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Socialism and National Minimum, by

Mrs. Sidney Webb
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and the Fabian Society



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SOCIALISM AND NATIONAL MINIMUM

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SOCIALISM AND NATIONAL MINIMUM

By
MRS. SIDNEY WEBB,
MISS B. L. HUTCHINS,
AND THE FABIAN SOCIETY

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SOCIALISM AND NATIONAL MINIMUM

I. THE ECONOMICS OF FACTORY LEGISLATION

By MRS. SIDNEY WEBB

The Need for Regulation.—It is well to begin this little book with a warning. When Modern Factory Legislation was introduced a hundred years ago, women did not concern themselves with such matters. Men did; and it is possible to prove, by the experience of a century, that they began, with the best intentions, by making every mistake that could possibly be made on the subject.

Now, the women of to-day are no cleverer than the men of that time. The sole advantage they have over the men of the eighteenth century is their knowledge of what has happened during the nineteenth century. Unfortunately, some of the politically active women of to-day have not acquired that knowledge—do not even know that it is available. They are arguing exactly as the men of their class argued when they, too, had no experience to guide them. Accordingly they are making the same mistakes, and laying down the same Nihilistic “laws,” with the same good intentions, and the same high-minded anxiety to secure, for every working woman, the personal liberty of a householder with at least three servants. My warning is, then, to form no conclusion until you know the facts. However richly your mind may be furnished, and your character fortified, by unexceptionable political principles, if you try to solve modern industrial problems by simply

asking, with regard to each proposal for industrial legislation, Is its apparent public principle one of your own private principles, you will be doing exactly what has been done before by all the men who have gone hopelessly astray on the subject. And such straying makes a much graver difference than the difference between being wrong and being right on a technical point. It has led men, and is now leading women, passionately opposed to tyranny and "sweating," to spend their lives in fighting the battle of the tyrant and the sweater against his victims. And it has led, and is still leading, those who, caring less for individual hardships, place the welfare of their country before everything, to resist every measure for the invigoration of England's industrial strength and the raising of her international prestige, as an attempt to handicap her in competition with the nations who are still foolish enough to believe that their strength lies in the weakness and degradation of their workers.

At first sight any dictatorial interference by a government official between two private persons making an ordinary contract, when it involves no offence against morality, seems an intolerable infringement of personal liberty. And when the contract is one for the sale and purchase of labour, and the interference goes to the length of preventing the transaction from taking place unless certain conditions are complied with, so that the labourer is deprived, in his need, of a job on terms which he is willing to accept and the employer to give, the action of the government may easily seem, to his middle-class friends and patrons, a denial of his right to work, and therefore of his right to live. And for this view there was, in the eighteenth century, high economic authority. "The patrimony of a poor man," says Adam Smith, "lies in the strength and dexterity of his hands; and to hinder him from employing this strength and dexterity in what manner he thinks proper, without injury to his neighbour, is a plain violation of this most sacred property."* The employer feels no less aggrieved. It is upon "freedom of

* Adam Smith's *Wealth of Nations*, 1776. Edition by J. R. McCulloch, 1839, p. 55.

enterprise" that he has been taught to rely for the reward of exceptional talent, expensive education, and the fruits of past saving. "The right of every man to employ the capital he inherits or has acquired according to his own discretion, without molestation, so long as he does not infringe on the rights and property of others, is one of those privileges which the free and happy constitution of this country has long accustomed every Briton to conceive as his birthright."* Finally, the whole body politic, though it is, through its own factory inspector, itself the aggressor in the matter, has its grievance too; for we have all learnt how greatly the national wealth and prosperity depend on the free exercise of enterprise and initiative of our inventors, manufacturers, and traders.

All these arguments against Factory Legislation are as self-evident to the ordinary man and woman of the upper or middle class as the statement that the sun rises in the east and sets in the west is to the man in the street. But exactly as our faith in the Ptolemaic system of the Universe has been shattered by a more accurate observation of facts and by unravelling the connections between these facts, so has our faith in the good results of free competition in the labour market been destroyed by a more intimate knowledge of the life and labour of our working people, and by a careful analysis of the actual process of bargaining between employer and wage-earner.

On the facts alone, the weight of evidence is overwhelmingly against unfettered competition among wage-earners for employment. For three-quarters of a century committees of both Houses of Parliament, and Royal Commissions composed of all the available experts, have sat and listened to the tale of degradation and misery brought about by individual bargaining between capitalist and wage-earner. From the horrors of the unregulated textile industries prior to 1833—"a state of slavery more horrid than the system of colonial slavery"—to the revelations in 1890 before the House of Lords Committee on the Sweating System, we hear the same dismal refrain, of

* Report of the House of Commons Committee on the State of the Woollen Manufacture in England, 4 January, 1806, p. 12.

“earnings barely sufficient to sustain existence : hours of labour such as to make the lives of the workers periods of almost ceaseless toil : sanitary conditions injurious to the health of the persons employed, and dangerous to the public.” * And it is at least remarkable that in this interminable series of public inquiries, initiated by ministers of different political parties, conducted almost exclusively by members of the capitalist and brain-working class, actuated by all sorts of motives, and swayed by very varying bias, there has never been a single case in which the verdict has been in favour of Free Competition in the Labour Market. It is, in fact, upon the recommendations of these Committees and Commissions that our successive Factory Acts, Truck Acts, Mines Regulation Acts, and Workmen’s Compensation Acts have been based. From the first instalment of state regulation in 1819, in the feeble attempt to limit the hours of children in cotton mills, down to the inclusion of washerwomen in 1895, and the universally applicable prohibitions of the Truck Act of 1896, we see the Labour Code constantly extended and elaborated, until, at the present time, every individual wage-earner in mining or manufacturing is included under one or other of its provisions.

But evidence drawn empirically from facts, though it may justify the action of the practical man, is not scientifically conclusive. Our legislators may have been mistaken in inferring that because they always found certain specific evils in unregulated trades it was the absence of regulation that caused the evils. The low wages, long hours, and bad sanitation of unregulated occupations—what, in fact, we now call “sweating”—and the better conditions prevailing in regulated industries, might be pure coincidences. To complete our conviction that they stand in the relation of cause and effect we must be able to trace the actual process by which “individual bargaining” does, as a matter of fact, bring about a beating down of the livelihood of the manual worker below the level of efficient citizenship. This laying bare of the actual working of free

* Final Report of the Select Committee of the House of Lords on the Sweating System, 1890.

competition in the labour market has been the main achievement of economic science during the last thirty years.

First, we must realise the essential and permanent inequality in bargaining power between the individual wage-earner and the capitalist employer. When the conditions of the workman's life are settled, without any collective regulation, by absolutely free contract between man and man, the workman's freedom is delusive. Where he bargains, he bargains at a hopeless disadvantage; and on many of the points most vital to his health, efficiency, and personal comfort he is unable to bargain at all.

