reasons we shall not stop to examine now, are habitually found to side against all social welfare measures, and to respond feverishly to all appeals to prejudice and fear. With this group we round out our picture. (That leaves aside a large and wavering fringe, who because of ignorance are easily misled, sometimes standing on one side, sometimes on the other.*) Now let us see the pattern in its total effect.

Taken as a whole, it is the privileged classes, from whom full-time child wage earners practically never come, that form the stronghold for the view that child labor is harmless and in any given instance necessary; it is in the privileged classes that we find congregated those who stand for the perpetuation of the system, who organize and mobilize to defeat proposed measures of control.

Put thus baldly, this is not a little shocking. But we must remember that it does not seem shocking to the opponents themselves. That is where their arguments come in. A chief characteristic of these—the theme song, so to speak—is their concern for the child, the home, and the nation. If we were to say, as Senator Thomas J. Walsh said of the opposition in 1925, that their motives are purely selfish, that would mean to bring a blanket charge of insincerity. Yet how to reconcile their alleged unselfish concern with the source of the arguments quoted above? Every one of the arguments was taken from considered statements before state legislative or Congressional hearings, in the press, in opposition propaganda material, in resolutions of organizations, spoken or issued when a child labor bill, state or

*In that fringe we place the small farm owner vote. The big commercial farmers place themselves with the business opposition. A great deal is made of farmer opposition to child labor regulation. And no doubt about it, the opponents have directed a continuous stream of adroit propaganda at the farmer vote. But farm opinion is really an uncertain quantity. There is no justification for assuming that it is all on the opposition side. As we shall see later, there is evidence precisely to the contrary, from those farmers whose children are chiefly involved, the poorest small farmers and the tenants and farm laborers. So soon as they have become organized, they have put forward as leading demands planks calling for protection of their children and better school laws.

federal, was at stake; they were taken from arguments earnestly urging defeat of the given pending measure.

Of course some who use the arguments are entirely cynical. They do not really believe that great dangers threaten; they do not for a moment think that the foundations of the country will be rocked. They see an immediate or long-time pecuniary gain at stake and some of their cherished prerogatives interfered with, and they use whatever means are at their disposal to prevent this loss.

Not so the characteristic opposition. They follow a more tortuous route. Are they not partakers of the dominant religious ethic of our country, which for many decades has talked about "protecting helpless childhood"? In public gatherings, in political campaigns, in Rotary, Kiwanis, and other clubs of business men, in patriotic societies of men and women, wherever the upper and middle classes foregather or address themselves to the laborers of the country, do not the walls resound again and again with clichés about protecting American childhood? Make no mistake, the opposition is at home in these gatherings, it furnishes speakers for these platforms, it reechoes these phrases, and it will insist to all comers to its last breath that what it does in opposing child labor reform is done in the interests of the children and the nation.

How can it do that? For one thing—and this has been remarked before—by the method always resorted to when human beings must reconcile their professions to their deeds, by the circuitous psychological process of rationalization. Surely the process of unconscious rationalization has done yeoman service for the privileged-class foes of child labor reform!

That may sound harsh. To do the opposition justice, their ideas are rooted in notions that have long been held by many of our most respectable citizens. When they appear out of the present context they often pass unnoticed as the kindly benevolence of the successful well-to-do toward the unsuccessful poor, or as the eloquent defense of our nation against internal foes. It is when they are used as campaign material to thwart social welfare measures that many who otherwise might see little amiss in them feel uncomfortable.

The most obvious of the rationalizations and those with the firmest hold on the privileged classes are those of ancient vintage. Take

the one which deplores idleness and extols the virtues of labor. Any one familiar with the history of the poor law and apprenticeship in England and America will recognize at once its early roots. It is replete with the colonial tradition of "putting out" all children to labor who were dependent upon the town, and doing it for the sake of their souls. Like many such arguments, it has in it half-truths: surely few will deny the essential nature and value of work. But it takes a strenuous sense of piety and superiority to argue for giving to children of another class a program of full-time labor at the cost of educational, cultural, and physical development that one would be horrified to consider for one's own. However, the conditions of our civilization permit and laud the perpetuation of just such inconsistencies in the privileged class.

Of similar lineage is the valiant defense, by the opposition, of parental rights. Here we enter upon one of the most effectively used propaganda ideas. It is peculiarly appealing to our urban middle class and independent farmer, harking back, as it seems to, to the American sense of "individual liberty." (How many abuses have gone down in our history in the name of preserving—while they abrogated—individual liberty!) This idea has long been advanced by the more authoritarian church bodies: they always look with distrust upon any increased prerogatives assumed by the state. It is putty in the hands of those would-be patriots to whom any social welfare legislation is an alarming symptom of radicalism and un-Americanism. But the rationalization has been laid hold of with the greatest fervor by some pious and patriotic employers, who are never so firm in their convictions as when the rôle of defender of the home and fireside coincides with their economic interests.

While all who use this plea do it to defeat control, some use it frankly as a means, and others, we must grant, with fervor and conviction. It is the more ironical. "The home is the castle!" Have they seen the "castles" out of which child workers come, when they fight so passionately against meager little welfare laws designed at best to mitigate but slightly the rigors of "castle" life?

It is easier to explain the opposition in the rôle of defenders of the poverty-stricken who need the wages of their children to buy bread. After all, while fewer in the privileged class today than in past years

have the temerity to cite Biblical authority for the assumption that "the poor we have always with us," it is a widespread belief nonetheless. And why should it not be clung to? Could anything be more comforting to the well-to-do? If poverty is inevitable, then what can we do but accept the fact, and of course conduct affairs in such manner as to mitigate the sad lot of the poor as much as possible? But while we develop our own spiritual muscles through charitable work, we must also do nothing to make those of the poverty-stricken flabby. In so far as possible, they must support themselves; they must not go on charity till their last means of self-help is exhausted (they must be made to feel the disgrace of receiving public aid).* Ergo, it is necessary in such cases that children should be permitted to work.

A rationalization of self-interest? Unquestionably, but an obvious one, we should almost say an inevitable one, under a civilization that assumes extremes of poverty and wealth and conducts its economic life accordingly.

When employers' organizations inveigh against government regulation of child labor, do they attempt completely to ignore reasons of business, to explain them away? But that is putting the cart before the horse. Say rather, How could any "good American" question that what is good for private business is good, nay, necessary, for the common weal? Do not our government and laws find it necessary explicitly to give private property paramount protection, and do they not show that they take their commission seriously in a thousand judicial and criminal proceedings, a thousand industrial conflicts? Have not our leading churchmen found, centuries since, that concentration of wealth but offers fresh opportunities for Christian stewardship, and have not economists discovered fresh grounds, decade after decade since the rise of industrial capitalism, for the right-of-way of the profits motive as essential to the production of economic goods? Large wealth, they tell us, is but the criterion of great (business) ability; for great (business) ability to be released, commensurate money reward must be forthcoming.

Naturally it would be a strange employer who did not concur in

*This is not a statement of modern case work philosophy, be it understood, but of unintelligent American middle-class outlook and of the views of the general run of poor relief departments.

this privileged-class conception of his function and its due reward. Fortified by such a concept, it requires no mental gymnastics for the employing interests to assume that in so far as the abolition or regulation of child labor hurts in any degree any branch of private business, it is contrary to the public interest for it to be regulated or abolished.

But does the privileged-class following of the opposition concur? By and large. The arguments are well framed to assure that. As we say, frequently they are not couched in terms of specific reference to child labor—more often we are assured by individual employers that their particular business will not be hurt. Economic arguments usually refer to the larger ominous dangers of intervention, interference, upset in the delicate business mechanism of employer and worker, of supply and demand. Our public is well schooled indeed to respond tremulously to every reference to dangers to business welfare in the large, and this is what the economic arguments play upon.

Of a different sort is the argument in regard to the "mental inferiority" of the worker's child, to his supposed inability to "take further schooling," and hence to his peculiar fitness for the routine of industry. We saw in Chapter VIII how bankrupt this notion is, and yet how eagerly it is seized upon by the opponents of control and how widely the belief in it is disseminated throughout the ranks of the upper classes. What indeed could seem more rational than to find proof for a long-cherished prejudice in data from even out-moded "scientific" investigations? Could a more happy justification of present class arrangements be found?

As for states' rights, the central issue in recent years since federal regulation has threatened, the arguments in support of it are musty with age. As we say, they are brought forward when any measure of social welfare is to be opposed on constitutional grounds. If it is a federal measure, we have "states' rights" endangered; if it is a state measure, then the "right of contract" is at stake, or it may be "class legislation." Who is to say when the states' rights argument is used by a sincere exponent (apparently some persons do worry about that), and when by one who calls upon it for its popular appeal? This book is not the place to untangle that misused dogma from its political trappings and place it in its economic setting. Suffice it to

say that it has been exploited too many times and in too many contradictory causes for us to need to explain its use here. When, however, the opponents argue in addition that the state laws are adequate and that child labor has "practically disappeared" (and that therefore federal regulation is beside the point), we despair objectively to characterize their reasoning, except to say that it is incomprehensible when placed beside facts.

Finally, what shall we say of the arguments that by federal regulation Congress will stop children from helping their parents with dishes and chores, and that the proposed Child Labor Amendment is but the work of "red" agitators from Russia, a "socialistic, communistic, anarchistic" machination, its subterranean aim the "nationalization" of our children?

It sounds very childish when we see it here, does it not? But will the reader turn back and read the words and the eminent names of those who said just that? And if he would also turn back the pages of contemporary history, to the 1920's and since, he would see that, however childish, these appeals did their work, and still do their work today. For, tragic as it is, our civilization is literally nurtured on prejudices and fears. Those who lay hold of irrational threats and broadcast them to defeat reform know precisely what they are about.

Strong indeed and subtly entwined in the general pattern of social life must be the views of these opponents that they are still able, after one hundred years of a full-fledged factory system, and many more years of agricultural exploitation, to prevent the abolition of the child labor system, and even to defeat time after time before our legislatures the most piecemeal and moderate attempts at control of the greater child employing occupations.

One excuse the opponents cannot claim—ignorance. For a long while child welfare experts have known and voiced what are the obvious and minimum needs of growing boys and girls, physical, educational, recreational. Our country has been a leader in expert opinion. During the decades while the experts' masses of data have been mounting, revolutionary changes have been going on in the technique of industry itself, and these new techniques have been adopted promptly. Why is it that in the field of control alone change

should proceed at a snail's pace? That the process of establishing even the very minimum conditions of child welfare should continually be meeting with "insuperable" obstacles? Why are we forever having to be reminded in this particular field that "progress comes slowly in this world," that we must expect "small beginnings," and that "valiant work" has been done? That is a dangerously comfortable attitude for those whose children are not at stake, and it is never so eloquently upheld as by the opponents of change themselves.

In fact, one of the strongest features of opposition arguments, in recent years especially, and one of the most confusing to the average man in the street, is the flair of the opponents for seeming to agree with the proponents of control. When General Counsel for the National Association of Manufacturers declares, in opposing a proposed Congressional measure, "The National Association of Manufacturers has been at no time opposed to the regulation of child labor,"⁵⁹ what, we wonder, does the uninformed reader think? When this nation-wide organization of industrialists, in a resounding resolution, asserts, "We join in the condemnation of the exploitation of children," does he go on to see the significance of the next clauses—"at labor beyond their strength and under improper conditions, and we insist that our growing youth shall be taught the dignity, duty and necessity for labor"?⁶⁰ Does he ask, Whose growing youth? And at what wages? And at what labor? And free from what "improper conditions"? And finally, what labor is it that the organized manufacturers consider is "beyond their strength"? To every one of these questions the children's advocates give one answer; the industrialists and their privileged-class following give another. And this has been true throughout the history of reform.

It is not imputing foreign motives to the opposition forces to say that their arguments must be understood with reference to their objective, which always has been to defeat whatever particular measure happens to be to the fore. We have heard of no important bills, whether fifty years ago or today, whether before the states or in the United States Congress, that have not been so opposed, and, as we have seen, always by the same general economic groups.

Granted that the opposition has found rationalizations to bolster up its position against regulatory measures, why is there such an opposition in the first place? On so humane an issue? And from so influential a social group? Why have organized business and its privileged-class associates consistently feared the regulation and abolition of child labor?*

We have already discussed why business opposes adequate regulation, although not in that connection.† Business is and by its tenets must be moved by the consideration of production costs. It would be acting in direct conflict with good business practice if business concurred complacently in laws that curtail a whole sector of the cheap labor supply, since the existence of a cheap labor supply tends to drive down wages and thus cut production costs.

Yet what of those businesses which do not themselves employ children and have only the remotest interest in the profitableness of the child labor system as such?

"The point to remember," said a prominent philanthropic manufacturer, speaking before the American Association for Labor Legislation in 1927, "is that part of the resistance on the part of the industrial executive to labor legislation, has been his class consciousness."⁶¹ Are we here given the key? For it is not merely the loss of an acceptable profit here and there that business men organize against. To think so is puerile in the extreme. Some do fear the loss. An agriculturalist does who farms large acres and keeps wages of his adult

* We must reiterate what we have suggested many times already: we know that the opposition would deny vehemently that they do oppose the regulation of child labor. It will probably be said that we have completely misrepresented their actions and their views. They will say of their actions that they approve and encourage "good" laws; that they only disapprove and work against "bad" laws, that they are but obedient to their bounden duty to child and home and nation in doing this. But whatever may be the opposition claims as to their motives, we have no choice but to go by the objective facts, and they can be appraised in but one way. How have the opposition actually stood on laws which have been widely recognized by experts and by liberal-minded, public-spirited persons as reasonable and as a minimum of what should obtain? We have searched, and in vain, for the record of a single child labor measure that has not been opposed. True, the records show the passage of many "compromise" bills, mutilated bills—bills to which the opposition gives its consent after it has wrought the desired changes in them, when it sees that some sort of measure is going to be passed in any case. But bear in mind, an opponent who gives ground only when he must, and then adduces his action as evidence of his philanthropy, is an opponent nonetheless.

† See our Chapter XI, "The Demand for Child Labor."

field hands down by cheap child labor. A clothing manufacturer does, who hires young boys and girls to work on shirts at wages far below what even women could be got for. A newspaper does which gets boys to deliver and sell, at rates no boy of 16 and over would hire out for. A manufacturer does who puts out artificial flower work into tenement families and reaps an incredible unit profit for sweated labor. A store owner does who gets his bundle girls at a rate that the older girls would not tolerate, and drops them when they get old enough to be in a higher wage class. A textile employer does, whose mill village has but an elementary school, and who through the years has built up an ironclad custom that when the young people reach 14 they go into the mill. "Revoltingly sordid," was the term used by Senator Thomas J. Walsh to describe the motives of business men who like these have a direct vested interest in child labor and seek to protect it.

But we remind the reader that the opposition forces are by no means limited to actual employers of child labor. Far from it. United in its ranks are the vast bulk of the business class of the country. We suspect that our philanthropic manufacturer is correct. It is the sense of class interest that brings them into the opposition, not a specific interest in employing children for a particular occupation. And apparently they are convinced that their class interest is under attack when attempts are made to have the government, especially the central government which could do it somewhat effectively, regulate a whole area of the potential labor supply. Is it to them incidental that this area happens to be made up of boys and girls from 10 (and sometimes younger in agriculture and street trades and industrial homework) up to 18 years of age? In any case, efforts to delimit this field by government control become to business a dangerous tendency, one more blow at the economic "rights" of the business class. We shall not understand the solid unanimity of feeling and action against control that is shown by the opposition forces, nor their amazing success in defeating measures for change, unless we see it in terms as conclusive and firmly rooted as these.

Here, though it should be superfluous to have to emphasize the matter, let us make it clear that we are fully aware that the opponents do not object to philanthropic and welfare measures for workers and

their families. On the contrary, we know that any number of opponents are probably as much engaged in charities and philanthropy as are similarly placed individuals on the proponent side. We can guess that numbers of opponents are contributors to foreign and home missions, community chests, the Salvation Army, the Red Cross, and to a thousand and one other charities. Many of the opponents sit on the executive boards of these organizations. Further, organized business itself engages in such activities on its own account. It has its own welfare programs, business firms contribute to charity, and so on. This, we might add, is just the kind of welfare program that business most approves.

What opponents object to, as we shall presently explain, is not welfare measures of a kind, so long as they are under business direction and according to business plan. They object to governmental labor welfare measures.* It is legislation that they oppose. In the case of child labor, of course, to object to legislative regulation is to oppose the only method by which real and permanent regulation can be secured. Thus we must judge on which side of the child labor issue organizations and individuals belong by their stand on legislative control.

All this opposition sentiment seems evident enough in the case of business. But what of the business following? For as we saw, churchmen, lawyers, doctors, patriots, educators, all sorts of privileged-class people and all sorts of organizations representing these people, make common cause with business against legislative control.

We think it comes down simply to this, that the non-business group in the opposition feel their solidarity with business. It is a commonplace of observation that a man does not have to be a financier, a manufacturer, a plantation owner, to feel strongly about maintaining unmodified the economic status quo. Even the simplest professor or clergyman has some sort of vested interest in things as they are, if by virtue of nothing more than his superior opportunities and comforts and relative security as a member of at least the middle classes. (During the past seven years many have learned how ephemeral a security that is.) Far more do men and women of high posts and

*And of course trade-union "interference" is also opposed, but we are not speaking of that now.

influence feel this, who, while not in the business world, are yet, owing to their positions and connections, so inextricably bound up with leading business organizations that their primary concerns are for all practical purposes identical.