Let us see how this comes about. We will not take a time of bad trade, when five workmen are competing for one situation. We will assume that the whole labour market is in a state of perfect equilibrium; that there is only one workman wanting work and only one situation vacant. Now, watch the process of bargaining between the employer and the workman. If the capitalist refuses to accept the workman's terms, he will, no doubt, suffer some inconvenience as an employer. To fulfil his orders he will have to "speed up" some of his machinery, or insist on his workpeople working longer hours. Failing these expedients, he may have to delay the delivery of his goods, and may even find his profits, at the end of the year, fractionally less than before. But, meanwhile, he goes on eating and drinking, his wife and family go on living, just as before. His physical comfort is not affected: he can afford to wait until the labourer comes back in a humbler frame of mind. And that is just what the labourer must presently do. For he, meanwhile, has lost his day. His very subsistence depends on his promptly coming to an agreement. If he stands out, he has no money to meet his weekly rent, or to buy food for his family. If he is obstinate, consumption of his little hoard, or the pawning of his furniture, may put off the catastrophe; but, sooner or later, slow starvation forces him to come to terms. And since success in the higgling of the market is largely determined by the relative eagerness of the parties to come to terms—especially if this eagerness cannot be hidden—it

is now agreed, even on this ground alone, "that manual labourers as a class are at a disadvantage in bargaining."*

But there is also a marked difference between the parties in that knowledge of the circumstances which is requisite for successful higgling. "The art of bargaining," says Jevons, "mainly consists in the buyer ascertaining the lowest price at which the seller is willing to part with his object, without disclosing, if possible, the highest price which he, the buyer, is willing to give. . . . The power of reading another man's thoughts is of high importance in business." † Now the essential economic weakness of the isolated workman's position, as we have just described it, is necessarily known to employer and his foreman. The isolated workman, on the other hand, is ignorant of the employer's position. Even in the rare cases in which the absence of a single workman is seriously inconvenient to the capitalist employer, this is unknown to any one outside his office. What is even more important, the employer, knowing the state of the market for his product, can form a clear opinion of how much it is worth his while to give, rather than go without the man altogether, or rather than postpone closing with him for a few weeks. Meanwhile the isolated workman is wholly in the dark as to how much he may stand out for.

At such disadvantages it is comparatively a minor matter that the manual worker is, from his position and training, far less skilled than the employer or his foreman, in the art of bargaining itself. This art forms a large part of the daily life of the employer, whilst the foreman is specially selected for his skill in engaging and superintending workmen. The manual worker, on the contrary, has the very smallest experience of, and practically no training in, what is essentially one of the arts of the capitalist employer. He never engages in any but one sort of bargaining, and that only on occasions which may be infrequent, and which, in any case, make up only a tiny fraction of his life.

* *Principles of Economics*, by Prof. A. Marshall. 3rd edition (London, 1895). Book VI, ch. iv, p. 649.

† W. S. Jevons, *Theory of Political Economy*. 3rd edition (London, 1888), ch. iv, p. 124.

Here, then, we have the first part of the explanation why unfettered individual bargaining produces bad conditions of employment. But this is not all. We often forget that the contract between employer and workman is to the employer simply a question of the number of shillings to be paid at the end of the week. To the workman it is much more than that. The wage-earner does not, like the shopkeeper, merely sell a piece of goods which is carried away. It is his whole life which, for the stated terms, he places at the disposal of his employer. What hours he shall work, when and where he shall get his meals, the sanitary conditions of his employment, the safety of the machinery, the atmosphere and temperature to which he is subjected, the fatigue or strains which he endures, the risks of accident or disease which he has to incur: all these are involved in the workman's contract and not in his employer's. Yet about the majority of these vital conditions he cannot bargain at all. Imagine a weaver, before accepting employment in a Lancashire cotton mill, examining the quantity of steam in the shed, the strength of the shuttle-guards, and the soundness of the belts of the shafting; an engineer prying into the security of the hoists and cranes, or the safety of the lathes and steam hammers among which he must move; a dressmaker's assistant computing the cubic space which will be her share of the workroom, criticising the ventilation, warmth, and lighting, or examining the decency of the sanitary accommodation; think of the woman who wants a job at the white-lead works testing the poisonous influence in the particular process employed, and reckoning, in terms of shillings and pence, the exact degree of injury to her health which she is consenting to incur. No sensible person can really assert that the individual operative seeking a job has either the knowledge or the opportunity to ascertain what the conditions are, or to determine what they should be, even if he could bargain about them at all. On these matters, at any rate, there can be no question of free contract. We may, indeed, leave them to be determined by the employer himself; that is to say, by the competition between employers as to who can

most reduce the expenses of production. What this means we know from the ghastly experience of the early factory system; when whole generations of our factory hands were stunted and maimed, diseased and demoralised, hurried into early graves by the progressive degeneration of conditions imposed on even the best employers by the reckless competition of the worst.

And if we consider the hours of labour, we shall see that, in the typical processes of modern industry, individual choice as to the length of the working day has become impossible. The most philanthropic or easy-going builder or manufacturer could not possibly make separate arrangements with each of his work-people as to the times at which they should come and go, the particular intervals for meals, or what days they should take as holidays. Directly we get machinery and division of labour—directly we have more than one person working at the production of an article—all the persons concerned are compelled, by the very nature of their occupation, to work in concert. This means that there must be one uniform rule for the whole establishment. Every workman must come when the bell rings, and stay as long as the works are open; individual choice there can be none. The hours at which the bell shall ring must either be left to the autocratic decision of the employer, or else settled by collective regulation to which every workman is compelled to conform.

Such are the disadvantages at which, when the labour market is in a state of perfect equilibrium, the isolated individual workman stands in bargaining with the capitalist employer. But it is, to say the least of it, unusual, in any trade in this country, for there to be no more workmen applying for situations than there are situations to be filled. When the unemployed are crowding round the factory gates every morning, it is plain to each man that, unless he can induce the foreman to select him rather than another, his chance of subsistence for weeks to come may be irretrievably lost. Under these circumstances bargaining, in the case of isolated individual workmen, becomes absolutely impossible. The foreman has only to

pick his man and tell him the terms. Once inside the gates, the lucky workman knows that if he grumbles at any of the surroundings, however intolerable; if he demurs to any speeding up, lengthening of the hours, or deductions; or if he hesitates to obey any order, however unreasonable, he condemns himself once more to the semi-starvation and misery of unemployment. The alternative to the foreman is merely to pick another man from the eager crowd. The difference to the employer is imperceptible.

So far, the argument that the isolated workman, unprotected by any law or other collective regulation, must necessarily get the worst of the bargain, rests on the assumption that the capitalist employer will take full advantage of his strategic strength, and beat each class of wage-earners down to the lowest possible terms. In so far as this result depends upon the will and intention of each individual capitalist the assumption is untrue. There are, in every industry, intelligent, far-sighted, and public-spirited employers who take a positive pleasure in augmenting the wages and promoting the comfort of their work-people. Why not trust to the free play of the benevolent instincts to secure humane treatment for the worker?

The obvious reply is that the employer is not always benevolent. Besides, there are equally conclusive replies which are not obvious, the chief of them being that the employer is no more free to give good treatment than the labourer is to refuse bad. The employer has to sell his product in competition with all the other employers, and, if he does not keep his expenses of production down to the lowest point they can attain, he will be undersold and ruined. Unless he is protected by some species of monopoly, such as the possession of a patent or a widely advertised name, or membership of a syndicate or trust, he is constantly finding himself as powerless as the workman to withstand the pressure of competition. Every expense that does not directly "pay"—that is, every disinterestedly benevolent expense—must be imposed simultaneously on the whole body of employers, or the least scrupulous

and most necessitous of them will promptly retrench it, reduce the price of the product, and thus tempt away the customers of those who refuse to follow suit. In fact, the supposed freedom of the employer to protect the worker is as illusory as the supposed freedom of the worker to protect himself.* ✓

The question remains, can the private consumer do anything in the matter? From time to time we see attempts made, usually by philanthropic ladies, to form "consumers' leagues," the members of which pledge themselves to boycott Somebody's matches, to abstain from buying shirts stitched by Tom Hood's garret-sempstress, and, in short, to repudiate the bait of cheapness.

All such attempts necessarily fail to cope with the evil. And for this failure there are five main reasons. To begin with, the plan of tracing the history of the article back to the factory or garret in which it was manufactured, or the several factories or garrets in which its component parts were manufactured, is usually quite impracticable, and in any case is only open to persons of considerable means and leisure, endowed with capacity for industrial investigation. Secondly, the rough test of quality or expensiveness is wholly misleading. The finest and most expensive broadcloth, made in the West of England factories, is the product of worse-paid labour than the cheap "tweeds" of Dewsbury or Batley. Costly hand-made lace is, in actual fact, usually the outcome of cruelly long hours of labour, starvation wages, and incredibly bad sanitary conditions; whilst the cheap article, which Nottingham turns out by the ton, is the output of a closely combined trade, enjoying exceptionally high wages, short

* The case of the domestic servant is still often adduced, by otherwise well-educated persons, as if it contradicted the need for Trade Unionism or Factory Legislation. As a matter of fact, it greatly strengthens the argument in their favour. What crushes the unprotected worker in the sweated trades is the pressure of the competitive *profit-making* of which that worker is the humble instrument. The domestic servant, as usually understood, is not an instrument of competitive profit-making, and is therefore not subject to this pressure. Wherever the servant is such an instrument, as in restaurants and lodging-houses, all the well-known symptoms of sweating are found.

hours, and comfortable homes. Thirdly, it is of no use to prefer the dearer shop to one which offers the same articles at cutting prices. Even if the consumer made the Quixotic rule of paying the old-fashioned price for everything, he has no ground for hoping or believing that the shopkeeper will pass his bounty on to the wholesale dealer, the wholesale dealer to the manufacturer, and the manufacturer to the wage-earner. Fourthly, the consumer has, in many cases, absolutely no choice left to him. It is the characteristic of cheap articles, energetically pushed by their producers, that they drive their competitors out of the market, so that the consumer must often use a sweated product or go without. Finally, we have the fact that an enormous proportion of our sweated workers are employed in producing goods for export to other countries. Unless we could include in our "consumers' league" the millions of Hindoo, Chinese, and Negro purchasers of our exports, no such action can ever put an end to the sweating system.

Hence it is futile to expect that the evils of "sweating"—that is, starvation wages, excessive hours, and unhealthy work-places—can be abolished, or even appreciably lessened, by the individual employer of benevolent instincts, or by the individual customer indifferent to price and capable of investigation. If we are in earnest to stop the physical and mental degradation of large sections of the wage-earners, we must, by one means or another, enforce on all employers a minimum of humane order as the inviolable starting-point of competition.

Parasitic Industries and Foreign Competition.—So far, the case for the Factory Acts is simple enough; and those who have hitherto opposed such legislation solely because they imagined that the workers could otherwise protect themselves against sweating, without the restraints of an additional law, may leave the matter here. But from the wider point of view of the statesman it is not so easily disposed of. It may be desirable that every wage-earner should have healthy conditions of employment secured to him by law; but none the less must the nation cut its coat according to its cloth. If it is a very poor nation

(though with our present powers over Nature no civilised nation need nowadays be very poor), its people must work hard and long for little wages; if a rich one, its people must still produce its income and live within it. If it depends on foreign trade, it must not hamper or destroy that trade. Consequently, the statesman, and those who are thoughtful and wide-minded enough to take the statesman's view, will not be satisfied with a demonstration that Factory Acts protect the individual worker from oppression by the individual employer. They will require, in addition, a demonstration, first, that legislatively regulated industry is not less economical, from the national point of view, than unregulated industry; and, second, that the regulation will not react disastrously on our foreign trade.

These demonstrations do not spring into view quite so alertly as the one made in the last section; but they are quite practicable and conclusive, and, if patiently followed, not difficult to grasp.

Let us first take the question whether the cheapness of labour in a sweated industry is nationally economical; that is, whether it is cheap to the nation as well as to the sweater.

We have seen how, in trade after trade in which the wage-earners were unprotected by any kind of collective regulation, it has been found that they were reduced to "earnings barely sufficient to sustain existence, hours of labour such as to make the lives of the worker periods of almost ceaseless toil, sanitary conditions injurious to the health of the persons employed and dangerous to the public." This, clearly, is the minimum below which even the most hard-pressed or the most grasping employer is unable to descend—the bare subsistence needed to keep his workers alive from moment to moment whilst they are hired. What has only of late been realised is the effect of such conditions upon our national wealth. It may be enough for the individual employer if his work people remain alive during the period for which he hires them. But for the continued efficiency of the nation's industry, it is indispensable that its citizens should not merely continue to exist for a few months or years, but

should be well brought up as children and maintained for their full normal life unimpaired in health, strength, and character. The human beings of a community form as truly a portion of its working capital as its land, its machinery, or its cattle. If the employers in a particular trade are able to take such advantage of the necessities of their work-people as to hire them for wages actually insufficient to provide enough food, clothing, and shelter to maintain them and their children in health; if they are able to work them for hours so long as to deprive them of adequate rest and recreation; or if they subject them to conditions so dangerous or insanitary as positively to shorten their lives; that trade is clearly using up and destroying a part of the nation's working capital. When we are dealing with other factors of production, such as machinery or agricultural land, the folly of such a process of exhaustion or deterioration is at once apparent. The land agent who would lease arable or pasture land to a farmer without insisting on proper covenants against misuse or exhaustion of the soil would be held guilty of incompetence or fraud. The manufacturer who attempts to lower his cost of production by not repairing or replacing his machinery earns the contempt of his fellows, and, in due course, the bankruptcy court. The reason why the employer sees no analogy between "sweated" labour and deteriorating machinery is plain. In the case of the machinery, he has sooner or later to pay the capital value of what he has worn out. In the case of the labour, he hires it by the week, and, in the absence of collective regulation, hires it without covenant to maintain its efficiency. If the workers thus used up were horses—as, for instance, on an urban tramway—the employers would have to provide, in addition to the daily modicum of food, shelter, and rest, the whole cost of breeding and training the successive relays necessary to keep up their establishments. In the case of free human beings, who are not purchased by the employer, this capital value of the new generation of workers is placed gratuitously at his disposal, on payment merely of subsistence from moment to moment, so long as hired.

Industries yielding only a bare minimum of momentary subsistence are therefore not really self-supporting. In deteriorating the physique, intelligence, and character of their operatives, they are drawing on the capital stock of the nation. And even if the using up is not actually so rapid as to prevent the "sweated" workers from producing a new generation to replace them, the trade is none the less parasitic. In persistently deteriorating the stock it employs, it is subtly draining away the vital energy of the community. It is taking from these workers, week by week, more than its wages can restore to them. A whole community might conceivably thus become parasitic on itself, or, rather, upon its future. If we imagine all the employers in all the industries of the kingdom to be, in this sense, "sweating" their labour, the entire nation would, generation by generation, steadily degrade in character and industrial efficiency. Now, in human society, as in the animal world, the lower type developed by parasitism, characterised as it is by the possession of smaller faculties and fewer desires, does not necessarily tend to be eliminated by free competition; on the contrary, the degenerate forms may flourish in their degradation, and destroy the higher type, like weeds in a neglected garden. Evolution, in a word, if unchecked by man's selective power, may result in Degeneration, as well as in what we choose to call Progress.