Not always coherently, therefore, but with conviction nonetheless, large numbers in the more privileged classes have come to identify their own status and welfare with such conduct of the business system as the business man recommends. It flows from this that they accept the verdict of business that child labor regulation is a major threat.

Yet we should not oversimplify the matter. It is not just social-economic relations *in vacuo* that they fear to have disturbed. (Their arguments gave light on this point.) They would be highly indignant to be told that a feeling of threat to status and possessions is the level from which their real resistance comes. To most of them it is their values that they feel are threatened. This is the level where sentiment and custom reign; and opposition propaganda is carefully aimed at this. Note how it was neatly summed up in the name of the organization got together to defeat the resurgent Amendment in 1933-34: "The Committee for the Protection of Child, Family, School and Church." (By some inadvertence the Constitution was left out!) We seldom stop to realize how sensitized from earliest years are the bulk of our people to these magic words. Let them become convinced that these values are remotely jeopardized, and calm, quiet proof that they are not makes no headway at all.

It makes no headway precisely because, genuinely precious as are these values, they have been so inextricably tied into the material special privileges of the upper classes that, to all intents and purposes, the one hangs upon the other. No more telling trick has been turned in history than again and again by the forces of reaction in identifying the preservation of man's dearest personal values with the maintenance of the status quo. Then to fear economic change becomes a virtue; to balk at encroachment upon established ways, a right.

* * *

From the foregoing evidence the make-up of the opposition stands clear. It is led by organized business and it draws to itself many like-

minded privileged-class groups. We cannot be impressed by opponents' reasons for resisting legislative regulation of child labor, for, though many and eloquent, they turn out to be largely rationalizations of a position already held. Back of their reasons we see a fear that government interference with this sector of the cheap labor supply will increase labor costs, that in the end it will promote more legislation on other labor problems; in short, that it is an entering wedge, and by so much is a disturbing encroachment upon business rights. The wise and safe course for our country to pursue, in opposition opinion, is to keep employer-employee relations undisturbed by legislative measures such as these. We sum up the opposition, in its constitution, in its voiced views, and in its basic if often unconscious motivations, as comprising that body in our society which stands for the social-economic status quo.

Suppose for a moment that the opposition's outlook had had its way on the child labor problem! . . . To put it thus is to place in sharp relief the rôle the opposition has played. Its position is strategic, by virtue of the wealth and power and influence it holds; on that account, while it has not been able to stop progress toward a solution, it has been able to delay progress to an extreme degree.

THE MOVEMENT FOR CONTROL

MUCH as we owe to middle-class reformers they have never been the principal agency for social welfare changes. They have had more of an initiating rôle in some fields of social welfare than in others, but in those that directly affect the conditions of labor and livelihood of workers as child labor does, we find them, until very recent decades, to have played a really subordinate part. The organized working class has been until recently the head as well as the body of the movement. It has at all times been its mainstay.

Strikingly in the child labor field organized workers early took the lead.* The record, we think, is not sufficiently well known.

Ever since the 1820's and 1830's labor organizations are known to have initiated the struggle to secure free public school education for all children, to raise the compulsory school age, and to regulate the conditions under which young people should be allowed to work. In 1833 the New England Workingmen's Association was declaring that "Children should not be allowed to labor in the factories from morning till night without any time for healthy recreation and mental culture." "Workingmen, bitter must be that bread which your little children earn in pain and tears toiling by day, sleepless at night, sinking under oppression, consumption and decrepitude, into an early grave, knowing no life but this, and knowing of this only misery." The same organization in 1845 called upon the state, as a part of its duty, "to secure to all children in the community an educa-

*In certain fields of child welfare, such as dependency and delinquency, middle-class reformers were the more active force. But on questions of elementary education, wages, hours, working conditions, key platforms in the labor legislation of the nineteenth century, the labor movement was the dynamic force.

tion that will fully develop their physical, moral and intellectual power . . .”¹

The General Trades Union, a short-lived national labor organization, passed a resolution at its first convention in 1834 demanding an “equal, universal, republican system of education.” The terrible conditions under which women and children labored were decried, and steps were taken to petition legislatures for educational laws.²

During the forties numbers of trade-union conventions went on record calling for a system of universal education, and at this time when the labor movement on a wide scale was calling for a shorter working day it made a special point of shorter hours and age restrictions for children.

As early as 1842 organizations of labor in Massachusetts were petitioning the legislature for a law “prohibiting the employment of children in manufacturing establishments at an age and for a number of hours which must be permanently injurious to their health and inconsistent with the education which is essential to their welfare.” A law limiting the working day to ten hours for children under 12 in manufacturing was passed; but it contained the clause, previously mentioned, which stated that only manufacturers who “knowingly” employed such children were to be fined. When an attempt was made to strengthen the law, opponents used the patriotic appeal: “Here labor is on an equality with capital and indeed controls it . . . if we attempt by legislation to interfere with its plans, we will be told to keep clear and to mind our own business.” This was despite the petitions praying for legislative interference. The Female Labor Reform Association of Lowell, which was pushing the bill, we are told, thereupon publicized the chairman of the committee who handed down this report as “a corporation tool,” and rejoiced at his defeat at the polls the following year.³

In Rhode Island also the labor movement took the initiative in labor legislation. In 1831 a mechanics’ organization published resolutions declaring that ten hours was long enough for a day’s work. “We wish to have our children reap their proportion of the benefit [free and public schools], for when our children are . . . forced to work to a late hour in the evening it deprives them of . . . any benefit from the public school funds.”

In 1838 a bill was introduced in the Rhode Island Legislature requiring three months of school attendance for children under 12 years in the year preceding their employment. As we have seen, the manufacturers objected to the bill, offering as their reason that they only employed children "to relieve the necessities of poor parents and the law would inflict hardship on poor children." The labor movement, however, apparently preferred to forego the earnings of its children rather than to sacrifice their schooling. An eleven-hour law was finally passed, through labor's efforts, but apparently it was not observed in factories. For we are told that "The operatives in the Rhode Island factories in an address to the people of the state sought to bring pressure to bear on the legislators that the charter of any corporation neglecting to act in compliance with the 11-hour day for minors should be forfeited."⁴

Organized labor was the initiating body for child labor legislation in New Hampshire also. Such legislative effort came only with the rise of the labor movement. Says a government report, "The efforts of the labor movement [in New Hampshire] are responsible for child labor legislation." Here some stimulus was received from the Massachusetts Female Labor Reform Association, the Lowell organization. A similar organization was formed in Manchester. In 1846 it proposed a child labor bill forbidding the employment of children under 12 years. An article quoted from a current labor paper declared, "The petitions of operatives will not be smothered or choked off by a packed committee in a New Hampshire legislature." The law that was passed at this time was abortive, but labor did not cease its efforts to have it amended. "The operatives continued to petition the legislature." An act was finally passed providing that no child under 15 was to be employed in factories more than ten hours a day. This law, however, had the widely used "special contract" clause ("not more than 10 hours *without the written consent of parent or guardian*"), another device to permit evasions. "The law was of course easily evaded"; and, the government report adds, "It was claimed by a labor organizer that operatives who failed to sign the agreement (special contract) were blacklisted."⁵

Maine labor felt the impetus from the general movement for shorter hours. In 1849 operatives petitioned the legislature to reduce

hours, and secured a report on the matter. Indeed, here a law was passed forbidding the employment of children under 16 more than ten hours in manufacturing establishments. But the manufacturers' opposition, as we have noted previously, secured its repeal by both houses of the legislature the following year.⁶

In Pennsylvania also the labor movement was active. In 1833 the operatives of one factory community set forth in an address to the public the conditions under which they labored. They spoke of the long working day of thirteen hours, and of the low wages, requiring the earnings of all the family for support. "Our children are oppressed as much as those in the English factories . . . When on the other hand, if we were relieved of our present oppressions . . . a reasonable time for labor established, and wages adequate to our labor allowed us, we might then live comfortable, and place our children at some public school." A Ten Hour Association was formed in the state in 1847. A petition signed by 3,500 workers from Philadelphia was sent to the legislature, asking among other things that the hours of child employment in factories be limited. A bill was passed. As we have already seen, the manufacturers in several large centers refused to put the provisions into effect, and the workers struck to enforce the law.⁷

In New York State the Workingmen's Assembly, when it was organized in 1865, began at once to push the demand for the abolition of child labor. (The unions there had for some time been demanding this.) By 1869 the Assembly had made child labor an issue of major importance, and their convention of that year drafted a bill, which from that time on was pushed in the legislature although no law was secured for several years. An economist, reviewing the situation in 1905, wrote of their work: "The general public has probably not realized the important part played by the trade unions in securing the New York factory law, partly on account of the fact . . . that the other organizations have come in often after the hard initial work of the movement has been done, and have then drafted the bills and led in the finish of the fight."⁸

So much for the early labor movement in the northern states. As national organizations of labor embracing numerous trades became established, they invariably made the regulation of child labor a major concern. The Workingmen's party at a congress in Philadelphia in

1876 called for the enactment of laws prohibiting child employment under 14 years of age. The Knights of Labor in those same years demanded the abolition of the labor of children under 15 in workshops, mines and factories.

Interestingly enough, we find the Knights of Labor taking the leadership in the southern states for child labor legislation. The Bureau of Labor Statistics of North Carolina was organized in 1887 as a result of the agitation of the Knights. And bills to regulate the employment of children, which aroused a large and all too effective protest from manufacturers all over the state, were initiated and pushed by this organization of workers.

In North Carolina in the same year that the Knights of Labor secured the establishment of a Bureau of Labor Statistics they also introduced a state bill prohibiting child employment under 15 in factories, mines and shops. A bill was finally got through after six years' effort, but in a sad state: the hours of women and minors were limited to an "average" of eleven a day.⁹

In like manner in Georgia, South Carolina and Alabama the Knights of Labor must be given credit for pushing child labor legislation.¹⁰ After the decline of the Knights other trade-union organizations carried on the campaign in the remaining years of the nineteenth century.

Meanwhile in 1881 the newly organized Federation of Trade and Labor Unions of the United States and Canada (presently the American Federation of Labor) adopted in one of its first platforms a plank calling for the abolition of child labor. "We are in favor of the passage of laws in the several states forbidding the employment of children under fourteen years in any capacity, under penalty of fine and imprisonment."¹¹ They likewise included a plank urging compulsory education for children. Since that time the demand for the abolition of child labor has persistently been raised, not only in the national Federation, but in state bodies and in the affiliated unions as well.

As the nineteenth century drew to its close, these state and local trades federations of the American Federation of Labor were the chief labor agencies for pushing child labor regulation. In 1900 in South Carolina the state federation is reported as actively working

for a child labor bill. There it became a clear-cut contest between unions and manufacturers. Manufacturers claimed that "outside" agitators were at work among their workers, i.e., labor organizers from the adjoining state of Georgia. Labor declared that petitions which management presented to the legislature, claiming to be from mill operatives in opposition to the bill, had been dictated by employers, and that if operatives had signed petitions in favor of the child labor law they would have been dismissed. Manufacturers openly declared that they did not like having the agitation for the child labor law emanate from trade unions. "We should see with regret the passage of any legislation which would be apparently a recognition of labor unions within the State." No such measures were passed, and five years later organized labor was still petitioning the legislature for passage of a bill.¹²

In Georgia after the work of the Knights of Labor, which culminated with an eleven-hour law in 1889, there was a decline in labor movement activity until the American Federation of Labor grew to some proportions. In 1896 the Atlanta Trades Federation instituted a campaign in favor of a child labor bill which was taken up by similar labor organizations throughout the state. Their efforts were met with "a delegation of factory presidents" from manufacturing centers.

The American Federation of Labor was so active as to send a special legislative representative to Alabama in 1901 to push a child labor bill. But this was at the opening of the period when reform organizations had begun their efforts, and with that a new chapter in labor legislation begins. With that we shall deal later.

As early as 1897 the American Federation of Labor in its national convention advocated a constitutional amendment prohibiting child labor, the first time such a proposal was made by any organized sector of the public. Of course the matter went little beyond declarations for many years. In 1917 the Federation led the way in demanding a 16-year age minimum for all child employment. (Its previous standards had been 14 and 15 years.) Its resolution read, "That the American Federation of Labor is unalterably opposed to the employment of children under 16 years of age."¹³ At the 1918 convention a resolution was passed voicing the convention's disappointment that the Supreme Court had declared the recently achieved Federal Child

Labor law unconstitutional. When finally in 1924 the Child Labor Amendment was proposed, the American Federation of Labor and its affiliated bodies were active on the committees working for its adoption by Congress, and since that time they have sought to win approval for it in the several state legislatures.

At the 1935 convention of the American Federation of Labor, we are told, the proposed Amendment was referred to repeatedly and its passage greatly stressed. The method of interstate compacts, so earnestly advocated by organized business today,* was disapproved. ". . . There is danger that such action might furnish States which have not yet ratified the Amendment with an excuse that no such action was necessary because of the provisions contained in said compacts." The convention adopted a resolution unanimously that ratification in the states where it had not yet taken place should be made an outstanding issue.¹⁴

We can take only this glance at the record, but it is enough to show how the land lies. For more than a hundred years organized labor has played an initiating rôle in the movement for child labor control. Workers, so soon as they have had organized channels through which to express their sentiment on the problem, have expressed it in unmistakable terms. Clearly, from the working class has come the driving force for change. Nor should it surprise us that workers, whose children, after all, are at stake, should be the ones who have so consistently and persistently taken action to protect them.

The working class provides the stable element on the proponent side. Even in the period, presently to be discussed, when reformers became more prominent in leading the campaign, it was the solid support of the trade unions that made of the control movement a large-scale popular demand.

* See the *New York Times*, Nov. 22, 1936, for the statement of the Board of Directors of the Chamber of Commerce of the United States. State compacts, we are told, are useful to ensure that "necessary action" may be undertaken only by states having "direct concern and intimate knowledge of conditions which are to be met." "There is no danger of having imposed upon such States regulations which are determined by other States without full regard for the views of the State most affected." "The compact method thus provides expansion of home rule. . . ." And finally, as the Chamber's *Washington Review* states in its issue of Nov. 21, 1936, ". . . Business, too, has the right to expect cooperation from the government."

In the course of time new sectors of the American people have got behind child labor control, thereby augmenting and altering the character of the movement. The main contingent of new recruits is drawn from the urban middle class. In addition, as we shall see presently, there is some indication that here and there farm organizations are beginning to move in the direction of child labor control.

The attempts of the labor movement to get legislative action on child labor were not joined by noteworthy middle-class effort until the nineteenth century drew to its close. A government report of the early 1900's says of the period of the eighties and nineties that "the demand for legal prohibition of child labor is not confined to labor organizations, but all sorts of societies, women's clubs, etc., have joined the movement and a national organization has been formed" to promote the welfare of child laborers.¹⁵ It was not until 1904 that the National Child Labor Committee was organized. Prior to that, in 1899, the National Consumers' League launched its program embracing the protection of children as well as adults.

Once middle-class interest was stirred, the movement gained momentum. Reformers' efforts quickly gained prominence. Nor is it surprising. Not only were they able to bring some influential people to give their support, but they labored untiringly to get child labor measures on the statute books, carrying on research, working out standards, doing much of the actual spade-work of getting laws passed. They furnished devoted leadership. All this—happening at a period, from the 1900's to the great depression, when the work of leading labor officials was all too lethargic on even those legislative matters which organized workers all over the country most enthusiastically espoused, such as child labor laws,—made reform effort even more noteworthy than it would otherwise have been. How wide became middle-class influence is seen in 1924 when the proposed Child Labor Amendment came before Congress for action. Simply to name the organizations that came forward then to support the Amendment, or have voted support since, is to show how broad and nationwide the favorable middle-class sentiment came to be:

American Association of University Women
American Association of Social Workers

American Home Economics Association
American Legion
American Nurses' Association
Association for Childhood Education
Camp Fire Girls
Central Conference of American Rabbis
Council of Women for Home Missions
Department of Social Relations of the American Unitarian Association
Federal Council of Churches of Christ in America
Fraternal Order of Eagles
General Federation of Women's Clubs
Girls' Friendly Society of America
Methodist Board of Home Missions and Church Extension
National Federation of Business and Professional Women's Clubs
National Congress of Parents and Teachers
National Consumers' League
National Council of Jewish Women
National Education Association
National Federation of Settlements
National Federation of Temple Sisterhoods
National League of Women Voters
National Women's Christian Temperance Union
Northern Baptist Convention
Women's General Missionary Society of United Presbyterian Church
Young Women's Christian Association¹⁶

We have not named among these the labor and farm organizations—American Federation of Labor and its affiliates, Women's Trade Union League, Railroad Brotherhoods, American Farm Bureau Federation, Socialist and Communist parties, Farmer-Labor party of Minnesota, American Labor party of New York: these get us outside the general middle-class field. The record of the National Child Labor Committee as the leading reform organization is well known. Some of the supporting organizations have also carried on educational work within their bodies and have worked for ratification of the Amendment when it came up in the states. We know this to be the case for the National Congress of Parents and Teachers, for

example. Its state congresses have cooperated with other state organizations in supporting ratification.