One of the common forms of industrial parasitism is that in which an employer, without imparting any adequate instruction in a skilled craft, gets his work done by boys and girls who live with their parents and work practically for pocket-money. Here he is clearly receiving a subsidy or bounty from the parents—that is, from the industry by which the parents live—which gives his process an economic advantage over those worked by fully-paid labour. But this is not all. Even if he pays the boys or girls a wage sufficient to cover the cost of their food, clothing, and lodging so long as they are in their teens, nevertheless, if he dismisses them as soon as they become adults, he is in the same predatory case. For the cost of boys and girls to the community includes not only their

daily bread between thirteen and twenty-one, but also their nurture from birth to the age of beginning work, and their maintenance as adult citizens and parents. If a trade is carried on entirely by the labour of boys and girls, and is supplied with successive relays who are dismissed as soon as they become adults, the mere fact that the employers pay what seems a good subsistence wage to the young people does not prevent the trade from being economically parasitic. The employer of adult women is in the same case where, as is usual, he pays them a wage insufficient to keep them in full efficiency irrespective of what they receive from their parents, husbands, or lovers.

In all these instances the efficiency of the services rendered by the young persons or women is being kept up out of the earnings of some other class. These trades are, therefore, as clearly receiving a subsidy as if the capitalists were paid a bounty out of the taxes, or as if the workers were being given a "rate in aid" of wages. The employer of subsidised woman or child labour gains actually a double advantage over the self-supporting trades: he gets without cost to himself the extra energy due to the extra food, and he abstracts—possibly from the workers at a rival process, or in a competing industry—some of the income which might have increased the energy put into the other trade.

This phenomenon of industrial parasitism disposes at one blow of the superficial notion that sweated wares are cheap to the nation even when they are low in price to the consumer. On the contrary, they are the only wares that are not cheap at any price. Their production is a process of impoverishment: from the statesman's point of view it is not production at all, but waste.

And now, if we proceed at once to the second question—that of foreign trade—it will be plain from the beginning that the only point to be settled is whether this waste can be converted into wealth by exchanging its results for the products of other nations. An absurd question, apparently; and yet during the first fifty years of the nineteenth century, the sweating entrepreneur in the

unregulated industries sought to warn off the timid legislator by declaring that, if the cost of production (to himself) were raised by requiring shorter hours or better sanitary conditions, "the trade would go out of the country." As we have seen, the cost of production to himself was no measure of the cost of his products to the country; and as a matter of fact, act after act has been passed regulating particular industries, and these have not left the country, but have, on the contrary, increased and flourished. In face of this continued growth and prosperity of the most highly regulated industries, and of the constant withdrawal of orders for our "sweated" products, the outcry about foreign competition has perceptibly weakened.

Nevertheless, the true relation of foreign competition to industrial parasitism has only lately been clearly ascertained. The question raised by the parasitic traders, in their desperate pleas against extinction by factory legislation, are oftener disregarded than correctly answered. To clear up the point, let us assume that conditions of employment good enough to provide for the adequate repair and replacement of the human labour-force expended do, at any rate at first, raise the cost of production and so limit the demand for the product. What bearing has this fact on our policy as a nation?

We have already seen that the right answers to economic questions are seldom the superficially obvious answers, and often the very opposite of them. The real movements of international trade are quite as unexpected to the man who regards his own factory as the centre of the world's industry, as those of the heavenly bodies are to the man who regards the earth as the centre of the universe.

English producers of commodities for foreign markets, and those who manufacture, for home consumption, commodities that can be imported from abroad, find their industries expanding or contracting according as the prices of their products rise and fall in other countries as well as at home. This may be clearly seen in the case of English coal. The cargoes from Cardiff and the Tyne go all over the world, and find, in many foreign parts, practically no

competitors. But how far inland our coals will push into each continent varies with every change of price. In Germany the Silesian and Westphalian mines, in Australia those of New South Wales, and in South Africa those of the Cape and Natal already supply a great part of the local demand. The geographical limit at which the use of English coal ceases to be cheaper than the inland supply is seen in practice to be as sensitively mobile as the thermometer. And if we turn from the influence of foreign production on our exports to that of imports on home production, we may watch the area of wheat-growing in Great Britain expanding or contracting in close correspondence with the oscillations of the world-price of wheat.

So far, the success of any class of English producers in competing for the world's custom would seem to depend exclusively on their ability to undersell the foreign producers of the same article. But national economy is not so simple as this. Even private individual economy carries one beyond so crude a position, as the following examples show. It may be assumed that if a Prime Minister or Imperial Chancellor were to give his whole mind to the art of lighting fires and dusting furniture he might be able to accomplish both feats in, say, three minutes less than an average housemaid. Nevertheless it would be very bad economy for such a statesman to light his own fire and dust his own study instead of paying a housemaid to do it for him. Economy for him means making the best use of his time and talents as a whole, and not doing anything merely because he can do that particular thing better than somebody else. Now, a nation is under the same obligation as an individual. For it, economy does not consist in offering to the world-market every article which it could produce more cheaply than foreigners. What it has to do is to put its energy into producing for export those articles in which its advantage over the foreigner is the greatest.

Now comes the practical question. How are we to ensure that exactly those articles are selected for export which fulfil the above condition? At present the selection is left to the competition of our export manufacturers.

Each of these manufacturers imagines that he is competing with foreign manufacturers; and so he is for English customers. But for foreign orders he is really competing with the rival exporters of his own country. The reason he does not see this is simple enough. He strikes at his unseen home competition through the body of the whole mass of foreign trade. For instance, suppose we have a fall in the cost of production of English machinery, coal, and textiles. As a result the manufacturers and coal-owners of Lancashire and Cardiff get a number of additional orders, which have hitherto gone to foreign firms. This result is perfectly satisfactory to Lancashire and Cardiff: they inquire no further, and are convinced that their gain is the nation's gain. But other things have happened of which they know nothing. The additional goods they have exported will be paid for by additional imports. Now, since one does not "send coals to Newcastle," these additional imports will clearly not be imports of machinery, coal, and textiles. They may be American food-stuffs or Australian wool, German glass wares or Belgian iron. What is the result? The Yorkshire farmer, glass-manufacturer, or ironmaster, loses the equivalent of the trade which the Lancashire and Cardiff manufacturer has gained, and he never knows where the blow has come from. Lancashire and Cardiff exult in their victory over the foreigner; the foreigner complains to his government that Lancashire and Cardiff are ruining him; some other foreigner exults in his victory over Yorkshire; and Yorkshire complains to the English government that foreign competition is driving its trade out of the country. Yet all that has really happened is that Lancashire and Cardiff have taken away from Yorkshire some of its export trade; and all that England has to consider is whether it is better for the nation as a whole that it should export Lancashire and Cardiff products or Yorkshire products.

The free-traders of fifty years ago assumed that this did not matter—that English exports were English exports anyhow. Let us take an instance—a typical instance—to show that it does matter very vitally indeed.

Suppose the jobbing home workers in the Sheffield cheap cutlery trade keep down the price of their product by working long hours, without expensive sanitary precautions, at the starvation wages of cut-throat competition, they may gain by their wretchedness a miserable victory over French and German blades in the market. The effect of this victory is to prevent the importation of foreign blades and even to promote additional exports of Sheffield goods. Its further effect is to cause the importation of other commodities in the place of these foreign blades. The brothers and cousins of the Sheffield cutlers, earning high wages in the Yorkshire glass works and iron furnaces, may therefore find their employment diminished by the persistent influx of German glass and Belgian iron. Here you have the sweated, parasitic, export trade driving out the self-supporting one. Carry that process far enough and it will make, of all England, the same den of poverty, disease, crime, exhaustion, and premature death that Lancashire was before the Factory Acts rescued her and placed her among the most prosperous of English industrial counties. We may therefore, with perfect exactness, apply to our unregulated sweated industries the words of the shrewd observers who exposed the evils of the Old Poor Law. "Whole branches of manufacture," they said, "may thus follow the course, not of coal mines or streams, but of pauperism; may flourish like the fungi that spring from corruption in consequence of the abuses which are ruining all the other interests of the place in which they are established, and cease to exist in the better administered districts in consequence of that better administration." *

We now see why sweating must be barred in the interests of our international position, as well as of our insular soundness. We see our country, not as a single shop competing with the great shops of a dozen other nations for the custom of the planets, but rather as a great bazaar in which all the dealers compete with one another for the custom of the foreigner as he strolls past the booths.

* First Report of Poor Law Commissioners, 1834, p. 65; or reprint of 1884 (H.C. 347 of 1884); *Industrial Democracy*, p. 755.

In that bazaar the cotton-spinner and the coal-hewer compete with the farmer, and the farmer with the optician and watchmaker. Every English manufacturer and trader competes with all the other English manufacturers and traders, bazaar fashion; and the fact that they all mistake the foreigner for their competitor, and honestly condole with one another on the losses which they themselves have mutually inflicted on each other, has to be discounted by the statesman as he discounts so many other popular delusions.

Now there are two main ways of competition in trade, whether for home or foreign custom—an upward way and a downward way. On the upward way the competitor strives to succeed by increased efficiency of production, by more intelligent and therefore more economical organisation, by the invention or adoption of new processes, and by improving the character, and therefore the product, of the labour employed. On the downward way the competitor strives to cheapen his product and enlarge his profit by throwing as much as possible of the cost of the labour he employs on the rates, the charities, and, above all, on the other industries. He pays starvation wages to his adult workers, and "sweats" them without regard to their health or endurance, knowing that when they are disabled or worn-out, the hospital and the workhouse will receive them at the expense of the community. He relies as far as possible on the labour of women and children, knowing that these will be partly supported by the wages earned by their husbands and parents in other industries. And, by these purely parasitic methods, he puts his product on the market at a fictitiously low price, which compels his rivals in the same trade to copy his methods, or lose their customers. What is even worse, this fictitious cheapness enables him to displace, from our export trade, some other English industry not resorting to such equivocal methods of reducing the expenses of production. Clearly, this success is the result, not of "Free Trade," but of a "bounty," and one of the worst sort—a bounty not deliberately conferred as an act of public policy, but filched from other sections of the community. Clearly, too, all

the export trade which the parasitic sweated industry wins, is not won for the nation at all, but is merely diverted from better-paid occupations. The conclusion is irresistible. The first condition of national efficiency and national prosperity is the resolute blocking of the downward way, and the intelligent policing of the upward, by factory legislation.

For the sake of those who may remember enough of the economics of the Manchester school to be puzzled by the obviousness of a practical conclusion so opposed to their maxim of *Laissez Faire*, it is worth pointing out how their error arose. They were so much taken up with the idea of removing the State-created fiscal barriers and bounties between nations that they overlooked the bounties which the sweating employers were pocketing by sleight of hand, without the knowledge or intention of the State. M'Culloch and Nassau Senior, Cobden and Bright, realised clearly enough that a grant of money aid to a particular industry out of the rates or taxes enabled that industry to secure more of the nation's brains and capital and more of the world's trade, than was economically advantageous. They even understood that the use of unpaid slave labour constituted just such a bounty as a rate in aid of wages. But they never clearly recognised that the employment of children, the over-work of women, or the payment of wages insufficient for the maintenance of the operative in full industrial and domestic efficiency, stood, economically, on the same footing. If the object of "Free Trade" is to promote such a distribution of capital, brains, and labour among countries and among industries, as will result in the greatest possible production with the least expenditure of human efforts and sacrifices, the factory legislation of Robert Owen and Lord Shaftesbury formed as indispensable a part of the Free Trade movement as the tariff reforms of Cobden and Bright. "During that period," wrote the Duke of Argyll of the nineteenth century, "two great discoveries have been made in the Science of Government: the one is the immense advantage of abolishing restrictions upon trade; the other is the absolute necessity of imposing restrictions on labour. . . .

And so the Factory Acts instead of being excused as exceptional, and pleaded for as justified only under extraordinary conditions, ought to be recognised as in truth the first legislative recognition of a great Natural Law, quite as important as Freedom of Trade, and which, like this last, was yet destined to claim for itself wider and wider application." *

The Lessons of Experience.—It is now clear that the extirpation of "sweating" by individual acts of self-defence on the part of the wage worker, or of benevolence on the part of the employer, is impossible, and that the enforcement of a compulsory minimum is sound in principle. Let us see how it has worked out in practice.

The two great industries which, at the beginning of the nineteenth century, were conspicuous for the worst horrors of sweating were the textile manufactures and coal mining. Between 1830 and 1850 the Parliamentary inquiries into these trades disclosed sickening details of starvation wages, incredibly long hours, and conditions of work degrading to decency and health. The remedy applied was the substitution, for Individual Bargaining between employer and operative, of a compulsory minimum set forth in Common Rules prescribing standard conditions of employment. Some of these Common Rules related to wages, others to hours, and others, again, to safety and sanitation. Some of them were imposed and enforced by legislation; others by collective agreements entered into between the Trade Unions and the employers' associations. Which of these two methods of imposing Common Rules is the better will be considered presently. For the moment we are only concerned with the fact that both of them abolished, as far as they went, the freedom of the individual employer and the individual operative to make what bargains they pleased with one another. Masters and work-people alike found themselves deprived of their old liberty to under-cut certain prescribed wages, hours and conditions of work. What was the result? Fortunately there is no dispute. Every one who knows

* *The Reign of Law* (London, 1867), pp. 367, 399.

these great industries agrees in declaring that the horrors which used to prevail under Individual Bargaining have been brought to an end. The terms "cotton operative" and "coal miner," instead of denoting typically degraded workers, as they did in 1830, are now used to designate the very aristocracy of our labour. And when, to-day, those who are interested in the industrial progress of women need an example of a free and self-reliant class of female wage-earners, earning full subsistence, enjoying adequate leisure, and capable of effective organisation, they are compelled to turn to the great body of Lancashire cotton-weavers, now for half a century "restricted" in every feature of their contract.

Nor has the remedy for sweating ruined the trades to which it has been applied. If, for instance, we compare the distribution of industry in Great Britain fifty years ago with that of the present day, we are struck at once by the enormous increase in the proportion occupied by textile manufactures (especially cotton), ship-building, machine-making, and coal-mining, as compared with agriculture and with those skilled but unorganised handicrafts like watchmaking, for which England was once celebrated. To whatever causes we may ascribe the success of the former industries, the old protests that regulation meant ruin to them are disposed of by the fact that they are exactly those in which the individual employer has not been free to make any bargain he chose with the individual operative, but has had to comply with Common Rules, enforced, for the whole industry, by the Trade Union or the Factory Inspector. Concurrently with the enormous expansion of these regulated trades, has been the gradual ousting, even from the home market, of our manufactures of the commoner sorts of joinery, glass, paper, and cutlery—all of them articles in which the operatives have never been able to secure effective regulation either by Trade Unions or Factory Acts.