The National Child Labor Committee lists many outstanding individual supporters of the Amendment. Presidents of the United States—Franklin D. Roosevelt, Calvin Coolidge, and others; governors of some thirty-six states; a Non-Partisan Committee “including many distinguished lawyers, business men, clergymen and leaders of civic organizations”; a Catholic Citizens Committee for Ratification of the Child Labor Amendment organized by Mr. Frank P. Walsh, members of which come from all the professions.¹⁷

We should take special note of the presence of business men in the ranks of the supporters. We have already seen how organized business has been the backbone of the opposition. As we should expect, there are, however, numbers of individual business men who diverge from the business norm in this regard. They favor control by legislation as the only practicable method; they sensibly go beyond that and approve federal legislation, not only on the ground that only thus can effective control be had, but also on the ground—which even the blindest opponent should be able to appreciate—that, granted one really wishes to do away with interstate competition in the hiring of children, uniform national laws would even up the competitive level between the states.

Some have seen in this defection of occasional business men from opposition ranks a hopeful sign of a business change of front. This is a great mistake. The opposition of organized business to “government interference” in industrial relations shows no sign of abating. It is nothing new for individual business men, from Robert Owen down to the present day, on humanitarian grounds to join with the forces of reform. Usually of course they go to no Owenite extremes. Rather they favor mild legislative control, gradually arrived at, to mitigate in some part the lot of the working class. Their contribution to reform is by now fairly well recognized by themselves and by many reformers, although no doubt they are welcomed primarily because of their influence in the community. The business man’s common sense is needed, so many think, to help steer reform organizations along a judiciously chosen course. Few reform organ-

izations today do not have business men as members of their executive boards.

The presence of individual business men in the proponent ranks never has been significant of a changing business view toward child labor legislation, but only of the fact that some business men do not concur in that view. It does show how broadly representative became the movement for control.

Granting that the opponents may present a clearly defined make-up, does not this picture of so wide a middle-class support obliterate the lines of a pattern as far as the proponents are concerned? But does it?

The center of advocate strength, we have seen, lies on the other side of the economic fence from the opposition's. The organized working class, which must furnish the young recruits demanded for factory and field, has consistently taken the progressive stand, has been the prime mover to enlarge the educational opportunities of working-class children and to put an end to their economic exploitation.

On this issue the labor movement has come to have a great body of allies and supporters from outside its own ranks. Of course the middle class is split on the matter. It is always split on issues of social welfare, because such questions affect it both ways. The humanitarian appeal pulls in one direction, upper-class indoctrinations in another. Some members feel common interests with organized labor (especially has this been true since the depression), others feel more the pressure of taxes and restrictions which welfare measures entail. We cannot easily predict which way middle-class groups will move. But when they do take sides on an issue like child labor regulation, we know it. Large numbers have lately come to advocate federal regulation as the only way of securing control. They have taken the labor view. On this issue they have, so to speak, leapt over onto the labor side of the fence. Thus the pattern takes form.

* * *

Combine with the solid stand of organized labor the broad middle-class support which we have described, and we are con-

fronted with nothing less than a large-scale public approval of child labor control, not only by state legislation, but by federal action.

Why then, we must ask, does so much remain to be accomplished in child labor control today? Why is it that hundreds of thousands of children are still at work? Why is it that some 80 per cent of them still work in occupations unregulated as to either hours or conditions of labor?

No one could criticize the zeal and devotion of the reformers. No one would question the sincere desire of trade-union leaders to abolish child labor. Of course we recognize that good things have been accomplished. For urban child workers conditions are very different from what they were fifty years ago. Before 1900 acts were passed in many states, the basis for control was laid, although it was rudimentary legislation at best. Practically all the more advanced child labor legislation came after 1900, principally between 1900 and the World War. In this period after 1900 experts got to work on standards and lent some scientific basis to the new demands. The work of urban children was the focus of attack, especially those going into factories, stores, and mines. In many states a system of certification was developed covering these selected occupations, physical examinations became a goal, nightwork was frowned upon and in some instances prohibited, factory working conditions were sometimes regulated and children's hours of work in industry reduced, the school-leaving age was commonly raised, some standards for enforcement were set up and striven after. In a few states minimum-wage regulation was attempted. The long campaign for a federal law was begun.

But why, in 1924, could the Chief of the Children's Bureau declare before a Congressional committee that with regard to the progressive reduction of the number of children employed, "We were not able to do any more than to sort of hold on to the situation . . . over the long period from 1880 to 1920"?

We submit that the accomplishments have been by no means proportionate to the size and quality of the widespread sentiment for control. We hold that many have exaggerated the measure of accomplishment. We think that quite inadvertently, to be sure, as far as the proponents are concerned, the favoring public has been

lulled into thinking the fight has almost been won. Sober study and thought convinces us, in short, that far more should have been done than has been. Not as carping critics, but as constructive ones, with a view to next steps on this pressing issue, we put the question, Why?

* * *

The first step in answering that question is not to criticize the proponents at all, but to explain the conditions in the midst of which they worked.

Labor legislation always encounters strong resistance. There has probably been no period when conditions could be said to be really favorable for getting laws. But some periods have been more favorable than others. At first glance the decades after 1900 would seem to have been such a time, principally because the reform movement was then at its height. Closer study shows that some aspects at least of the general economic situation were strongly hostile.

In the years between 1900 and the World War reforms were being pushed in many fields and in all countries. Several European governments, under pressure from strong labor movements, established various forms of social insurance, affording some measure of protection from accidents, sickness, old age, and, in the case of England, even unemployment. Conditions of work were regulated and rights of labor organization recognized.

In America much less was secured. While this country felt the influence of the changes in Europe, little progress on a social insurance system was made. A real health insurance campaign was launched but it was soon effectively killed by its powerful opponents. Very faulty workmen's accident compensation laws, after many years of effort by labor and reform groups, were finally passed in most states. Later, mothers' pensions, and still later (after the World War), types of old-age pensions appeared. There were attempts to protect the right of labor to organize, but over against these we must see the powerful "open shop" ("American plan") movement, and the early institution of the company union by employers' associations, to combat bona fide trade unionism. In the unemployment insurance field nothing whatever was accomplished until the depression years following 1929.

All in all, American labor legislation accomplishments in the reform years up to the World War were numerous but not of such basic importance as were the social insurance systems established on the Continent. Our laws were state laws. Besides the ones mentioned above, there were laws having to do with hours, conditions and wages of women and children, tenement house laws to improve slum conditions, and child welfare measures of all kinds, such as juvenile court reforms and laws protecting dependent and delinquent children. Of course all measures differed from state to state, and not all that were passed were given proper means of enforcement.

In these same decades there were established many government agencies for social welfare,—state child welfare departments or bureaus, departments of labor, the United States Children's Bureau, which had its beginning in 1912. In 1910 the government published its great study of woman and child wage earners; hundreds of lesser studies were carried through by government and private agencies. The National Child Labor Committee issued many bulletins based on its own researches.

This was the period of most notable reform leadership, the era of Jane Addams, Florence Kelley, Jacob Riis, Julia Lathrop, Grace Abbott, Lillian Wald and many others. Social settlements especially were centers for inspiring reform legislation.

That these years were indeed a high point in reform sentiment has interesting confirmation. An examination of articles published in all the journals of consequence, dealing with such subjects as poverty, slums, tenements and standards of living, charities and philanthropy, child labor and sweating, shows that by far the highest proportion came in the years 1905 to 1914.¹⁸ Indeed the zenith of interest had been passed in 1909; the succeeding years right up to 1930 showed a steadily diminishing interest.*

By all signs, the reform movement was in its most active stage from about 1900 to the World War. This general reform sentiment

*This refers to a study showing articles per thousand indexed in *Readers' Guide*, dealing with economic and social reform topics for the decades since the turn of the century. Obviously this type of index would reflect middle-class rather than working-class sentiment, since those who write and read such journals are chiefly of the non-wage-earner group.

should, and we do not doubt did, facilitate legislation on child labor.

Needless to say, there were extremely strong currents moving in the opposite direction. We are not surprised, especially when we see the methods employed by the reformers, that the early momentum of the movement was soon slowed up. The reformers and their organizations operated in an economic situation largely inimical to the ends they sought.

From the late 1890's to the World War was America's period of world-wide economic expansion. It was the period of self-conscious Big Business enterprise, vast concentrations, increasing American financial involvement on a world scale, production—and competition—for world markets. It was the time when American business felt that it had come of age. Never had it been so powerful; never had its influence seemed more secure and bound inevitably to grow. From the smallest community to the largest, American business was considered a phenomenal success. It was a natural corollary that business should wish to keep business affairs, including labor relations and conditions, under business directions and free from "outside interference." Under the circumstances, moreover, business felt adequate to the task and powerful enough to insist upon its "rights."

Now one "right" that American business has at all times claimed is freedom from "government interference" in its labor relations; it is on this ground that labor legislation is opposed. All questions relating to labor welfare, business has held, should properly remain in private hands. Naturally this principle was never enunciated in such sweeping terms, nor did business attempt to apply it to those fields where labor legislation had already become well established. Already by 1900 legislation for children and on certain other matters was more or less established, and became better established despite business opposition in succeeding years. In such cases business sought to prevent extension of the legislative principle.

A second "right" maintained by business, one with which we are concerned only incidentally here, is that of the owner's freedom to run his enterprise without "interference" from trade unions of workers. At the least business has insisted upon the "open shop," at the most upon no trade unions at all. Underlying both these

rights, we say, has been the business assumption that it should be left free to run business enterprise, owned and operated as it is by private individuals, as those private individuals think best.

These conceptions, we must understand, are deeply embedded in the conduct of business enterprise, and they were never more actively held than in the years when a rising tide of reform called out the most thoroughgoing opposition. Little wonder that reforms wavered and fell under the buffeting they received.

That is not the whole story. During these very years when labor legislation and trade unions were so vigorously opposed, business enterprise was gradually developing a program of its own to meet the threats to what it felt to be its rights. For the most part this program was in its embryonic stages up to the World War. Not until the post-war twenties did it have an appreciable effect upon the reform movement. It is cited to show how firmly business felt that conduct of labor relations was a function of business enterprise itself.

For a time industrialists tried to combat proposals for labor legislation and self-directing unions by little else than opposition and attempted suppression. With the turn of the century, with more centralized control, with more scientific management in business, and, be it said, in the face of the rising tide of demand for reforms, organized business began to feel its way toward programs of its own.

These took a number of forms, but all adhered strictly to the cardinal business principle that they should be under business direction and control. Today we are thoroughly familiar with the business program. In place of trade unions run by workers themselves and organized on a national scale, business has offered and promoted company unions, whose beginning came in the reform period, but whose full development did not come until the time of the NRA. In place of legislative measures business proposed company welfare schemes. These reached considerable proportions in the 1920's. Welfare work in mill villages, from visiting nurses and hospitals to baseball teams; company old-age pension plans, company group insurance policies, all kinds of stock-sharing ventures. The culmination of the business program in this regard came with

the proposal of Mr. Gerard Swope of the General Electric Company late in 1931 for business, free from the antitrust laws, to regulate itself through its trade associations, the trade associations in turn to set up social insurance features to which workers would contribute. The essence of this plan, the self-regulation of business through trade associations, was finally incorporated into the NRA, though with an extraneous note introduced—one not a part of the business proposal, namely, Section 7-a, providing for collective bargaining.

On our specific question—child labor control—organized business could offer no alternative to legislation. From time to time efforts were made to stave off laws by voluntary business agreements to hire children only under specified conditions. Occasionally such plans are advanced today. "Interstate compacts" are a form that needs to be watched.* But the right to legislate on a state-wide basis was fairly well established even by the opening of the century. Since business on principle opposed legislative interference and yet had no substitute for legislative control, little remained but out-and-out opposition to all new measures that arose. Especially did business oppose the extension to Congress of the right to legislate on child labor. To business this is the most extreme departure of all from its own principle of private local control.†

To sum up, while general sentiment was favorable to labor legislation in the decades after 1900, business enterprise was not. Its policy became not alone to oppose labor legislation, but also to offer counter-proposals on labor relations, all of them providing for business direction. In this twofold policy of organized business we

* See footnote, p. 253.

† See the account in the *New York Times* for Nov. 24, 1936, of the "voluntary agreement" proposal adopted by the Board of Directors of the Retail Dry Goods Association: "Because of the different conditions prevalent in the various States, regulations of hours, wages, working conditions, etc., can best be served by State laws." The Retail Association therefore is to "assume the task of working up a model State law *taking into account local conditions* and covering these phases: The elimination of child labor, maximum hours and basic minimum wages . . ." etc. (Italics ours.) And again so recently as December 1936, the Congress of American Industry, voicing the stand of organized manufacturers throughout the country, enunciated once more its principle of local control: "We favor state legislation, vigorously enforced, to eliminate such [child] labor, *except where local authorities, for valid reasons, permit it.*" (Quoted in *New York Times*, Feb. 6, 1937. Italics ours).

see how profound is its objection to legislative control. And in this period, we must remember, business enterprise was in an era of rising power, prestige and world-wide expansion.

It was in some such milieu that the child labor reform movement of the pre-war period was working.

After the World War middle-class reform sentiment on the whole declined. There are numerous reasons for this, not the least of them, we think, that the business counter-proposals had by this time taken some effect. In so far as these took hold, they tended to throw confusion into the ranks of middle-class reformers. Many failed to see that these proposals were attempted substitutes for legislative action, that business gave no ground on legislative changes, that the proposals were undemocratic and impermanent in nature. The social work group which formerly had been the backbone of middle-class reform effort and had furnished some of its most notable leaders, in the twenties turned away from large social issues and placed its main emphasis upon "individualization" in social work. Not until the terrible years after 1929 did social work again take a comprehensive view. By the twenties also business men and organizations were fully recognized as an important adjunct to private social work, occupying important places on social service boards and looked up to on policy making. A sector of private social work for a time agreed with business that relief of the poor should as far as possible be kept in private hands.* These are but some of the factors in the decline of legislative interest. Of course labor legislation was attempted during these years. But if we read the evidence aright, the old reform fervor had faded; the middle-class reform movement was in the doldrums.

In contrast to declining reform fervor, after the temporary setback of the 1921 postwar crisis, business enterprise rose to new and

*We cannot help but seem to make sweeping generalizations here. It is impossible to take the space to trace the history of the period. Anyone who has gone back to the accounts of the time as we have, to Chamber of Commerce reports, to the National Conference of Social Work proceedings, to contemporary press notices, would know the evidence on which we base our conclusions. We can refer the reader to one or two accounts. One is a report of the Chamber of Commerce of the United States, published in 1921—*Social Agencies and the Community*. Another is an article in the *Survey* for May 1, 1932, by Robert Kelso, "Banker Control of Community Chests." These will give a sampling of information.

undreamed-of heights. This was the period of Harding-Coolidge prosperity. True, there was a rising rate of unemployment from the middle twenties on. True also, a falling prosperity for the farmer. Nevertheless in these years, as in the prewar period, business enterprise in America was conscious of its power, and more than ever conscious of the public policies it espoused. "Rugged individualism" was the keynote of the times.

While the child labor control movement was undoubtedly affected by the general decline in reform interest, it suffered probably the least of all. A federal law had twice been passed in Congress (1916 and 1919), each time to be declared unconstitutional by the Supreme Court. Perhaps these setbacks and the struggle now begun for a constitutional amendment kept the movement more on the alert; perhaps also having still some roots in the labor movement had a vitalizing effect.

In any case, as late as 1924 large-scale sentiment in the middle class continued to be evident. The Amendment was approved by Congress. A few states ratified. Then a halt came.

It was in this period that the opposition put forward its now notorious argument that child labor no longer existed in the factories, and that it was in any case now adequately regulated by the states. Despite the efforts of the zealous few to keep a strong ratification movement going, the opposition campaign must have had its effect.

Little of importance happened until the crash of 1929 threw vast numbers of adults out of work. A new set of economic conditions again forced the public to face the facts. Here were children at work when adult members of their families often had no jobs. It was at this time that the trade unions and reform organizations saw a new opportunity and launched a campaign that resulted in some eighteen states ratifying the Child Labor Amendment within two years.

While business enterprise had not ceased to oppose labor legislation, its opposition after 1929 no longer carried the old authority. Its prestige, for a few years at least, was at a low ebb. So it was that for a short time American business bowed to the restrictions of NRA codes. So it was that it accepted the clause prohibiting child

labor under 16, especially if thereby a Child Labor Amendment to the Constitution could be avoided. Of what use for the time being were young children in factories if a minimum wage had to be paid, and with so large a surplus of older labor available at but little more? It was, moreover, but a temporary measure.

Fortunately the NRA did not stop the efforts to secure Amendment ratifications. Unfortunately business acceptance of the NRA child labor provisions was no sign that it approved legislative control. Perhaps, as we suggested earlier, business had thought the fight against the Amendment already won and was unprepared when the movement for ratification spread so rapidly in 1933. Be that as it may, the proponents soon learned that the opposition against federal regulation had abated not at all. The further it left behind the humiliating days of early 1933, the more business confidence in itself returned. We cannot doubt that business enterprise feels today as it did twenty years ago, that labor welfare should for the most part be left under business control.

Looking back over the whole period, we must agree that a large part of the responsibility for the present situation in the child labor field, both direct and indirect, rests with the opposition to control.

We cannot, however, on that account entirely absolve the advocates of control. If their mistakes were unimportant, they might be passed over with a word. Unfortunately they are rooted in philosophy and methods of work. Despite the powerful opposition, had the proponents in recent years, both trade unions and middle-class reform groups, worked differently, we feel certain that far more could have been achieved.

THE MOVEMENT FOR CONTROL (*Continued*)

THE ways of the modern reform movement marked a distinct departure from earlier trade-union activity. The labor movement is a mass movement, largely made up of manual workers, the very reason for whose existence is the economic and social protection of its members. While its political policies in the last few decades have been self-defeating, nonetheless organized labor does represent even by way of its economic units an organized vote, and upon occasion it has been responsible for defeating legislators and Congressmen who failed to support labor measures. This tactic has had particular force in some localities, where labor organizations could muster a strong following.

The labor vote has not been the only method. Petitions as a means of showing mass sentiment have been used. Sometimes militant methods have been practiced: mass demonstrations in halls and on the streets, delegations from far and wide converging on halls of legislation to bolster up the wavering wills of legislators; sometimes even strikes to enforce a labor law already passed but ignored by some employers. These methods are everywhere recognized as typically labor methods; when non-labor bodies use them they are going over to labor ways.

Most reformers are not at home where militant tactics such as these are employed. They prefer, not the impolite mass demonstration and street parade, but the polite committee sending letters and passing resolutions; not the crude but forthright "protest" and threat of defeat at the polls, but the more dignified visit from their representative to argue and perchance persuade; not the harshly publicized insistence that their children must not be the victims

of economic exploitation, but the gentle reminder that we should all be "good neighbors" and "help others less fortunate than ourselves." It is but natural that most reformers should feel uncomfortable about labor tactics. We can see that when we note the make-up of the reform movement in relation to its ways.

Reform organizations, as we have seen, are typically composed of liberal upper-class persons, social workers, college professors, clergymen, lawyers, women of leisure, and even benevolent business men, who, formed into a board or committee, sponsor a certain welfare program that is actively promoted by a paid staff of professional reformers. It is the policy of reform organizations to draw into their membership upper-class individuals who will support their work financially and who will lend the use of their names to give reform efforts prestige. Occasionally they invite a trade-union official to serve on their board.

Their activities fall into several categories. They send out publicity and propaganda through organs of their own or through the public press, with the aim of influencing general opinion; they carry on research that eventuates in descriptions of the deleterious conditions requiring remedial action; and they conduct legislative campaigns for the passage of specific welfare laws. It is apparent that these activities must be of such a nature and must employ such methods as will be approved by the reform organization boards. If business men sit on these boards, as in most cases they do, then business opinion, albeit liberal and benevolent business opinion, is directly represented there. In any case, benevolent individuals from the higher business circles are sure to be looked to for support.

It would be but natural that the spirit of finding compromise solutions should pervade such a heterogeneous privileged-class body; that a certain sense of leisureliness should qualify all their plans: having no children of their own at stake, they are not so apt to feel the immediacy of the problem. Coming from the same general background as the opponents, and being financially dependent upon the contributions of the well-to-do, reform boards are quick to see the point of view of their neighbors and acquaintances who oppose them. Almost inevitably they tend to feel that the opposition can be persuaded gradually to give ground.

These attitudes and practices are frankly a feature of reform method. Mr. Raymond G. Fuller, in his book on child labor of ten years ago, reflects the conviction with which most reformers voice the "spirit of reform": "Too often child-labor reform is conceived, both by its active protagonists and by the public at large, as a fight against employers, rather than a fight against conditions. . . . It should be part of the strategy of child-labor reform to assume, on every possible occasion, the good intentions and humanitarian spirit of the employing group and to enlist its cooperation in the effort to serve childhood, studiously avoiding all unnecessary antagonisms and hostilities. Of course there are times when battle is the only recourse, but attempts at conference and cooperation should never lie neglected. There are honest and justifiable differences of opinion about child labor, in its less gross and flagrant aspects; and it is well for reformers and employers to work together as much as possible. . . . Sometimes . . . the reform enthusiasm results in extreme statements and excessive demands that need to be tempered."¹

Of the make-up of the National Child Labor Committee, Mr. Samuel McCune Lindsay said in 1911 that no organized effort for social welfare in the United States is better planned and executed and better supported by "people of influence, wealth, and moderate means than the child labor movement. The conservative but aggressive and statesmanlike leadership of Felix Adler and his colleagues on the board of trustees . . . make the National Child Labor Committee a model for, and to some extent the envy of all the more recently organized national social movements in the United States."²

"We must fairly face the fact," said the chairman of the Wisconsin Child Labor Committee in 1909, "that exemptions represent an inevitable stage of progress in the development of child-labor laws . . . Be patient . . ." And further, he added, we must guard ourselves "against a scornful or uncompromising attitude towards amendments which seem to us unwise or do not fit into our general plan."³

Chance incidents gleaned from here and there illustrate what this Wisconsin leader must have had in mind. In Mississippi in

1909: "I appeared before this subcommittee and decided to make certain concessions by way of compromise rather than risk a defeat of the bill. . . . Practically the only concessions made were to change the age-limit from fourteen to twelve years and the elimination of that feature of the bill requiring employees under the age of sixteen years to have attended school for a portion of each year in which they accepted employment in factories."⁴ (Could anything be left?)

In Florida in 1913: "So vigorous was the opposition that it seemed to the writer too great to be overcome without risk of the whole bill, and a substitute measure was prepared on the basis of a bill which passed the Florida house four years ago."⁵ Pennsylvania in 1910: "We in Pennsylvania have found it essential and practicable to win these [textile manufacturers]. We passed the new child-labor law, which we hope will make fourteen the real age in our state, through cooperation with one of these manufacturers' associations."⁶ South Carolina in 1911: The South Carolina state child-labor committee program included a fourteen-year age limit. But threats of cotton manufacturers that they would oppose any child-labor legislation unless this was abandoned, produced an agreement to leave the twelve-year limit for children of dependent parents (the "poverty" clause). The Governor vetoed appropriations for factory inspectors.⁷ In short, as the southern representative of the Child Labor Committee expressed it once, we must face "the long, slow, toilsome process by which those laws may be raised to the proper standards of effectiveness."⁸

Some puzzled readers may well ask, What is wrong with all this? Is not the process necessarily long and toilsome and slow? Must we not be patient and accept amendments? Surely no one expects ideal regulation to be arrived at in a day, or even a year. Must not each local constituency be educated bit by bit? Must we not move by way of cooperation and compromise and collaboration with the opponents?

True, progress may be slow; amendments will be made; compromises are likely to take place. But why in advance be a party to these unhappy events? Why not leave it to the opposition and the legislators to force these results—as they will do—despite pro-

ponent demand? Far more will be secured in this way. Should not concessions be made? Yes, certainly, sometimes; but not until a point has been reached where every possible gain, granting the alignment of forces at the moment, has been made. It is for the control forces not to collaborate with the opposition, but to rally their own ranks to the full, to muster the most effective mass of opinion and action they can to win what they know to be the right standards. Will measures go unpassed? Sometimes; but that happens in any case. What reformer has not tasted the bitter pill of having conceded point after point until a measure is virtually compromised away, only to see it defeated after all?

Reformers have long ago learned that legislators pass control measures only when there is an aroused sector of the labor and middle-class public pressing vigorously for the bills. But they have not taken this lesson enough to heart. The very fact that legislative committees begin to propose compromise provisions to reformers is a tacit recognition of the strength of the movement for control. If ever reformers should stand firm it is then.

But at this point the legislators begin to suggest that reformers should "put their feet under the same table" with the opposition and work out a solution. What should reformers think now? For most politicians this move can have but one basic motivation, however they may rationalize the matter. It is to get themselves out of a difficult spot. The last group the general run of legislators wish to antagonize is business: too much power and influence lie there. But here is a body of public opinion standing strongly for a measure which business fights. What more natural than that our average politicians should try to alienate neither side: on the one hand, that they should agree to get a measure through for the reformers; on the other, that they should agree to emasculate it before passage for the business men? This favorite compromise road of the legislator—a road that gives up every important position in advance—has been eased at many a place by the anxiously conciliatory methods of the reform groups themselves. Labor organizations in recent decades have followed reformer methods.

In the philosophy and methods of the middle-class reform groups, we must conclude, lie some of the reasons for so slow a

rate of change. Consistently these groups have shut their eyes to the nature of the conflict in which they engage day after day. Perhaps they think by ignoring it to have it disappear. Though over and over reformers themselves are heard to testify to the determined opposition of the dominant business group to control, they yet go on clinging to the principle that the lion and the lamb really should lie down together: with the invariable result that all or part of one pet lamb after another is gobbled up. The reform movement by its long-established ways has capitulated to the opposition before the struggle has even begun, and the opposition has for years known this and has acted accordingly.*

A more practical reason for the ineptness of the middle-class reform groups is their dissociation from the working class in whose interest they presumably are at work.† Whether they have considered it their prime function to effect reforms, with the labor movement a helpful but secondary instrument, or whether they have considered their function a special one, over and above what the labor movement could or would do, or whether they simply have been indifferent to and ignorant of the labor movement, are questions not to be answered in categorical fashion. We suspect that all

* Dr. I. M. Rubinow, a widely known advocate of welfare laws, looking at the reform movement from the inside out, assesses it in almost ruthless words: "It partakes too often of the nature of a philanthropic movement rather than of an economic struggle. It must appeal to the 'better nature' of man. It must convert all groups concerned. . . . It is manned usually by the neutral though benevolent theorists, the college professor, the social worker, the professional reformer. . . . In this effort toward persuasion it is usually forced to meet every group half way, 'to be reasonable,' to compromise . . . It must antagonize no influential group. . . . The result is usually a tragic emasculation of the measure with the hope, sometimes realized, sometimes not, that at some distant date 'big oaks out of little acorns grow.'" 9

† Of course reform organizations carry on some activity in conjunction with the labor movement. A kind of cooperation takes place quite generally between committees of reformers and legislative representatives of labor. But for the most part we fear that this is a more or less perfunctory matter, having only a fraction of the influence it could and should have. Here and there, however, we find reform groups, some of them state and local bodies, which to our personal knowledge work in close collaboration with representatives of labor bodies on pending labor legislation; and apparently they do so with an appreciation of the special function organized labor must perform in social welfare change.

We should also take note of the record of certain notable reformers in America—Mrs. Florence Kelley is a type—whose warm support of the labor movement has made of their reform activity something very unlike the norm we have described.

these viewpoints have prevailed among reformers and their middle-class organizations. Of the result there can be no doubt. Professional reformers and their associates have carried on their efforts outside the channels of organized labor and with an amazing disregard of the mass weight of an organized working class in effecting social change.

This is a singular situation, to say the least. For even the employer most outspokenly opposed to labor organization finds it hard to deny that improvements in the status of labor result if and when workers are widely organized, or threaten to become so, into a compact and militant body: for workers are then in a position to bring economic and political pressure to bear on employers or legislatures for change. Do many middle-class reformers realize, we wonder, that what has been won has been won largely because looming in the background has been a labor movement, faulty and shortsighted though its leadership has often been, that also stood for those measures?

Does not the influence of the philanthropically minded middle class count for anything? Yes, surely, a great deal. To get these people to lend their names, and issue statements, and even to appear at hearings, and to contribute cash, is of course useful and important. But anyone familiar with labor legislation history will testify that the influence they wield is many times outweighed by the power and wealth and prestige of organized business which invariably can be found opposing their reforms. Only one thing can begin to offset, in the minds of legislators and the "general public," the prestige and propaganda of this vigorous opposition pressure, and that is a powerful and likewise vigorous pressure from the opposite side. It is here that the labor movement comes in.

It should be said for the reformers, however, that even if they had recognized this obvious function of the labor movement and had really attempted to overcome their isolation from the working class, they could probably have made but little headway. In recent years the trade-union movement, in its national leadership especially, has not been such as to draw the reformers to follow it. Yet we cannot but wonder why more individual reformers have not seen the limited nature of their influence, even without encouragement

from the labor movement, and thus have prepared the way for ending their isolation when conditions were ripe. Whatever should have been, our observations indicate a set of reform organizations tolerably happy in their isolation and perennially optimistic as to what single-handed they could some day do.

We should not underestimate organized labor's negative rôle during this period. It so happens that just as the middle-class reform organizations were entering the field of child labor at the close of the century, the dominant leadership of the organized labor movement was settling down into its era of what has aptly been termed "business unionism." The strictly craft orientation of the American Federation of Labor was yearly more pronounced, with a group of relatively privileged trades in the ascendancy, and the leaders of these trades, long in office, well paid and well connected, more privileged still. Not only child labor but many other pressing problems of the bulk of the working class were far removed from the daily life of these leaders. They continued to advocate child labor control at all times, but undoubtedly with less vigor than a more democratically controlled movement would have done. There was increasing reluctance to organize the unskilled worker and strong dislike of the industrial union form which alone could protect him.

On the political side the policy of the American Federation of Labor was corollary to this economic conservatism—at all costs to remain aloof from independent political action, and instead to accomplish whatever legislative program it might wish to espouse by the now famous expedient of "rewarding its friends and punishing its enemies" in the Democratic and Republican parties. As these policies and practices became fixed, organized labor's political efforts became progressively feeblér. Here and there a militant "legislative representative" could be found, and there were noteworthy departures from the pattern in the action of particular unions and union leaders from time to time.

Radical political parties of labor, while not in the earlier decades a legislative influence, were also at work. So far as child labor reform is concerned, however, the typical A. F. of L. approach prevailed. Resolutions were passed, legislative representatives in the

state capitals and in Washington were expected to work for child labor legislation, official statements were issued to the press, labor representatives came together in committees with the middle-class reform organizations to work for state and federal laws; beyond that, in making its wishes felt, recent trade-union action has rarely gone.

The failure of organized labor to exert itself militantly for welfare laws has been remarked on all sides. We do not join with some reformer-cynics who seem to think there is and can be no health in the labor movement. Nor do we perceive virtue in those labor historians who root around in the "frontiers" of America to find cause why American labor must be individualistic and forever disunified and driven only by motives of immediate self-interest. The American labor movement is not static, any more than are American economic conditions, and it is a form of provincialism, if nothing worse, to think that it is.

Why it has been ineffective for social welfare change is all too apparent. Its craft exclusiveness has resulted in the bulk of American workers remaining unorganized, and without a movement representative of the interests of the bulk of all workers, working-class demands are not respected and can make but little headway. Its political platform has been one of its most obvious failures. American workers have had no inclusive political party of their own with a genuinely working-class program. Such a political party would long since have made child labor legislation a first-class issue. To have labor organized widely into industrial unions and into a political party of its own is no panacea. But it is a prerequisite in our day and age for effective action on social welfare measures. Then at least we should have organizational arrangements keyed to existing conditions and not our present anachronistic state of affairs. With appropriate organization there is always a chance that campaigns pushed with vigor and intelligence would follow.

Is it inherent in the nature of American conditions that no stable political party of labor, more inclusive than the radical parties have been thus far, can arise? (This has sometimes been said.) It would be a brave man who still asserted that to be a fact, after the unpredicted and tumultuous economic and political events of the past

few years. In any case, really effective pressure for adequate child labor regulation is likely to wait until some broad political labor body appears upon the scene.

* * *

There are some signs that the situation is changing in America. At this writing (end of 1936) events are moving so rapidly that an account of them becomes out of date in a few weeks. Within the labor movement the advocates of industrial unionism have challenged the dominance of the conservative crafts and are out to organize the workers in the mass production industries. Significant interest is being manifested in a political party of labor's own making. Signs of this came at the 1935 convention of the A. F. of L. when resolutions calling for a national labor party were introduced by influential officials of international unions. The established radical parties of labor whose influence has grown in recent years have supported these developments. Several meetings have been held significant of the labor party trend. Of special note was the meeting called in Chicago by the Minnesota Farmer-Labor party in the winter of 1936 of organizations interested in a farmer-labor party. The establishment of Labor's Non-Partisan League, whose immediate objective was to mobilize workers for the reelection of President Roosevelt, may turn out to have significance for a permanent independent party of labor. Besides the farmer-labor movements already well established in Minnesota and Wisconsin, and somewhat similar movements recently under way in some of the mid-western and far western states, we have numerous labor party attempts in many other places. The American Labor party of New York State is the most noteworthy of these. Uniting most of the leading trade unions in New York, it won a vote for President Roosevelt at the 1936 election, under its own emblem, of nearly 300,000. It intends, so it declares, to continue as an independent political body. In a few months or years these tendencies may become crystallized into a large functioning movement, or they may fade out. They are unquestionably promising.

To the movement for child labor control such developments are important. So far as we are informed, all the organizations of size

in the labor party field have placed the abolition of child labor in their platform of aims. This has long been the case for the Minnesota Farmer-Labor party. The American Labor party of New York has of course done so. In the "sample platform" printed in the pamphlet, *A Labor Party for the United States*, issued by Mr. Francis J. Gorman, first Vice-President (now President) of the United Textile Workers of America, and author of the outstanding labor party resolution in the 1935 convention of the A. F. of L., point 18 provides "Abolition of child labor, and free primary, secondary and college education for all." It is obvious to the student of labor history that a labor party movement would place the abolition of child labor in the forefront of its demands.

Even farm organizations have not remained untouched. We know of several farm groups lately that have taken action indicative of such an interest. From the South, where live the most backward farmers that exist in our country, many of them illiterate and economically at a seriously low level, have come not insignificant signs. Two farmers' organizations, the Sharecroppers' Union of Alabama and neighboring states, organized in 1931, and the Southern Tenant Farmers' Union of Arkansas and the Southwest, organized in 1934, placed in their earliest list of demands a full school year for their children. Only a step, it is true, but a notable one, when their most pressing problems had to do with the relief of intolerably low living conditions and oppression bordering upon peonage. These two farm organizations today embrace some fifty or sixty thousand farmers of the South.