Thus, if we were to judge merely by actual experience, the substitution, for Individual Bargaining, of compulsory minimum conditions embodied in Common Rules,

not only gets rid of sweating, but is positively advantageous to the trade concerned. That this is no mere coincidence, we shall see if we examine how these Common Rules act. Paradoxical as it may seem, the mere existence of compulsory minimum conditions of employment, below which no employer and no workman may descend, directly improves the employer, improves the operative, and improves the processes of manufacture.

We must first realise how entirely the modern Labour Code differs from the regulations that were current in the Middle Ages. A long series of statutes from Edward the Third to James the First determined the maximum amount of money to be given, or leisure to be allowed, by the employer to his work-people. Any person offering or accepting *better* conditions of employment was subject to severe penalties. The modern device of the Common Rule is based upon a diametrically opposite principle. It invariably enforces a Minimum beyond which no employer may descend : never a Maximum upon which he may not, if he chooses, considerably improve. This is equally true of the Common Rules enforced by law, and of those embodied in an agreement between the Trade Union and the associated employers. An employer who, for one reason or another, desires to fill his works with the most respectable young women, does not restrict himself to the already high standard of comfort and decency enforced by the Factory Act : he sees to it that the workrooms are cheerful, warm and light ; provides dining-rooms and cloak-rooms, hot water, soap and towels, without the usual irritating charges ; takes care to prevent any opportunity for the foreman's petty tyrannies ; and strives to make a kindly and cheerful spirit pervade the whole establishment. When the Common Rule is enforced by voluntary collective agreement, the Trade Union never objects to an employer attracting superior workmen to his establishment by adopting a scale of wages in excess of its standard ; by introducing an eight hours' day ; or by promising full wages during holidays or breakdown.

Thus, unlike the medieval statutes, the modern device of the Common Rule in no way limits the competition of

employers for workmen, or stereotypes the condition of the wage-earners at any existing low level of comfort. On the contrary, the mere enforcement on all employers of standard conditions, even if these amount to no advance, but merely embody the wages, hours, and sanitation already given by the average employer, inevitably transforms what was formerly the mean into a new minimum. Silently there is set up, in the eyes both of employers and workmen, a new mean between the conditions which even the worst employer now finds himself compelled to give, and those which the best employer voluntarily concedes to his work-people. Presently, the public opinion of the trade seeks to incorporate this new mean in an amendment of the Factory Act, or a new agreement between the Trade Union and the associated employers. If the economic conditions are favourable, and the agitation is wisely and moderately conducted, it will sooner or later attain its end, and thus raise conditions another step. Every employer knows that this has been the actual experience of trade after trade in which a Common Rule has been enforced. Thus, the enforcement of a minimum in any trade is found by experience to have two separate effects on the livelihood of the wage-earners. It not only protects the most necessitous individuals and the most helpless classes from any degradation of their Standard of Life. Its very enforcement silently starts influences in the minds of the employers and work-people which result in successive improvements in the conditions enjoyed by the whole trade.

So far, the advantages of a Common Rule are all on the side of the wage-earners. If there were no counterbalancing advantages to the employer, it would seem as if the cost of production would be thereby increased. Yet the experience is all the other way. In trade after trade in which Common Rules have been enforced, the cost of production has gone down. The explanation of this paradox has been discovered by watching the other effects of the Common Rule. The mere enforcement, on all the employers in a trade, of standard rates of wages, a normal working day and prescribed conditions of sanitation and

safety, itself causes an improvement in the services rendered by the operatives, stimulates the managers to introduce new processes and machinery, and expands the business of those establishments which are most favourably situated, best equipped and most skilfully conducted.

Again, in the selection of new workers, and in the organisation of the factory, the very existence of definite Common Rules impels the employer to require a much higher standard of character and conduct than he would otherwise exact. And the fact that the employer's mind is constantly intent on getting the best possible workmen silently and imperceptibly reacts on the wage-earners. The young man and woman knowing that they cannot secure a preference for employment by offering to put up with conditions worse than the standard, seek to commend themselves by good character, technical skill, and general intelligence. Hence, under the moral force of a Common Rule, there is not only a constant selection of the most efficient and well-conducted candidates, but also a positive stimulus to the whole class to become ever more self-controlled and efficient.

But can we get the wage-earner, male or female, to respond to this continuous incitement to self-improvement? Here the most obvious effects of enforcing a Standard Rate of Wages, a Normal Working Day, and definite conditions of sanitation and safety become of great importance. Give the human being good ventilation, decent surroundings, adequate periods of rest and sufficient food, and, like a well-kept horse, you can get much better work out of him. The unskilled labourer who is only half fed, whose clothing is scanty and inappropriate to the season, who lives with his wife and children in a single room in a slum tenement, and whose spirit is broken by the ever-recurring irregularity of employment, cannot by any incentive be stimulated to much greater intensity of effort, for the simple reason that his method of life makes him physiologically incapable of either the physical or mental energy involved. Similarly, in manufactures as yet unregulated, we find the female "trouser-hand" or slipper-maker, earning a shilling a day, paying eighteenpence a

week rent for a corner of a garret, feeding on weak tea and bread and pickles, working for twelve or fifteen hours out of every twenty-four, with neither the heart nor the strength to learn a new machine or take her part in any complicated system of division of labour. Her master may force her to have fewer wants: he cannot get out of her more effective service.

But take any one of these sweated workers who is not yet completely shattered in health and character, give her a few weeks' employment in a comfortable home, with regular meals and proper periods of rest, and you will observe a slow revival of her faculties, an increase in her strength, and usually a growth of self-control and general capacity. Watch the same experiment tried on a larger scale and for a longer period, and the results are still more convincing. Nothing could be more striking than what actually happened in Lancashire. In 1830, the cotton operatives were in a condition of "sweating" as bad as that at present prevailing at the East-End of London. Competition, free from regulation, had in half a century produced a race of pale, stunted and emaciated creatures, irregular in their lives and dissolute in their habits. Their case appeared so desperate that, for those who believed in *Laissez Faire*, "the only hope," as Harriet Martineau confessed, "seems to be that the race will die out in two or three generations."* Fortunately, Harriet Martineau's advice was not taken, and the experiment was tried of placing the cotton trade under definite Common Rules as to wages, hours, and sanitation. These, from 1833 onward, have constantly been more strictly enforced, either by law or collective agreement. The result has been marvellous. In the course of half a century, those once sweated workers have gradually become energetic, self-reliant, and self-controlled men and women, working with unrivalled speed and efficiency during their strictly limited hours, and maintaining, in their comfortable homes, almost a "bourgeois" standard of family life. This experience does not stand alone. In every trade or district

* *Harriet Martineau's Autobiography*, by Maria Weston Chapman (London, 1877), Vol. III, p. 87.