Some less oppressed farm groups have lately come into the picture. Farm papers have expressed indignation at the misleading opposition propaganda designed to array farm sentiment against the Child Labor Amendment. The *Kansas Farmer* of February 20, 1934, thus takes to task the so-called "National Committee for the Protection of Child, Family, School and Church" that was circularizing editors of farm journals against the Amendment. An editorial in the *Progressive Farmer* of Birmingham, Alabama, for August 1935, says: "A national effort has been made to discredit the proposed Child Labor Amendment to the Constitution among farm folks. . . . The passage of the Amendment should directly

benefit farmers. It would make it possible to eliminate commercialization and exploitation of child labor and thus by removing the low child wage standards, provide better incomes for adults in industry and an increased demand for farm products."

Up to recent years the American Farm Bureau Federation has opposed ratification of the Child Labor Amendment. Now it has reversed its stand. In a resolution adopted on December 11, 1935, this farm organization says, "We approve the pending Child Labor Amendment to the federal Constitution and request the State Farm Bureau Federations to give it serious and sympathetic consideration."¹⁰

The most important action, we think, is that of the Farmer-Labor party of Minnesota spoken of above. It is important because this is an established political party uniting farmers with wage earners. This body has not only supported the proposed Child Labor Amendment, but, at its convention in March 1936, it urged amendments to the Constitution "eliminating child labor," and also giving Congress power to legislate nationally on general working conditions, social insurance, and other matters affecting the welfare of both farmers and industrial workers.*

In short, while farmers still constitute an uncertain quantity on the question of child labor control, some groups among them are beginning to take a positive stand. Undoubtedly it would take a forceful and more widespread program of education among them than now exists, to undo the work done thus far by the opponents' misleading propaganda. But some farm organizations are coming to stand with organized labor on the issue, and there is reason to think that the number may grow.

Of late the urban middle class has shown stirrings of its own. There is evidence that many professional people in all fields, especially younger people, are launching into social welfare activity along different lines from those pursued by their predecessors. They propose, it appears, to organize and unite themselves as integral parts of the labor movement, both for the protection of their pro-

*See *Platform for an economic order of abundance*, Farmer-Labor Association of Minnesota, 1936. Also resolution passed in the 1936 convention proposing a new amendment to the federal Constitution to be known as Article XXIII.

fessional and economic standards and in the interests of social and labor legislation. Organized teachers have long been a part of the labor movement. During the depression, groups of social workers were found to ally themselves with their clients to defend the interests of both. New organizations of professional workers affiliated with labor have become well established: the Newspaper Guild stands out, as do organized technicians, authors, social workers and many others. Do these mark a change of course on the part of middle-class groups? Certainly if such organizations gain strength and establish themselves, a wholly new middle-class influence will have appeared.

We do not for a moment suggest that the long-established middle-class reform groups are coming to merge their social welfare efforts with those of the working class. It is conceivable that they may grow to have a far closer working arrangement than heretofore, especially if the labor movement should set up a broad political party of its own. But to ordinary appearances, we imagine, the set-up to which we are accustomed will probably not be altered much. The same reform organizations will probably continue to function, it may even be in much the same ways.

But it is not from reform organizations that we should be expecting much change. Some of their associates and acquaintances in the middle class represent the new current. They have seen the necessity for organizing themselves into unions comparable to trade unions of labor, for the protection of their own professional standards and values and for advancing the general welfare of the masses of people. To do this they have moved definitely in the direction of an alliance with the organized labor movement.

Once more, therefore, the labor movement comes into the ascendency as the head and body of the movement for social welfare change. Should present trends toward a growing and vigorous labor movement be advanced, child labor control, even though it is only one of many problems of concern to such a movement, has from it far more chance than it has had for years.

CAN CHILD LABOR BE ABOLISHED?

STEPS toward an effective control of child labor involve more than prohibitions. In our country even prohibitions have only begun to play their part, set up bit by bit as has been our American way, and at a maddeningly uneven rate among the several states. Looking back over the account we have given and forward at the standards that should be achieved, there seems full justification for saying that the major steps in the field of child labor control in the United States remain to be taken.

It is our sense of the situation that even fundamentals have often been lost sight of. Is it not widely assumed, for instance, that private enterprise employs children because it requires them? But children are not employed because they are essential to production; they are employed because they are cheap. It is almost too commonplace to mention that children are frequently at work by the thousand when their parents or other children's parents are unable to get jobs. There is no work that children do that could not be done equally well or better by adults. But of course adults do not hire out for the low wages children are customarily paid—at least not if they can help it. And since children can do these jobs, they are sought after.

On the other hand, it is not sufficiently accepted that private enterprise will on the whole employ children whenever and wherever it can profitably do so; that the business system always tends to move in consonance with certain basic tenets of which lower production costs is a primary one. In thus going after the cheapest labor for those processes to which that labor is suited, business is acting as we must expect. This is what we mean when we say that child labor is rooted in the business system.

Child labor, therefore, is not a superficial excrescence that is going to be gradually sloughed off our scheme of things if we just wait long enough. (Almost, we sometimes think, this is the dominant American view.) Rather, the causes of child labor lie in the characteristic features of the business system itself. It requires, then, a counter-current of great strength to establish effective control where it is most needed. But the problem and the methods for meeting it are plain. Since children, when they work, can be detected fairly easily (if competent enforcement machinery exists); and since their labor is not required for producing what society needs; and since by and large it is poverty and insecurity that drive children into wage earning; and since insurance against the extremes of poverty and insecurity can be fought for and at least partially won even under the business system; and since children could and should be in school during the years they are now at work, and schools can be provided where they are not now—then it is entirely possible, even under the business system, for child labor in large measure to be got rid of.

As we said in the beginning, prohibitions are not enough. But they are an extremely important step. They get at one of the two focal points of the problem, the existence of an active demand. In our country, we learned, this demand comes from businesses of every type and kind, both large scale and small. We shall not get at those widely diffused occupations and processes where child labor is profitably used unless we curb the entire demand. Now we found that the fields where the least attempt has been made to modify the exploitation of children, whether by age limitations, hour limitations, or supervision of conditions, are the very fields where child labor is most abundantly used. Apparently the opposition has successfully withstood control in the areas where business enterprise still desires cheap young labor. It has given way to some regulation in the factory and store operations where younger children are no longer profitably employed.* We learned the appalling figures that 90 per cent of the working children aged 13 years and under and

*The continuing demand for young children in the mills of the South is particularly evident where whole families can be used together—the wages of the adults being kept down by the wages of the children.

70 per cent of those aged 14 and 15 are at work in occupations where no regulation exists.

Major steps remain to be taken, even in the field of prohibitions. If we need proof of this, we should examine the standards set up by the White House Conference on Child Welfare in 1931, and compare them with the conditions actually prevailing. Good as are some of those standards, in certain crucial respects even they fall short. Take the single matter of agricultural child labor: we have noted the readiness of the experts to leave out of child labor laws the great unpaid family labor group and have taken pains to show why this omission has no justification in fact. We are not unaware of the situation referred to once by Miss Grace Abbott: "You always have two groups pulling in two directions. There was never any arriving at any of these standards by a really scientific decision that 'this is the just thing and we will take that'; it is a controversy between groups, and one group comes in for the protection of the children and another group comes in and wants to exploit the children."¹ We have seen it happen over and over to child labor laws. But why must it enter into the fixing of standards by experts, as it seems to have done in the case of agricultural child labor?

There is no need here to detail a program of legislative measures. Let us only state a few principles. Of course no regulation can ever be adequate until it is federal regulation, nationwide in scope. In applying the now widely recognized standard of actual prohibition of child labor for all under 16 years of age, every occupation should be included; no exceptions should be allowed: not in agriculture, or domestic service, or industrial homework, or street trades. For ourselves, we oppose after-school certification of these younger children, not because an hour or two after school for a 14- or 15-year-old might not be allowable in certain occupations, but because limiting their work to the proper minimum is so difficult to enforce. Sixteen- and seventeen-year-olds should be certificated, their work hours and conditions thoroughly regulated by law, and physical examinations should be required; but first, adequate scholarship funds should be provided throughout the United States (another recommendation of the White House Conference) from public funds—the proposed American Youth Act deals with this need: if young peoples' school

work qualifies them for further schooling, they should not be prevented from continuing by poverty at home. Back in 1930 the experts were still talking about a forty-eight-hour week. Since that time the world has moved. Organized labor has set as its standard a thirty-hour week, even for adults. Certainly none would suggest a longer work week for boys and girls of 16 and 17. At the least a federal law should have these basic features, but no state law at the present time, even the most advanced, has gone so far. A federal law, to check the demand for child labor at its source, must unquestionably go beyond any state laws now on the books.

It will not be enough to set checks upon the demand. The second focal point of the problem must be dealt with. There is always a large measure of poverty and insecurity in the working class because of low wages. Economic crises at frequent intervals diffuse this condition, spreading it to all strata of wage earners. On a wide scale workers are left with no alternative but to put to work every member of the family for whom a job can be found. We have seen by actual data how poverty and insecurity are a condition of early work. Like the demand for child labor, poverty and insecurity are subject to social-economic control. They must be controlled in order to dispense with the need of families for the wages of their young children. Any personal motives and circumstances that facilitate the action of these broader, nonpersonal influences can then be dealt with readily enough. We have learned that in any case the importance of the personal factors has been exaggerated to an absurd degree.

Action to raise wage levels comes first and foremost from the trade unions by the process of collective bargaining. This will not take place on a wide scale, however, unless increased and more effective organization in the basic industries and in agriculture should come about. Even so it remains a pivotal point in the drive against substandard living conditions.

Together with this goes the movement for social insurance. It requires legislation on a national scale against income losses occasioned by unemployment, sickness, accident, maternity, widowhood and old age. Here again, as in other fields, the need for social insurance has not yet been integrated by reform groups with the program for child labor control. It has been mentioned, of course. The White

House Conference report of 1931 is the latest to mention it. But mention is hardly enough.

Perhaps this may seem an anticlimax, now that we have the New Deal Social Security Act on the books. (Unless by the time this book goes to press it, too, may have been declared unconstitutional.) Tragic to relate, that measure so woefully falls short that it does not deal at all with important areas of the problem. It leaves to the passage of state laws provisions for unemployment insurance, meanwhile setting no standards worth mentioning for such laws. It specifically excludes vast masses of the population, farmers particularly, from whom child workers most frequently come. Since it applies only to workers now employed, it does not touch at all that great stagnant pool of poverty created by the terrible unemployment of the past seven years. Those are but a few of the counts against it.

No, if we hope by a system of social insurance to create a bottom below which living standards are not allowed to fall, so that the wages of the children who usually try to find work are unnecessary, then we must seek something far more adequate than what the New Deal has wrought. We must almost begin anew.

Another obvious step—so obvious that it could not fail to be taken where real eradication of child labor is sought—is to provide schools. This strikes especially at the rural communities, but it also touches mill villages and small towns in general.

Some of the worst centers of child exploitation have the most deplorable conditions in the schools. From data on the average length of school terms in representative states we learn that, by and large, the greater the proportion of child laborers, the shorter the school term.* In those states with a high percentage of children employed—from 10 to 25 per cent—the school terms are notoriously short, and school conditions, especially in country and small-town districts, are notoriously poor. Of course the worst conditions are concealed by these general figures. We should have to follow them down to county units, and especially to those counties where the Negro child is most numerous and most widely employed.

It seems axiomatic that all children should have at least as good a schooling as that now afforded children in urban communities. It

* See table in footnote, page 80.

is nonsense to leave the accomplishment of this to states and localities. The larger taxpayers in those communities where conditions are most deplorable are likewise in many instances the employers of the cheap child labor which better schools would take out of factory and field. This is particularly true for rural communities in the South and for mill towns. We find no reason to suppose that these taxpayers would voluntarily take on this double loss: on the one side, to increase the taxes they themselves must pay in support of better schools and, on the other, to deprive themselves of a cheap child labor supply. Further, with the extremely serious condition at which the schools have arrived, owing to years of cutting salaries and pruning staff and depreciation in equipment, it would be more of a financial burden than any local community or state would undertake in a short period of time. On two scores federal standards plus federal subsidies are required. Only under federal insistence will the localities be brought adequately to improve their schools; only by federal funds can the vast improvements that are needed be financed. Nor is this a step that should be taken "gradually." In the interest of the present generation of children it should not be delayed. We should equalize the school conditions of all children in the United States, rural and urban, bringing the worst up to the condition of today's best, and setting standards for improving the better schools.

No appraisal of the child labor problem should be brought to an end without some word on the place of work in the life of the growing child. The opponents of child labor control are the first to lay hold of this idea: they cite it as a sign that all child labor cannot and should not be eliminated; they declare that for the sake of child and nation, some must be retained. An excellent authoritative formulation of the business-class concept of the matter is found in the report on "The Employment of Young Persons" issued by the National Industrial Conference Board, research organ of the National Association of Manufacturers:

Young persons in the United States, like adults, naturally have the right to work for themselves, their parents or others, under certain conditions deemed necessary to protect their welfare and the welfare of the nation; and parents and employers have the right to employ them under

these conditions. There is in modern society an inevitable tendency for young persons, parents and employers to avail themselves of these rights, since, generally speaking, some practical preparation for the responsibilities of maturity is customary and necessary at some period before adult age is reached.

And more precisely:

Participation in the economic life of their environment before adult age is reached is desirable and necessary for complete education and maturity of development of the young people of the nation, as well as for the promotion of good citizenship and of the social and economic welfare.²

We must confess at the outset that these words do not unduly impress us. If wage earning were so essential to the education of America's children, then of course it should not be denied to children of the privileged classes as well. We have heard of no educational program on foot to put the children of well-to-do America to full-time wage earning at 14. To say that, however, does not dispose of the question. It is easy, we should say, to accept the dictum implied above, that work is a human value as well as a human necessity, and that the young person growing into maturity should learn by experience to share this social view. The whole matter hinges upon the circumstances under which a work experience is had. In the interest of the young person and society, his work experience, if he is to have any, should have but one object, an object defined broadly as "educational." That is axiomatic. Any who presume to talk of the "rights" of children must begin what they have to say, and must preface what they propose to do, with the child's first and foremost "right" to a decent physical, economic, and cultural environment, without which his potentialities can never develop to the full. Not to begin with this, and not first to provide for this, is to make unworthy of consideration anything further they may claim as to a child's "right to work."

It is entirely within the realm of social planning that the major activities of all children and youths should some day be dominated by an educational aim, including the work they may be learning to

do. That means, very simply, that their work must be subordinated to their education, and not their education subordinated to, or even, as we often have it, eliminated by their work.

But the ordinary citizen should be able to see what the business man undoubtedly does, that business could not employ children thus to educate them; it would not pay. In so far as the competitive employer did make something remotely resembling such a scheme pay, as, for example, by a government subsidy for school "apprentices," the result would be a characteristic piece of private industrial development once more: private industry would thereby get cheap young labor at government expense.

If all child labor under 16, in all occupations, were effectively put an end to, could a "work experience" be provided within the public school system? At the risk of being accused of unreasonableness, we must give a negative reply. Of course we take cognizance of our system of specialized vocational and trade schools. But these apply only to a limited group and have at best a strictly specialized function.

As we see it, a genuine plan whereby all children would learn "by experience," would presuppose work planned in advance and connected with the child's regular schooling; it would assume that any productive work he engaged in and his hours of study from books and in laboratory would necessarily be dovetailed in a carefully integrated curriculum; it would assume a close correlation between school and factory and shop. It would assume that the child's work is so genuine that he is remunerated by society for doing it; it would assume that after his days of secondary school education are ended, this "work experience" would prove to be related to his next steps, and he would be able to enter the productive ranks in that occupation to which his interests and capacities are suited or to go on with his training, whichever he is better fitted to do.

Is anyone so sanguine as to suggest that such an all-round plan, or even something far less adequate, could or would be instituted under the aegis of a business régime? Even if the school part of the program were established, how could the vocational part be realized, in view of the pressure for production and profits and the chaotic

nature of the competitive labor market by which private enterprise obtains its workers? It would be farcical to make elaborate educational plans such as these only to have them nullified by the impossibility of having them correlated with the "practical" side of the work, to say nothing of the difficulty of later assuring the young person a place in the particular vocation for which he had been training.

Indeed the whole discussion sounds slightly nonsensical to our ears when we consider that we have been frustrated thus far even in attempts to regulate by federal, not to say state, laws the most elementary aspects of child labor conditions. If in places there is opposition even to the eight-hour day, and a meager minimum wage, and occasionally even to prohibitions against night work and against work in dangerous conditions, and opposition always to regulation of children in agriculture, surely none can be so blind as to suppose that any elaborate and far-reaching and expensive changes in the educational system would not be so opposed.

The further we delve into the matter the more involved becomes its solution, so long as we try to see it within the framework of a system of private enterprise. So long as that system exists we cannot afford to heed the business man's plea that it is "desirable and necessary" for children of the working class to "participate in the economic life of their environment before adult age is reached." We should by this time know full well that it is neither desirable nor necessary, given the type of "economic life" children are offered as a training ground for the "good citizenship" allegedly sought. Whatever of educational value is lost because a sound work experience cannot be had, will simply have to be lost when the alternative is economic exploitation.

In this, as in the whole field not only of child labor but of child welfare, only partial successes can be achieved within a competitive system. No doubt sooner or later the labor movement will see, as a sector of it does today, that a solution to the all-round welfare of its children lies in a socialized economy, a system under which for the first time administrators will be free to subordinate all lesser considerations to the primary one of human welfare. For ourselves, we are frank to say that we see no other solution. The opposition forces are

too powerful and too much an ingrained part of our whole industrial and governmental mechanism. It is only as the center of gravity is changed and the great mass of the population whose children are at stake assume control of their own lives, that the simple and obvious necessities of childhood will be met. Under socialism children will become the focal point of protective legislation, and protective legislation for the first time a focal point of "practical" politics.*

Meanwhile the immediate task is obvious and urgent. Even though a rounded-out program for child welfare may not be expected under private profit enterprise, child labor, we hold, can be effectively curbed. The problem should and can be attacked from three strategic angles: to get at the demand, to get at the supply, to provide at least a decent minimum of schooling.

First of all, child labor should be curbed by a federal law prohibiting the labor of children in all occupations under 16—including, be it specifically said, agriculture, street trades, domestic service, industrial homework. Such a law should carefully regulate the labor of all youths of 16 and 17.

Beyond that, some part of the insecurity of wage earners and poverty-stricken farmers could be insured against by a broadly enough planned social insurance system; and minimum wages to prevent the extremes of sweating could be required. These measures, added to effective labor organization, would go far to intercept those conditions that are pushing children out of their homes onto the labor market.

Then there are the schools. No child in America should be without the opportunity for free public education for a nine-months term per year up to at least 16 years of age. Those prepared to go on until 18 should be able to do so. Put in black and white, this seems no more than we now presume to do in America. We are appallingly far from it. To do it, federal aid and even federal insistence are

* In a later work we hope to make an analysis of children's life and labor in several European countries today, including the U.S.S.R. In the U.S.S.R., where a socialist system of economy has begun to operate, the whole problem of child labor is approached in a different and we think far more effective way than elsewhere. We had occasion to see this at first hand after the completion of this book. There, not only are adequate standards set, but on the whole prohibitions really prohibit, even for agriculture, and the child population even in rural districts is at school.

required, especially for the rural areas whose local taxpayers cannot tax themselves, and for the regions where Negroes live in numbers.

Any who talk in terms of abolishing child labor must talk in terms of a program at least as adequate as this. With working-class living standards still at low levels and a vast surplus of workers on the labor market, there never was a time when, for the protection of both child and adult workers, such a broadly conceived program touching children was more needed than today.

We say child labor can be really curbed. There is no assurance that it will be. It seems to us evident as we look back over the movement for control that a thoroughgoing program can be consummated only by the labor movement. Not a labor movement moved by the philosophy and methods of the pre-war reform era; from that we should expect little new or effective. But a labor movement with a genuine labor platform, organized widely along industrial union lines on the economic side and into an inclusive political party as well. It would need the support of middle-class people of course, nor can we doubt, from trends already manifest, that such a wide-awake movement would be joined in large numbers by liberal professional groups of all types. Moreover, many in the middle classes who did not actually join labor would, we think, support labor's program on this child labor platform at least. Labor would also need farmer support. On the child labor issue this is crucial. Some organized farmer groups have already shown a disposition to join in a political party of labor. So far so good. Will all this come to pass? We can do no more than point to the signs and observe the need.

If it did come about, on what grounds do we assume that it would be effective against the opposition? Here we confess there is a flaw. The opposition is no less determined than it ever was to combat legislative action on labor problems. Nor is it any less strategically placed. The economic conditions have changed, but not in a direction to lessen opposition.

The decades when middle-class reform organizations and methods dominated the scene were the years when the productive forces of our country and the other great capitalist nations could see nought but green pastures ahead: expanding world markets, growing consumptive powers at home, an ever-increasing profit margin. Then

was the time when private enterprise was in a confident mood. It resisted and opposed government policies conceived to be inimical to its welfare, including labor legislation, but with a buoyancy and self-assurance born of a sense of success. No American business man really believed the foundations of his edifice could crumble. Crises and wars were but episodes in the ever-upward trend.

Then came 1929 in America, and the succeeding years. Unemployment and destitution of a depth and scope business had never anticipated, crippled markets abroad, uncertain purchasing power at home, stubborn overhead costs pressing against a fluctuating profit margin, persistent rising demands for broader and broader ameliorative measures: so threatening were the signs, that even organized business asked for outside (government) aid. Besides financial assistance to itself, and under NRA, its trade-association controls, there came federal relief, and Section 7-a, and processing taxes, and a Social Security Act, all of which, while alien to American business convictions, could not in such a critical moment be sifted out. That waited for a later time. We think these years, together with the tightening situation abroad, have changed the temper of the opposition in America, have made it sharper, more fearful, less ready even than heretofore to give way.

Bringing the matter down directly to child labor, even if the American labor movement developed in the directions we have described and made child labor abolition one among its major issues, with such opposition we know it would have an extremely difficult task. But what could be hoped for from a control movement patterned along the old lines and using the old methods? Helped by the vigorous though still unharnessed sentiment stirring in labor circles and among professional and farmer groups, it might get the Child Labor Amendment ratified. It would then get some sort of federal law. But under such circumstances we should not expect that federal act to be even as good as the best state laws—which would leave us with most of the areas of child employment, and therefore most of the child workers, not protected at all. Nor, if the advocates moved along the old lines, could we hope for anything integrated from them, beyond paper proposals, on the other two planks in an all-round legislative program: a federal social insurance system treat-

ing all hazards and all groups, and nine-months federal aided schools, even for rural districts. From even a halting and incompletely organized political party created by labor we could expect more than from this older reform organization approach.

How much we could expect is predicated upon how far organization goes. We are safe in saying that accomplishment would be directly in proportion as the labor movement drew large masses of workers into industrial unions, and equally large numbers of wage earners, farmers and the salaried middle classes into a political party with a platform definitely framed to protect and raise the standard of life of all these groups. A strongly consolidated movement of this kind could launch a legislative campaign to eradicate the crasser forms of child labor with reasonable hope of success.

APPENDIX I

NOTE ON FIELD STUDY OF CHILD WORKERS

By Katharine D. Lumpkin and Dorothy W. Douglas

In several chapters of this book we have cited data from our own field study of child workers. Since this study has not been published in full,* a brief explanation of its scope and methods is necessary.

For our sample we took children who were nonretarded in school when they stopped to go to work. We wished to analyze in detail the operation of social-economic factors in sending these children to work, and by taking only nonretarded children we were able to delimit our group in a useful way. The retarded child and his personal difficulties, we felt, had already been dealt with amply, if not judiciously, in the numerous writings of the mental testers.

It should be needless to state, of course, that our conclusions as outlined in Part II of this book, regarding the secondary place of personal factors in sending children to work, depend not at all upon the method of sampling chosen in our own research. These conclusions, while substantiated at certain points by our own small study, were derived from studies made long before our child worker project was begun and, as the discussion in Chapter VIII shows, from a far broader field than merely child labor research.

Our main sample consisted of child workers who had stopped school at 14 or 15 to go to work. We obtained the group for study

*An article, "The Effect of Unemployment and Short-Time During 1931 in the Families of 200 Child Workers," based upon some of the findings, was published in *Social Forces*, May 1933.

from certificated children in selected cities of Massachusetts and Alabama, and a small number from Pennsylvania;* a representative sample was taken. Children who had completed the eighth grade at 14 and the ninth grade at 15 were treated as nonretarded and eligible for our sample. We also studied an older group of Massachusetts boys and girls who did not stop school to go to work until 16 or 17. For the group aged 14 and 15, we obtained a total of 482 schedules: 238 from Massachusetts, 200 from Alabama, and 44 from Pennsylvania; for the older group, 115.

Our schedule was an inclusive one covering all phases of child and family history. Information was secured on the work, personal and school history of the child, on the parents' work histories and general background, and facts of education and work history for the brothers and sisters. Also we obtained data on home conditions and changes in living standards. The field workers added to this a running account of their own impressions and, in the case of the Alabama group, asked additional special questions bearing on child and parental attitudes toward work and school. Dr. F. Stuart Chapin's Rating Scale for measuring social-economic status was used for 300 homes.

Our data were secured by experienced field workers, chief among them Mrs. Esther L. R. Cobbs and Miss Estelle Frankfurter. Field work was carried on during the winter and spring of 1931-32. Some of the children in our study had stopped school to go to work in 1929 while "prosperity" still prevailed, some in 1931 after the depression had begun to deepen, the great bulk in 1930 when the first onset of the crisis was being felt.

Among other things our study laid stress on methods of estimating the economic status of child workers' families. In view of our discussion in this book, let us explain briefly what we did. Our schedules gave information on wages and on recent changes in wage rates, on amount of unemployment and of short time, of all the working members. In addition, of course, we had the sex and ages of all the family members whether working or not. With these data we were able to estimate not only per capita income but income according to sex and age as well. Scales for consumption according to sex and

* See Preface.

age have long ago been worked out by cost-of-living students. These scales show that the costs of working-class family members rise in a steady curve from infancy to late adolescence, reaching their maximum in early manhood, and falling again somewhat in old age; and that the curve for women runs a little below that for men. The scale customarily expresses the cost of food in terms of the adult male unit, but it is commonly applied to the consumption of other articles as well. We made use of such a scale estimating what is generally called "effective" income. Findings from such full data and by the use of these careful methods should be far more accurate than those based upon unrefined income figures or, as in some child labor studies, upon no income figures at all.

Thus our figure quoted in Chapter X, that some 36 per cent of our child worker group had lived in poverty as a regular thing, was arrived at by using these thorough methods. The same methods were applied when we traced the changes that took place at or about the time the child went to work. There, it will be recalled, we found that the proportion in poverty had grown to about 62 per cent.

As indicated by our schedule described above, we gathered a large amount of material on all phases of the child worker's history and background. We were interested in analyzing the question from all angles. While in this book we have not called upon these materials extensively, the reader can see that specific data from our study are used in a number of places. The study was very helpful in that it brought us into vivid first-hand contact with child labor conditions as they exist at the present time, and in further clarifying for us the lines along which a general analysis of the child labor problem should be pursued.

APPENDIX II

NUMBER OF PERSONS PER 1,000 POPULATION RECEIVING PUBLIC OUTDOOR RELIEF IN SELECTED STATES, 1830-1935 *

<i>Year</i>	Number persons receiving public outdoor relief <i>New York</i>	Number persons receiving relief per 1,000 population <i>New York</i>
1830	9,305	4.8
1831	14,772	7.5
1832	34,773	17.3
1833	35,777	17.4
1834	32,798	15.5
1835	39,352	18.2
1836	37,959	17.2
1837	51,266	22.6
1838	105,116	45.3
1839	48,713	20.5
1840	56,561	23.3
1841	61,193	24.6
1842	61,440	24.1
1843	82,754	31.7

* See Curve of Destitution chart in Chapt. X.
Sources: Annual Reports of Departments of Public Welfare (in the earlier years usually called Departments of Charities), of New York State, 1830-50; Massachusetts, 1850-1933; and Indiana, 1896-1931. For the years 1933-35 no state figures were as yet available, so we used data from the monthly reports of the Federal Emergency Relief Administration. We took the peak month of November for 1933 and 1934, but had to take data for February for 1935. The states selected were those for which we could find consecutive data on outdoor public relief.

APPENDIX II

297

<i>Year</i>	Number persons receiving public outdoor relief		Number persons receiving relief per 1,000 population	
	<i>New York</i>	<i>Mass.</i>	<i>New York</i>	<i>Mass.</i>
1844	97,966		36.6	
1845	74,800		27.3	
1846	97,423		34.7	
1847	106,559		37.0	
1848	52,021		17.6	
1849	68,332		22.6	
1850	112,490		36.3	
1851		15,384		15.1
1852		14,398		13.8
1853		12,557		11.8
1854		11,756		10.8
1855		15,858		14.3
1856		17,244		15.3
1857		23,071		19.9
1858		21,954		18.6
1859		14,623		12.1
1860		19,936		16.2
1861		39,729		31.7
1862		35,207		27.6
1863		21,800		16.8
1864		25,500		19.3
1865		25,495		19.0
1866		26,918		19.7
1867		29,918		21.6
1868		24,750		17.6
1869		25,203		17.6
1870		25,213		17.3
1871		25,227		16.9
1872		28,173		18.6
1873		36,790		23.7
1874		56,591		35.7
1875		65,988		40.9
1876		74,384		45.2

CHILD WORKERS IN AMERICA

Year	Number persons receiving public outdoor relief		Number persons receiving relief per 1,000 population	
	<i>Mass.</i>	<i>Indiana</i>	<i>Mass.</i>	<i>Indiana</i>
1877	72,489		43.2	
1878	72,881		42.5	
1879	58,916		33.7	
1880	52,523		29.5	
1881	48,760		26.7	
1882	50,372		27.0	
1883	51,135		26.8	
1884	55,649		28.5	
1885	53,182		26.6	
1886	49,608		24.3	
1887	51,359		24.6	
1888	48,123		22.5	
1889	45,487		20.8	
1890	43,432		19.4	
1891	45,235		19.7	
1892	44,146		18.8	
1893	67,810		28.3	
1894	70,244		28.7	
1895	60,694		24.2	
1896	66,906	71,414	26.1	30.0
1897	73,066	82,235	27.9	34.0
1898	76,252	75,119	28.4	30.7
1899	64,037	64,468	23.3	26.0
1900	63,707	46,369	22.7	18.4
1901	62,211	52,801	21.8	20.8
1902	59,882	48,849	20.6	19.1
1903	59,651	40,012	20.1	15.6
1904	69,497	46,009	23.0	17.8
1905	58,358	45,331	19.0	17.4
1906	52,867	38,612	16.9	14.7
1907	57,735	37,724	18.1	14.3
1908	66,259	56,200	20.4	21.1
1909	57,009	54,518	17.2	20.3

<i>Year</i>	Number persons receiving public outdoor relief		Number persons receiving relief per 1,000 population	
	<i>Mass.</i>	<i>Indiana</i>	<i>Mass.</i>	<i>Indiana</i>
1910	59,358	43,747	17.6	16.2
1911	52,537	42,993	15.4	15.7
1912	51,423	51,081	14.9	18.6
1913	65,059	50,403	18.6	18.2
1914	97,484	78,569	27.4	28.2
1915	95,935	97,292	26.6	34.6
1916	78,090	75,763	21.4	26.7
1917	72,936	72,590	19.7	25.4
1918	71,642	61,439	19.1	21.3
1919	62,770	47,709	16.5	16.4
1920	84,907	44,253	22.0	15.1
1921	106,013	79,992	27.2	27.0
1922	87,780	94,850	22.4	31.7
1923	81,266	51,256	20.5	17.0
1924	98,955	71,725	24.7	23.2
1925	102,068	74,945	25.2	24.3
1926	102,992	.....	25.2	...
1927	117,685	111,659	28.5	35.5
1928	137,165	.....	32.9	...
1929	149,706	137,762	35.6	43.0
1930	261,354	235,888	61.5	72.8
1931	392,546	369,605	91.5	113.0
1932	560,204	.....	129.3	....
1933	608,239	346,745*	139.1	104.0
1934	673,627*	456,181*	152.5	135.3
1935	751,350*	504,283*	168.2	148.1

* Data from FERA monthly reports.

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Case materials. Our case materials in this and subsequent chapters are of several kinds. Most of them are drawn directly from life; others are composite pictures. The descriptions of processes are gleaned from Government studies, interviews with persons familiar with special fields, and our own knowledge and experience. Mrs. Esther L. R. Cobbs of Montgomery, Alabama, furnished us some material on processes, as did Miss Margaret Wiesman of the Consumers' League of Massachusetts.

The case history on page 13 of Chapter I was taken from *I Am a Woman Worker*, a volume of autobiographical sketches published in 1936 by the Affiliated Schools for Workers, 302 East 35th Street, New York City, p. 32. The case story by an industrial homemaker on page 51 of Chapter IV was furnished us from unpublished materials of the Affiliated Schools for Workers.