in which the operatives, by the device of the Common Rule, have secured better conditions of employment, we find a general testimony to an increase in the speed, regularity, and quality of their work. Thus it has been proved by repeated experiment that the enforcement, in any trade, of standard conditions of employment, directly and certainly improves the quality of the work done. This improvement is brought about not merely by securing to the operative more food, more rest, and greater immunity from accident and disease, but also by enormously strengthening the social forces which make for industrial righteousness: that is, for regularity, self-control, trustworthiness and technical skill. And this improvement spreads beyond the persons immediately affected. In the crowded life of our cities, any change in the individual, whether in physical health or moral character, is communicated in an almost mysterious way to his fellow-citizens. One degraded or ill-conducted worker will demoralise a family; one disorderly family inexplicably lowers the conduct of a whole street; the low-caste life of a single street spreads its evil influence over the entire quarter; and the slum quarter, connected with the others by a thousand unnoticed threads of human intercourse, subtly deteriorates the standard of health, morality, and public spirit of the whole city. Fortunately, though this is less often noted, improvement is as contagious as deterioration. Habits of regularity, punctuality, self-control, and even good manners learnt in a well-regulated factory, sooner or later become customary in the home. Men and women habituated to the perfect ventilation and elaborate sanitary conveniences enforced by the factory inspector, will no longer put up with cottages built "back to back," windows that won't open, stopped-up drains, and the barbarous common "privies" of neglected slums. Young men and women growing up in families in which regularity of employment has been the reward of skill and character, and the weak submission to conditions below the standard is denounced as fraudulent, develop a desire to become skilled workmen, enjoying conditions at least equal to those of their parents. It is homes such as these—not

those of the sweated workers—which give us the race of sturdy working-class citizens, capable of voluntary co-operation or political self-government. And it is by having the labour of such citizens at his command that the employer can undertake enterprises which have never been possible in the past with slave labour, even to monarchs with an unlimited command of it, and with the assistance of an intellectual and artistic culture which may without offence be described as at least not inferior to that of our Chambers of Commerce.

Considered from the narrower standpoint of the financial prosperity of a particular industry, the enforcement of a compulsory minimum of well-being by Common Rules has the inestimable, but incidental, advantage of improving not only the labour but the management and the processes of the trade concerned. When all the employers in a trade find themselves precluded, by the existence of a Common Rule, from lowering the conditions of employment—when, for instance, they are legally prohibited from crowding more operatives into their mills or keeping them at work for longer hours, or when they find it impossible, owing to a strictly enforced Piece-work List, to nibble at wages—they are driven, in their competitive struggle with each other, to seek advantage by other methods. In this way the insistence on standard minimum conditions of employment positively stimulates the invention and adoption of new processes of manufacture. This has been, as a matter of fact, the actual origin of the making and adoption of new inventions in trade after trade. A classic instance, noticed by Karl Marx, was reported by the Government Factory Inspectors in 1858.* When all the employers in the woollen manufacture found themselves debarred from the labour of little children, they soon invented the piecing machine. Forty years later, when a slight limitation was, for the first time, put upon the hours of labour of laundry women, the immediate result was the introduction of machinery in order, as the Chairman of the Eastbourne Sanitary Steam Laundry

* *Capital*, Part LV, chap. xv, sec. 2; Vol. II, p. 390 of English Translation of 1887; *Industrial Democracy*, p. 725.

Company explained to his shareholders, "to enable the women to do the work in less time."* In Victoria, when the Legal Minimum Wage was enacted for the boot and shoe operatives, we were expressly informed by the Factory Inspector in 1898 that "a large increase in the amount of labour-saving machinery is taking place in anticipation of the coming into operation of the determination (of the minimum wage) of the Boot Board."† A year later, Miss Cuthbertson, another of the Victorian Factory Inspectors, reports the effect of the enforcement, among the women in the slop clothing trade, of the legal minimum wage of twenty shillings per week. "The mode of manufacture," she reports, "has been materially altered since the determination (of the minimum wage by the Clothing Board) came into operation. Machine work has been substituted in so many places for hand work, and the sectional principle of manufacture has been adopted in the large factories."‡ At the same time the total number of women working at the trade had increased by eight per cent. in a single year.

And if we want to see the converse of the proposition, that the compulsory enforcement of minimum conditions by means of Common Rules positively increases the efficiency of the industry, we are provided with a contemporary object lesson in the fruit-preserving (jam-making) factories. In 1878, when this industry was first brought under inspection, the employers protested against any regulation of the hours of labour, or even of sanitation, during the jam-making season, on the plea that the fruit had to be dealt with as it was delivered. The House of Commons, instead of insisting that the employers should exert their brains so as to cope with difficulties inherent in their particular trade, weakly accepted their plea, and exempted them from the Common Rules enforced on other industries. What has been the result? The majority of British jam factories at the beginning of the twentieth

* *Laundry Record*, 1st March, 1897; *Industrial Democracy*, p. 727, where other instances will be found.

† Report of the Chief Inspector of Factories (Victoria), 1898, p. 9.

‡ *Ibid.*, 1899.

century, presented, during the summer months, scenes of overwork, overcrowding, dirt, and disorder, hardly to be equalled by the cotton mills at the beginning of the nineteenth century. By 1901 the Inspector's Reports had convinced the Government that it was essential to place these industries under the sanitary provisions of the Factory Act, but unfortunately exemptions as to hours of work are still granted, and long overtime is allowed. Miss Anderson received a serious complaint of excessive overtime in the height of summer, but found she could do nothing, as the letter of the law had been complied with and the necessary notices sent in. "Nothing remained for the inspectors but to note the fact that all concerned were distressingly overworked. *The one satisfactory feature was the striking improvement that had been made in cleanliness, ventilation, and lavatory arrangements.*"* The exemption permitted by the legislature's kind-hearted regard for "emergency processes" is constantly being taken advantage of for processes where no emergency exists. Thus the overtime conceded for summer jam-making is also used in winter for marmalade-making and lemon-preserving.

The exemption from regulation is also responsible for corresponding deficiencies in the technical administration of the industry. The very fact that the employers are legally free to make their operatives work without limit makes them disinclined to put thought and capital into improving the arrangements. The better disposed of them admit that the present system tempts them to buy carelessly; to make no adequate use of the telegraph and telephone in regulating deliveries; to dispense with cold storage, "so that it is a common custom to keep the fruit in workrooms exposed to heat, steam, and the deteriorating influence of congregated humanity." And, as if on purpose to complete the proof that these short-comings are not inevitable in the business, and are merely the result of a disastrous exemption from regulation, we have the fact that, here and there, in different parts of the kingdom, a

* Annual Report of the Factory Inspectors for 1906, p. 225. Italics added.

few firms stand out as preferring the "upward way"; scientifically organising their supplies, providing cold storage, working their operatives only normal hours, and seeing to it that the workplaces are clean and healthy. If the "downward way" were barred by law, as it is in cotton-spinning, all jam-making firms would long ago have been forced into the same course. "Why should I provide storage room," asked a manufacturer of the factory inspector, "when I work as long as is needful to finish the fruit which has been delivered?" "The abuse of the exemption," remarked another, "is spoiling the jam trade. Those who insist on the necessity for it are those who hang about the markets till they can get fruit at the very lowest rate" (that is, when it is just "on the turn"). "The unsatisfactory conditions found in this trade," the factory inspector adds, "are clearly resultant on the absence of regulation. . . . Fruit is undoubtedly easily affected by atmosphere and by uncleanly conditions, and the surroundings in which the manufacture is often carried on account largely for the rapid deterioration of the fruit. . . . The mere fact that one employer, regardless of all other considerations, takes advantage of lack of regulation, makes competition so difficult that others are in self-defence driven to equally objectionable practices."*

We might indefinitely prolong the list of examples of the effect of the Factory Acts and Trade Unions in improving the processes of manufacture and the organisation of the factory.