CHAPTER II

- | | |
|------------------------|----------------------------|
| 1: 77: II, p. 805. | 6: 27: Table 1, pp. 3-4. |
| 2: 94: p. 60. | 7: 92: Table 21. |
| 3: 47: pp. 717 ff. | 8: 94: Table 4, p. 9. |
| 4: 43: Table 4, p. 18. | 9: 91: Tables 2, 3, 9, 10. |
| 5: 65: pp. 15-16. | 10: 64. |

CHAPTER III

- | | |
|-----------------|-----------------------|
| 1: 69: p. 88. | 4: 69: pp. 8-9. |
| 2: 56: p. 7. | 5: 48: pp. 1278-1285. |
| 3: 113: p. 189. | 6: 101: p. 40. |

- | | |
|---------------------------------------|--------------------|
| 7: 103: p. 23. | 50, pp. 1078-1094. |
| 8: 124: Table 8, p. 80. | 12: 44. |
| 9: 124: Tables 17-22, pp. 84-85. | 13: 49: pp. 14-31. |
| 10: 111: p. 385. | 14: 68: Foreword. |
| 11: For the account of accidents, see | 15: 69: p. 38. |
| Bibliography, titles 102; 68; | 117: pp. 22-24. |

CHAPTER IV

- | | |
|--|-----------------------------|
| 1: 94: Table 4, p. 9. | 9: 124: pp. 44-45. |
| 2: 124: p. 47. | 10: 62. |
| 3: 94: p. 29. | 11: 63. |
| 4: 100: The cities covered were At-
lanta, Newark, Omaha, Pat-
erson, Troy, Washington,
Wilkes-Barre. | 12: 63. |
| 5: 124: p. 157. | 13: 57. |
| 6: 97: p. 36. | 14: 94: Chart 1, pp. 56-57. |
| 7: 97: p. 34. | 15: 57: p. 12. |
| 8: 94: p. 30. | 16: 76: pp. 3-17. |
| | 17: 124: p. 103. |
| | 18: 8. |

CHAPTER V

- | | |
|--|--|
| 1: 93: pp. 5 ff. | 23: 95: pp. 20, 36. |
| 93: pp. 31-32. | 24: 30: p. 95. |
| 2: 106: p. 25. | 25: 66: pp. 6-11. |
| 3: 42. | 26: 30: p. 95. |
| 4: 95: pp. 18-19, 36-37. | 27: 54. |
| 5: 95: p. 46. | 28: 44. |
| 6: 96: p. 25. | 29: 70: pp. 29, 32. |
| 7: 95: p. 38. | 30: 98: p. 34. See also 42. (These
studies were made in August
1928, at the height of Ameri-
can prosperity.) |
| 8: 106: p. 7. | |
| 9: 105: See especially pp. 5, 10, 11-
12, 17, 13-14, 8-9. | |
| 10: 124: Table 5, p. 224. | 31: 42: p. 9. |
| 11: 124: p. 243. <i>Italics ours.</i> | 32: 121: p. 6. |
| 12: 70: p. 54. | 33: 106: p. 34. |
| 13: 66: p. 5. | 34: 44. |
| 14: 9. | 35: 118. |
| 15: 66: p. 13. | 36: 96: pp. 29-38. |
| 16: 42. | 37: 55: pp. 42-43, 44. |
| 17: 95: pp. 21, 10. | 38: 98: p. 29. |
| 18: 98: p. 137. | 39: 124: p. 275. |
| 19: 66: p. 4. | 40: 95: p. 15. |
| 20: 95: p. 20. | 41: 124: pp. 279-280. |
| 21: 98: p. 32. | 42: 58: p. 57. |
| 22: 106: p. 23. | 43: 98: p. 138. |

- | | |
|--------------------|--|
| 44: 104: p. 71. | 48: 117. |
| 45: 98: pp. 37-38. | 49: 116: Table 40, p. 104; Table 32,
p. 95; Table 44, p. 109. |
| 46: 60: p. 111. | 125: p. 204. |
| 47: 71: pp. 8, 10. | |

CHAPTER VI

- | | |
|------------------------|------------------------------------|
| 1: 104. | 15: 34: p. 22. Italics ours. |
| 2: 120. | 16: 31: p. 64. |
| 3: 41. | 122: pp. 238 ff., 224 ff., 229 ff. |
| 4: 123: p. 189. | 17: 74: July 12, 1935. |
| 5: 34: pp. 4-5. | 18: 74: July 3, 1935. |
| 115: pp. 65-68. | 19: 74: July 3, 1935. |
| 6: 104: p. 4. | 20: 88: pp. 230-231. |
| 7: 98: Table 2, p. 58. | 21: 74: July 21, 1935. |
| 8: 123: p. 189. | 22: 74: July 21, 1935. |
| 9: 34: p. 71. | 23: 73: July 24, 1935. |
| 10: 94: p. 40. | 24: 29: Feb. 16, 1934. |
| 11: 34: pp. 11-13. | 25: 34: p. 59. |
| 12: 34: p. 18. | 26: 34: Chap. 4, pp. 46-63. |
| 13: 41. | 27: 34: pp. 61-62. |
| 14: 34: pp. 31-32; 41. | |

CHAPTER VII

- | | |
|--|---|
| 1: Where not otherwise specified
the quotations are taken from
title 94. | 9: 98: p. 46. |
| 2: 124: pp. 40-41. | 10: 2: pp. 239, 241, 248. |
| 94: pp. 45-46. | 11: 106: p. 21. |
| 3: 77: I, p. 778. | 12: 105: pp. 22, 8, 124. |
| 4: 99: p. 18. | 13: 98: pp. 44-45. |
| 5: 124: p. 120. | 14: 124: pp. 300-302. |
| 6: 124: pp. 141, 124, 128, 144. | 15: 98: pp. 45-46. |
| 7: 124: pp. 36-37. | 16: 124: p. 285. Quoted from Pro-
ceedings of the National Edu-
cational Association, 1925. |
| 8: 106: p. 49. | |

CHAPTER VIII

- | | |
|--|---|
| 1: 107: Table 26, p. 93. | 9: 83: pp. 31, 34. |
| 126: p. 673; also 71. | 10: 27: Tables 19, 20, pp. 41-42, 43. |
| 2: 89: p. 244. | 11: 126: pp. 725 ff., 723, 724, 726-
727, 730. |
| 3: 83: p. 33. | 12: 79: pp. 285-286. |
| 4: 35: pp. 168, 169. | 13: 36: p. 162. |
| 5: 14: pp. 284-294. | 14: 79: pp. 285 ff. |
| 6: 32: pp. 6, 66, 107. | 15: 39: pp. 40-41, 36, 34. |
| 7: 126: pp. 729, 727. Mrs. Woolley
studied no less than 1,500
children in all. | 16: 25. |
| 8: 32: pp. 7, 83. | 17: 25: pp. 209-211. |
| | 18: 25: pp. 130, 178. |

CHAPTER IX

- | | |
|---|--|
| 1: 113: p. 57. | 6: 75: Table 16, p. 58. |
| 2: 90: p. 17. | 7: 107: pp. 126 ff. See Table 51. |
| 3: 80: p. 254. | 8: 82. |
| 4: 21: pp. 151-152; Table 9, p. 26;
Table 14, p. 37. | 9: 107: Table 43, p. 115.
75: Table 42, p. 113. |
| 5: 119. | 113: Table 9, p. 46. |

CHAPTER X

- | | |
|---------------------|----------------|
| 1: 124: p. 213-214. | 3: 107: p. 18. |
| 2: 107: pp. 18, 88. | |

CHAPTER XI

- | | |
|------------------|---------------|
| 1: 69: pp. 9-11. | 3: 124: p. 3. |
| 2: 49: p. 17. | |

CHAPTER XII

- | | |
|-----------------------|--|
| 1: 112: pp. 122-124. | 26: 67. |
| 2: 112: p. 2. | 27: 67. |
| 3: 112: pp. 113-114. | 28: 114: p. 1447. Quoted in a speech
by Sen. T. J. Walsh. |
| 4: 38: pp. 95-97. | 29: 114: p. 1446. |
| 5: 24: p. 43. | 30: 115: pp. 3991-3995. |
| 6: 112: p. 133. | 31: 12: p. 122. |
| 7: 112: pp. 174 ff. | 32: 11: pp. 110-114. |
| 8: 112: pp. 193-195. | 33: 3: p. 6. |
| 9: 110: p. 266. | 34: 5: p. 6. |
| 10: 108: pp. 237-238. | 35: 74: Letter quoted, Dec. 30, 1933. |
| 11: 98: p. 44. | 36: 74: April 16, 1934. |
| 12: 70: pp. 7-8. | 37: 73: April 7, 1934. |
| 13: 70: p. 7 ff. | 38: 73: April 19, 1935. |
| 14: 70: p. 4. | 39: 74: Jan. 30, 1935. |
| 15: 70: p. 6. | 40: 6: p. 2. Editorial quoted. |
| 16: 71: pp. 143 ff. | 41: 81: April 1934. |
| 17: 59: p. 8. | 42: 67. |
| 18: 59: p. 7. | 43: 87: p. 355. |
| 19: 66: p. 5. | 44: 23: Oct. 7, 1933. |
| 20: 110: p. 240. | 45: 4: p. 2. |
| 21: 110: pp. 246-247. | 46: 72: p. 58. |
| 22: 81: April 1933. | 47: 73: June 22, 1934. |
| 23: 67. | 48: 6: p. 2. |
| 24: 114: p. 1447. | |
| 25: 10: pp. 119-121. | |

CHAPTER XIII

- | | |
|-------------------------------|---|
| 1: 110: p. 202. | 32: 108: p. 47. |
| 2: 44. | 33: 113: pp. 153, 140-141. |
| 3: 113: pp. 70-71. | 34: 108: p. 48. |
| 4: 108: p. 34. | 35: 108: pp. 11-12. |
| 5: 44. | 36: 53. |
| 6: 108: p. 47. | 37: 110: pp. 77-78. |
| 7: 110: pp. 184 ff. | 38: 110: pp. 109, 113, 114. |
| 8: 108: p. 33. | 39: 110: pp. 89, 91, 95. |
| 9: 108: p. 33. | 40: 108: p. 158. |
| 10: 110: p. 155. | 41: 52: p. 215. |
| 11: 108: p. 100. | 42: 110: p. 208. |
| 12: 40. | 43: 110: pp. 107-108. |
| 13: 110. | 44: 28: Appendix D, pp. 81-83. |
| 14: 108: p. 20. | 45: 112: pp. 182-183. |
| 15: 45. | 46: 110: pp. 153-154. |
| 16: 46. | 47: 110: p. 160. |
| 17: 45. | 48: 110: p. 255. |
| 18: 44. | 49: 44. |
| 19: 45. | 50: 110: p. 61. |
| 20: 1. | 51: 19. |
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T. J. Walsh. |
| 22: 110: p. 164. | 53: 45. |
| 23: 22. | 54: 45. |
| 24: 65. | 55: 45. |
| 25: 45. | 56: 45. |
| 26: 40. | 57: 45. |
| 27: 110: pp. 10-11. | 58: 74: Apr. 1, 1936. |
| 28: 113: pp. 68, 87, 139-140. | 59: 108: p. 157. |
| 29: 108: p. 32. | 60: 110: p. 202. |
| 30: 108: pp. 62-63. | 61: 13: pp. 51 ff. |
| 31: 108: p. 100. | |

CHAPTER XIV

- | | |
|---------------------------|--|
| 1: 112: pp. 35-36, 36-37. | 10: 112: pp. 167-168. See also pp.
151-183. |
| 2: 20: p. 425. | 11: 18: pp. 81, 30. |
| 3: 112: pp. 78-82. | 12: 112: pp. 159 ff., 174 ff., 193-194. |
| 4: 112: pp. 86-89. | 13: 18: p. 83. |
| 5: 112: pp. 94-98. | 14: 51. |
| 6: 112: p. 102. | 15: 112: pp. 41-42. |
| 7: 112: pp. 118, 121-124. | 16: 61 and 109. |
| 8: 24: p. 43. | 17: 61. |
| 9: 112: pp. 131 ff. | 18: 77: I, pp. 428 ff. |

CHAPTER XV

- | | |
|---------------------|-----------------|
| 1: 26: pp. 23-24. | 6: 17: p. 212. |
| 2: 84: p. 124. | 7: 85: p. 1024. |
| 3: 16: pp. 212-213. | 8: 15: p. 9. |
| 4: 16: p. 169. | 9: 78: p. 438. |
| 5: 86: p. 497. | 10: 67. |

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INDEX

- AAA, 73, 102, 204n.
Abbott, Grace, 20, 260, 282
Accident compensation, 108
Accidents, industrial, 107-108; rates, 39, 42; illustrative cases, 40-42
Addams, Jane, 214, 260
After-school work, 8-11, 46, 56, 152, 282
Age of child workers, 11, 23n., 65-66; in manufacturing, 11, 17, 18-19, 20, 23, 35, 36, 37, 38, 39, 53, 57, 58, 107, 108, 109, 113; in trade, 21; in street work, 45; in lumber industry, 57; in agriculture, 60, 66n., 68, 83; minimum standards, 282
Agricultural child labor, 4, 7, 17, 59-104, 282; under New Deal, 22, 23; unpaid family labor, 26, 61n., 62, 82, 86, 89-90; extent and distribution, 59, 61-62, 82-83, 86, 89-90, 94; working conditions, 59-61, 63, 64-65, 68-69, 75-76; economic status, 62-63, 66, 91; demand for, 63, 100-101; living conditions, 63, 73-75, 91-92, 100, 163; day laborers, 64; family labor, 66-67; age, 66n.; schooling of, 77-78, 110-113; under sharecropping system, 82, 86-88, 93; regulation of, 85, 96; on home farm, 86, 86n., 93-97; Negro children, 87, 89, 90; and parental rights, 95, 237; effects of depression, 97-104; unregulated, 109-110
Alabama, 20, 36, 37, 39, 57, 77, 78, 82, 120n., 172n., 173, 175, 176n., 186, 199-200, 251, 252
Altmeyer, A. J., 216
American Bar Association, 214, 229
American Coalition of Patriotic Societies, 214
American Farm Bureau Federation, 278
American Federation of Labor, 199, 200, 251-253, 255, 274, 276, 277
American Labor Party, 255, 276, 277
Arkansas, 20, 68, 77, 92-93, 102
Bardo, C. L., 214
Beet cultivation, 186, 204n., working conditions, 61, 190; age in, 62n., 66n.; living conditions, 62, 67, 68, 72-73; hours, 69; schooling of child workers, 73, 78, 79, 111-112
Berry picking: age in, 66n.; family wages, 67, 68; padrone system, 71-72; and relief, 97-100; wages, 98, 99-100; living conditions, 100
Blind-alley jobs, 30
Broken homes, 168-169
Business: demand for child labor, 27, 182-191, 280; large *vs.* small businesses, 185-186; labor policies of, 185, 199, 242, 244n., 259, 261, 262; opposition to child labor laws, 196, 197, 198, 199, 200, 201, 204-214, 218-232, 243, 263, 288; arguments against legislation, 224-227; welfare policies, 243-244, 262-263, 264; opposes government "interference," 243, 244, 256, 261, 262; "right" to employ children, 246, 285-286; individuals for regulation, 256-257; period of expansion, 261, 264-265, 290-291; and welfare changes, 262, 268; and NRA, 263; and crisis of 1929, 265-266, 291; abolition of child labor under, 281, 288; and education, 287-288; *see also* Chambers of Commerce; Economic classes; Manufacturers; Opposition

- Butler, Nicholas Murray, 3, 211, 212, 213, 223, 227, 232, 233, 234
- Byrne, William T., 12
- California, 63, 75, 110-111, 112-113, 120n.
- Canning, 54-56; kinds of work, 55; exemptions and violations in, 109
- Capitalism; *see* Business
- Cases, child workers: sharecropper's child, 4-6; tobacco, 7-8; newsboys, 8, 9-10; industrial homework, 10-11, 51-52; cotton mill, 11-13, 151-152; knitting mill, 13-14; blind-alley job, 31-32; unemployed, 33-34; long hours, 38; industrial accidents, 40-42; underprivileged environment, 121-124, 164-167
- Catholic Church: opposition to Child Labor Amendment, 221, 222, 230-231, 232, 233, 233-234n.; individual advocates of Amendment, 234n., 256
- Causes of child labor, 162-191; misconceptions, 117-118; social-economic, 124, 143-148, 151, 158, 160; rôle of individual traits, 158-159, 160; poverty and insecurity, 162, 163, 164-167, 167-181; economic crises, 171-181; influence of demand, 182-191; in business system, 281
- Chambers of Commerce, 103, 206, 253n., 264n.
- Child Labor Amendment, v-ix, 21-22, 104, 205-216, 240, 253, 254, 265, 266, 277, 278, 291
- Child labor laws, 16-18, 105-113; exceptions and exemptions, 54, 105-108, 110, 197, 198-199; enforcement, 56, 108-113; standards for, 105, 240, 282-283, 289; opposition to, 195-245; *see also* Child Labor Amendment; Regulation
- Clark, David, 204-205, 209, 221, 225, 226n.
- Colligan, Eugene, 227, 234
- Collins, J. E., 126
- Colorado, 61-62n., 62, 67, 68, 72-73, 79, 107
- Conditions of work; *see* Working conditions
- Connecticut, 21, 53, 65
- Cotton cultivation: processes, 5-6, 83, 190; age in, 66n., 83; wages, 68; hours, 68, 83; schooling of child workers, 78, 79-80; living conditions, 83-84; *see also* Tenancy
- Cotton mills; *see* Textile industry
- Counts, George S., 148
- Credit merchants: and sugar beet workers, 72-73; under sharecropping system, 92-93
- Crises, economic: and child labor, 18, 97-104, 171-181, 265; and destitution, 177-180, 290-298
- Demand for child labor, 20, 80, 91, 162, 182-191, 281; in agriculture, 63; by employers, 69; and federal relief policies, 100-101; and supply, 117-118; and personal factors, 158-159; conditions making effective, 160, 191; reasons for, 182; use of term, 182n.; rôle of employer-demand, 182-183, 183-185, 190-191; large *vs.* small businesses, 185-186
- Destitution, 175, 291; among sharecroppers, 92-93; number on relief, 1830 to 1935, selected states, 177-180, 290-298
- Domestic and personal service, 21, 22-23, 36, 49-50
- Economic classes, 257; and alleged selective process, 118-119, 125-132, 137-138, 156; *see also* Business; Middle Class; Privileged classes; Working class
- Economic insecurity, 168-169, 170-171, 176-181, 283; *see also* Causes; Poverty; Social insurance
- Education: curtailment of, for child workers, 27, 29, 76-80, 144-149; noneducative work, 28-29, 30-33; and work experience, 285-288; *see also* Schools
- Effects of child labor, 26-104, 149-151; *see also* Accidents; Hazardous employment
- Emery, James, 206, 207, 208, 228
- Employers of child labor, 182-191; *see also* Business
- Employment of children: temporary *vs.* permanent factors in, 16-18; certificates, 18, 19, 19-20n., 23, 24, 24n., 108; rise in war time, 19; increase since NRA, 23-24; insecurity of, 170-171; *see also* Extent and distribution; Names of industries
- Enforcement of child labor laws, 46, 56, 108-113

- Environment: underprivileged, 120-124; and intelligence tests, 133-135, 136, 137, 157-159; and going to work, 143-148, 151-152
- Exploitation, 25, 27, 45, 46, 54, 57, 182, 183, 184, 218, 240, 241, 280-282, 288
- Extent and distribution of child labor, 3, 15; non-agricultural, 11, 16, 17, 18, 19, 19-20n., 20, 21, 22-23, 45-49, 58; sectional, 19, 20, 21, 86-96; in agriculture, 59, 61-62n., 86; unpaid family labor, 82-83, 89-90; on home farm, 94
- Family labor, 66-67, 74, 88, 98, 99, 203, 281n.
- Farm opinion and child labor, 208-209, 211, 235n., 254, 277-278
- Farmer-Labor party, Minnesota, 255, 276, 277, 278, 278n.
- Farmers Rights League, 208-209, 234, 234n.
- Federal child labor laws, vi, 18, 201, 204, 205, 209, 225n., 252-253, 265; standards for, 282-283
- Federal Emergency Relief Administration, 24-25, 97-98, 204n.
- Federal relief policies: and child labor, 24-25, 103, 291; and agricultural child labor, 25, 97-104; and demand, 100-102, 103-104
- Field study of child workers (by the authors), 29-30, 36, 39, 50, 120n., 141, 141-142n., 142, 144, 145, 146, 147, 148, 149-150, 153, 159, 162-163, 168-170, 171-176, 172n., 176n., 186-187, 293-295
- Florida, 57, 106, 270
- Freeman, F. N., 137n.
- Fuller, Raymond G., 269
- Galpin, C. J., 163
- Georgia, 19, 20, 39, 91, 102, 106, 110, 199, 251, 252
- Goldberger, A. M., 129-130
- Goodenough, F. L., 126
- Gorman, Francis J., 277
- Hazardous occupations, 39-40, 107-108
- Hopkins, Harry, 25, 97, 101
- Hopkins, L. Thomas, 126-128
- Hours of work, 35-38; street work, 9, 46-49; manufacturing, 35-38, 39, 43, 49-50, 51, 52, 53, 57, 106, 107, 108, 109; domestic service, 36, 49-50; trade, 37; industrial homework, 52; sweatshops, 53; agriculture, 60, 65, 67, 69, 83, 203, 203n.; legal regulations and exceptions, 106; standards, 283
- Illinois, 64-65, 134
- Income status: of sharecroppers, 91-92; of farm owners, 94; of child workers' families, 173; changes in, 173-176; effective income, 295; *see also* Poverty
- Indiana, 24, 177-179
- Industrial homework, 11, 50-52, 109
- Industrial insurance, 170, 172
- Industrial unionism, 274-275, 276
- Intelligence tests, 127, 128-129, 130, 134n.; misused, 127; and environment, 128-129, 132, 133, 134, 136-137, 155n.; what they measure, 133, 134, 135, 136, 137-138, 157-159; *see also* Mental status
- Interstate compacts, 253, 253n., 263
- Iowa, 100-101
- Jackson, Gardner, 103
- Johnson, Charles S., 90
- Kawin, Ethel, 126, 134-135
- Kelley, Florence, 260, 272n.
- Kelso, Robert, 264n.
- Kentucky, 94
- Kinds of work: listed, 187-190; cotton cultivation, 5-6, 83; tobacco cultivation, 7-8, 67, 190; textiles, 19, 20, 35-36, 37, 39, 144, 186, 187; shoes, 30, 35-36, 188; clothing, 35, 188; lumber, 35, 39, 57, 188; metals, 39, 188; other factory, 13-14; street work, 46-49; industrial homework, 50-52, 109, 189; sweatshops, 52-53; canning, 54-55, 109, 190; beet cultivation, 61, 190; other agricultural, 60-61, 65
- Klineberg, Otto, 133, 135-136
- Knights of Labor, 251, 252
- Labor market; *see* Agriculture; Demand; Extent and distribution; Names of industries; Supply
- Labor Movement: work for child labor legislation, 196-200, 247-253; and social welfare changes, 247, 253,

- 290-291; rôle in regulation, 247-253, 279, 291-292; period of ineffectiveness, 273-276; and political action, 274-275, 276; new trends in, 276-279; *see also* Labor party; Regulation; Trade unions; Working class
- Labor party, 255, 276-277, 278
- Labor's Non-Partisan League, 276
- Lathrop, Julia, 260
- Legislation; *see* Child labor laws; Regulation
- Lindsay, Samuel McCune, 269
- Living conditions of child workers, 12, 284; illustrative cases, 4, 121-124; in canning, 55-56; in agriculture, 63, 73-75, 83-85, 91-92, 100, 163; changes in, 173-176; and trade union action, 283
- Lowell, A. Lawrence, 221, 231, 234
- Macfadden, Bernarr, 220, 223
- Maine, 20, 106, 197, 249-250
- Manufacturers, opposition: to state child labor laws, 196-203; to federal laws, 204, 205, 206; to Child Labor Amendment, 206-217; state associations, 206, 210, 213-214; arguments, 218-232; to regulation, 233; *see also* Business; Opposition
- Manufacturing and mechanical industries: NRA, 3, 22-23, 24, 107, 113; numbers employed, 11, 17, 18, 19, 19-20n., 20, 22-23, 58; age, 11, 17, 18-19, 20, 23, 35, 36, 37, 38, 39, 53, 57, 58, 107, 108, 109; regulation and enforcement, 17, 18-19, 35-38, 105-109, 113; employment certificates, 18, 19, 19-20n., 23, 24, 24n., 108; textiles, 19, 20, 35-36, 37, 39, 144, 186, 187; shoes, 30, 35-36, 188; work processes noneducative, 30, 43, 50, 53, 58; unemployment, 35, 35n., 43; hours, 35-38, 39, 43, 49-50, 51, 52, 53, 57, 106, 107, 108, 109; lumber, 35, 39, 57, 188; clothing, 35, 188; wages, 38, 38n., 44, 50, 51, 52, 53, 57, 108, 109; accidents and hazardous occupations, 39, 42-43n., 107-108; metals, 39, 188; industrial homework, 50-52, 109, 189; physical effects, 43, 44; sweatshops, 52-53; canning, 54-56, 109, 190; age minimum, 105; night work, 106-107, 109; minimum wage, 107; *see also* Names of industries
- Maryland, 23, 63, 68-69, 74, 78-79, 89, 203n.
- Massachusetts, 20-21, 22, 24, 36, 39, 53, 101, 120n., 127, 154-155n., 172n., 176n., 177-179, 186, 198, 204n., 209-211, 248
- Massachusetts Consumers' League, 53, 203n.
- McKelway, A. J., 225-226n.
- Mental status of child workers, 117-139, 140-142, 154-161; "inferiority" exponents, 118, 119, 125-132, 229-230, 239; and underprivileged environment, 121-124, 131-132; critics of "inferiority" exponents, 133-137, 138-139, 156-160; *see also* Intelligence tests
- Michigan, 24, 36, 62, 78
- Middle class: and early wage-earning, 12, 28, 121, 149, 153; in opposition movement, 235; in movement for control, 254-257, 273; and working class, 290; *see also* Economic classes; Privileged classes
- Migratory labor, 62-64, 75, 79, 98-99, 113n., 202-203, 203n.
- Mississippi, 20, 54-55, 57, 77, 82, 103, 269-270
- Movement for control; *see* Regulation
- National Association of Manufacturers, 206-207, 214, 219, 226, 228, 232, 241, 285
- National Child Labor Committee, 57, 61n., 67, 68, 69, 78, 79, 85, 111, 200, 201, 203-204n., 210, 215, 216, 226n., 231n., 234n., 254, 255, 256, 260, 269, 270
- National Committee for the Protection of Child, Family, School, and Church, 211, 231, 234, 245, 277
- National Committee for the Rejection of the Twentieth Amendment, 206, 207, 234
- National Conference of Social Work, 264n.
- National Congress of Parents and Teachers, 255-256
- National Industrial Conference Board, 28, 30, 42-43n., 182-183, 285
- NRA, 3, 8, 22-24, 54, 102, 107, 113, 186n., 262, 263, 265, 266, 291
- Nebraska, 111-112

- Negro children, 62, 284, 290; proportions employed, 21, 87; exploitation of, 54; schools, 77, 80n.; in agriculture, 82-84, 87, 89, 90, 99; mental status, 135-136
- New Hampshire, 249
- New Jersey, 21, 24, 62, 62n., 63, 64, 67-68, 74, 78-79, 97-99, 99n., 109, 111, 197-198, 201-203, 203n.
- Newspaper industry, 186; "little merchant" system, 47-48; opposes NRA, 186n., 214-216; opposes Amendment, 216; Newsboys: illustrative cases, 8, 9-10, 40; number and age, 21, 45-49, 216; working conditions, 46-49
- New York, 20, 22, 23, 42, 49, 77, 108, 109, 177-178, 177n., 198, 211-213, 213n., 250
- North Carolina, 23-24, 91, 94, 99-100, 102, 110, 199, 200-201, 225, 226n., 251
- North Dakota, 64, 77-78
- Occupations; *see* Agricultural child labor; Kinds of work; Names of industries
- Ohio, 120n.
- Onion cultivation, 64-65; 66n., 190
- Opposition, 149, 195-245, 266; to Child Labor Amendment, 22, 95, 205-216; temper and strength, 104, 266, 291; methods, 197-202, 204-211, 213-214, 217, 218, 252; to state child labor laws, 196-203; to federal regulation, 204-214; groups allied with, 205-208, 210-212, 213-214, 245-246; explains itself, 211, 218-233, 265; *see also* Business satisfaction with school, 153-154; retardation, 154-159
- Poverty and child labor, 25, 154, 158, 162-181, 283; in agriculture, 95-96, 163; illustrative cases, 121-124, 151-152, 163-167; extent, 162-163, 176; in urban homes, 163; low wages, 163, 171-173, 176; broken homes, 168-169; job crises, 170-171; economic crises, 171-181; rationalizations of, 237-238
- Pritchett, Henry S., 229, 234
- Private profits and child labor, 25, 27, 182, 183, 184, 236, 242-243, 246, 280
- Privileged classes, 12, 28, 121, 148, 149, 153, 173, 286; opposition to regulation, 235, 236, 246; rationalizations, 236-242; support of business, 238-239, 244-245
- Production costs and child labor, 182, 183, 184, 242, 280
- Professional workers, 278-279
- Public opinion; *see* Opposition, Regulation
- Rationalizations of opposition groups, 236-242, 246
- Reasons cited for early work, 140, 141, 141n.
- Reform period in America, 259-261, 264, 290-291; *see also* Reformers; Regulation
- Reformers, 247n., 252, 254, 258-259, 268, 279; and agricultural child labor, 85, 104, 282; and labor movement, 253, 272-274, 291-292; most active period, 258, 259-261; methods, 267-272
- Regulation of child labor, 18, 105-113, 247-279; federal *vs.* state, vi, 113; exemptions and exceptions, 54, 105-108, 110; agriculture unregulated, 80, 85, 96, 104; and reformers, 247, 267-272; and labor movement, 247-253, 267, 279, 291-292; organizations supporting, 254-255; business men favoring, 256-257; status of, 258, 266, 280; factors favorable to, 259-261; economic setting, 261-266; new trends, 276-279; to curb demand, 281, 283; prospects for, 281, 290-291, 292; standards and program for, 282-283, 289, 289-290;
- Padrone system, 70-73, 202
- Palmer, Emily, 120n., 153, 155n.
- Parental attitudes, 12, 28, 121, 141n., 149-151
- Parental rights argument, 95, 237
- Patriotic organizations opposing Child Labor Amendment, 206, 207-208, 207n., 233-234
- Pennsylvania, 20, 35-36, 50, 52, 53, 55-56, 109, 130, 196-197, 201, 203n., 250, 270
- Personal factors, 140-161, 283; and other factors, 141-142, 154, 159; preference for work, 142-153; dis-

- see also* Child labor laws; Education; Reformers
 Retardation, 77, 78, 154, 154-155n.; *see also* Mental status; Personal factors
 Rhode Island, 21, 53, 196, 248-249
 Roosevelt, Franklin D., viii, 24, 82, 216, 255, 276
 Root, Elihu, 212, 222, 235
 Rubinow, I. M., 272n.
 Ryan, John A., 234n.
- Seabrook Farms strike, 67-68
 School attendance laws, non-enforcement in agriculture, 110-113
 Schools and child labor, 80n., 247, 248, 251, 284-285, 289-290; rural, 77-79, 80n.; in the depression, 79-80; federal aid needed, 285
 Schwesinger, Gladys, 134n., 135
 Sentinels of the Republic, 206, 207, 234n.
 Sharecroppers' Union of Alabama, 277
 Smith, Alfred E., 212, 235
Social Forces, 173n., 293n.
 Social insurance and child labor, 169-170, 172, 172n., 259, 283-284, 289
 Social Security Act, 172n., 284, 291
 Social work, 260, 264, 264n., 278-279
 Socialism, 288-289
 Southern states, 11, 20, 36-38, 45, 78, 86-97, 101, 102, 103, 199-201, 208-209
 South Carolina, 19, 20, 57, 77, 78, 82, 91, 101, 106, 199, 200, 224-225, 251-252, 270
 South Dakota, 101
 Southern Tenant Farmers' Union, 68, 277
Southern Textile Bulletin, 204-205, 206, 213
 Standards of living, changes in, 173-176; *see also* Living conditions
 Standards for child labor legislation, 240, 282-283
 States rights argument, 228-229, 239-240
 Statistics, inadequacy of, 16, 18, 45, 58, 60n., 61-62n., 85-86n., 172-173
 Stines, J. Ray, 155n.
 Stoke, S. M., 126, 128-129
 Street work, 22, 23, 45, 46; *see also* Newspaper industry
 Sugar Stabilization Agreement, 204n.
- Supply, child labor, 162; poverty and insecurity, 172, 173, 180-181; use of term, 182n.; *see also* Causes
 Supreme Court, 18, 22, 23, 205, 252-253, 265
 Swope, Gerard, 263
- Talmadge, Eugene, 101-102
 Taussig, F. W., 125, 125n.
 Telegraph messengers, 42, 186, 186n.
 Tenancy and sharecropping: child labor under, 4, 73, 82-93, 96-97, 104; tenancy rate, 89; significance of status, 90-91; illustrative case, 164-167
 Tennessee, 38-39, 94, 103
 Texas, 24, 78, 82-84, 89, 94, 106, 144, 148
 Textile industry, 19, 187; illustrative cases, 11-13, 41, 164-167
 Tobacco cultivation: illustrative case, 7-8; age in, 66n.; kinds of work, 67, 190; working conditions, 67, 75-76; living conditions, 73-74
 Trade unions: agricultural, 75, 93; and child labor regulation, 196-200, 247-253; craft *vs.* industrial, 274-275, 276; and political action, 274-275, 276; in raising wages, 283; *see also* Labor movement; Regulation
 Truck farming, 64-68, 66n., 99
- Unemployment, and child labor, 24-25, 33, 35, 35n., 43, 171-181, 265, 291
 U.S.S.R., child labor abolished in, 289n.
 United States Census, 9, 16, 17, 18, 19, 20, 22, 45, 61-62n., 86
 United States Children's Bureau, 18, 23, 24, 33, 43, 46, 60, 61n., 62, 64, 65, 66, 66n., 69, 71, 77, 78, 79, 89, 91, 94, 107, 109, 111, 142, 186n., 203-204n., 258, 260
 United States Department of Agriculture, 100, 163
 United States Office of Education, 29, 79, 154n.
 Unpaid family labor, 26, 61n., 62, 82-84, 86, 89-90, 282
 Unregulated occupations, 18-19, 21, 61, 258, 281-282

- Vance, Rupert P., 88, 90
 Vermont, 106
 Virginia, 65, 89
 Vocational training, 29-30
- Wages, 12, 38-39, 51, 57, 108-109; newsboys, 9; domestic service, 50; industrial homework, 52; sweatshops, 53; in agriculture, 67, 68, 97, 99-100, 101, 102; minimum wage, 107
- Wald, Lillian, 260
- Walsh, Frank P., 234n., 256
- Walsh, Thomas J., 207, 208, 210, 231n., 235, 243
- Washington State, 63, 64, 73, 73n.
- White House Conference of 1931, 52, 59, 61n., 66, 67, 85, 86, 107, 109, 163, 191, 282, 283-284
- Wisconsin, 109, 269
- Woodbury, Helen S., 120n., 155n., 168, 170-171
- Woolley, Helen T., 120n., 127, 130-132
- Working conditions, 26, 43-44; newsboys, 9-10, 46-49; industrial homework, 50-52; sweatshop factories, 52-53; canning, 54-56; lumber and turpentine, 57; in agriculture, 59-61, 63-65, 68-69, 75-76; under padrone system, 70-73, 202; *see also* Accidents; Hours; Kinds of work; Wages
- Work of children: noneducative, 30, 43, 50, 53, 58; under private enterprise, 285-288
- Working class: economic insecurity of, 24, 162, 167-181; underprivileged status, 120-124, 143-148, 155n., 183-184; child workers from, 120n.; and social welfare changes, 247, 253, 290-291; *see also* Economic classes; Labor movement
- Workmen's compensation laws, 108, 259
- WPA, 24, 103