This is now seen by the enlightened capitalist. Sir William Mather declared in 1892 that the indirect influence of the Trade Unions has stimulated the efficiency of business organisation.† More recently Mr. Edward Cadbury, a large employer of labour, advocated Trade Unionism for women and girls. "If good discipline is to be maintained," he writes, "there must be justice without favouritism, a

* Annual Report of the Chief Inspector of Factories and Workshops for the year 1898, section on "Fruit Preserving Factories," pp. 173-178; cf. more recent reports.

† W. Mather, *Contemporary Review*, November, 1892; *Industrial Democracy*, p. 727.

high moral tone, a sense of self-respect, and *esprit de corps* among the workers. In order to obtain these last two factors some kind of independent organisation such as a Trade Union is exceedingly helpful. . . . The educational effect of an organisation for common ends in developing a spirit of independence, foresight, and fellowship cannot be overestimated. . . . A trade organisation does away with the friction due to petty complaints and prevents ill-considered strikes, since grievances can be discussed and remedied."* Scientific opinion has justified the action of the unions on somewhat similar grounds. "Trades Unions were overwhelmingly right when they demanded as the first requisite for the mental, moral, or physical improvement of the labouring man a shortening of the hours of toil. Nothing more degrading or benumbing to all that is best in human nature has ever been devised than the grinding, treadmill routine of muscular labour which was exacted of the labour world fifty years ago, and is yet exacted to-day in regions where labourers are unable to protect themselves."†

Thus, the effect of a compulsory minimum on the organisation of industry, like its effect on the manual labourer, and the brain-working entrepreneur, is all in the direction of increasing efficiency. It in no way abolishes competition, or lessens its intensity. What it does is perpetually to stimulate the selection of the most efficient workmen, the best-equipped employers, and the most advantageous forms of industry. It in no way deteriorates any of the factors of production; on the contrary, its influence acts as a constant incentive to the further improvement of the manual labourers, the machinery, and the organising ability used in industry. Whether with regard to Labour or Capital, invention or organising ability, the mere existence of a uniform Common Rule in any industry promotes alike the selection of the most efficient factors of production, and their combination in the most advanced type of industrial organisation. And these re-

* Edward Cadbury, *Woman Worker*, February, 1908.

† Dr. Woods Hutchinson, *Harper's Magazine*, March, 1907, p. 602.

sults are permanent and cumulative. However slight may be the visible effect upon the character or physical efficiency of the wage-earner, or the employer within one generation : however gradual may be the improvement in processes or in the organisation of the industry, these results endure and go on intensifying themselves so that the smallest steps forward effect, in time, an advance of the utmost importance.

✂ **Poor Agriculture.**—We are now in a position to understand more completely the result upon all our trades of the foreign competition, that we have described. We saw that its effect was to put each particular home trade into fierce competition with every other home trade—a competition not only for custom, but also for brains, labour, and the use of capital. In this competition, it is clear, any lowering of the employer's expenses of production gives an advantage to the trade concerned. Thus the parasitic trades, where the employers are able to exact from their workers more labour-force than they replace, tend to expand at the expense of other industries. On the other hand, we have shown that the regulated trades are also able to lower their cost of production, not by sweating but by the increased efficiency caused by the enforcement of Common Rules. The regulated trades, therefore, also tend to expand at the expense of other industries.

Who then are the victims of the subsidised competition of the parasitic trades on the one hand, and of the increased efficiency of the regulated trades on the other? The answer is clear. The losers in the industrial struggle are those trades which are, at the same time, unregulated and self-supporting—which receive, in fact, neither the subsidy of parasitism nor the stimulus of regulation. Of these, in the United Kingdom of the last fifty years, the principal has been agriculture. The farmer has been free from all Common Rules. In the absence of any legal minimum or effective Trade Unionism, he has always been free to hire his labour at the lowest possible wages. He is able to insist that the day's toil shall endure from sunrise to sunset, and is under no obligation to take expensive precautions

against accidents or unhealthy exposure. But owing to the geographical conditions of the industry, it so happens that he gets no more labour-force than he replaces by his low wages and uncomfortable conditions. He has no opportunity of securing fresh relays of workers from better-paid sections of the community. He has, in the vast majority of cases, to rely on a small group of families, with whom agriculture has been hereditary—who for generations have had no more to live on than the farmer has given them. Hence the scanty food and clothing, long hours, exposure to weather, and insanitary housing accommodation of the rural population produces slow, lethargic, and unintelligent labour.

The industry, moreover, because of its "freedom" from regulation, gets none of the stimulus to improvement which, as we have seen, is caused by the enforcement of the Common Rule. It is therefore not surprising that, in a century of unparalleled technical improvement in almost every productive process, the methods of agriculture have, we believe, changed less than those of any other occupation. In the rivalry between trades it has steadily lost ground, securing for itself an ever-dwindling proportion of the nation's capital, and losing constantly more and more of the pick of the population which it nourishes. In the stress of international competition it has gone increasingly to the wall, and far from being selected, like such highly regulated trades as coal-mining and cotton-spinning, for the supply of the world-market, it finds itself losing more and more even of the home trade; not to any specially favoured one among its rivals, but to all of them; not alone in wheat-growing, but in every other branch of its operations.

The case of agriculture may be paralleled by those of certain other industries which, escaping the advantage of regulation, have failed to make up for their "freedom" by any parasitic subsidy. The steady decline of the nail manufacture in the Black Country is directly to be attributed to its freedom to work below the level of decent subsistence. Owing to the disinclination of Parliament to interfere with the "domestic workshop," and to the

absence of Trade Unionism, the nail workers have been without any effective Common Rules as to wages, hours, or sanitation. To each individual warehouseman it has seemed easier to take full advantage of the competitive struggle for employment, and lower the rate of payment, than to set up a factory, introduce machinery, and organise a trained staff. Unfortunately for this calculation, the nail workers, like the agricultural labourers, are not recruited from other sections of the community. The employers find that they can get no relays of unexhausted workers. Every cut at rates, every lengthening of the working day, involves, therefore, a corresponding deterioration in the human beings concerned and their degenerate successors; causes increased irregularity, misconduct, and disorder; and so reduces the quantity and quality of the work done that the employers may, after a hundred years of such experience, well be justified in their assertion that the labour is not worth even starvation wages.*

The Inevitable Conclusion.—We can now sum up the case for the regulation of labour.

1. Unfettered freedom of competition for employment, in industries carried on for profit, enables (and in most instances compels) the employer to beat down the ordinary manual worker to the lowest terms compatible with continued existence. This, we find, as a proved matter of fact, to be the invariable concomitant, in the England of

* We should like to urge the Women's Suffrage party carefully to consider Factory Legislation from the point of view developed above. There are those who urge that it is unfair that women's hours of work should be restricted, while as yet women have no voice in the selection of the governments that make the regulation. Would it not be more politic to argue that women who desire to become full citizens need all the strength they can gain from laws that prevent the exploitation of their labour? The Lancashire women, who for generations have been protected by the law, and have had at least some leisure to think for themselves, and gained experience in organising with their fellows, are better and more effective workers for the suffrage than are the sweated workers of East London, who, in Professor Ashley's striking phrase, form a constant supply of "cheap and docile labour," unprotected either by law or Trade Union.

to-day, of industries conducted for profit in which there are no Common Rules enforced, either by law or Trade Unionism.

2. Unregulated trades are of three distinct types: Subsidised Labour Trades, Labour-Deteriorating Trades, and Self-Supporting Bare-Subsistence Trades. In Subsidised Labour Trades, women, young persons, and children are paid wages insufficient to maintain them at the required standard of health, conduct, and efficiency; but the balance is made up to them by their relations employed in better-paid occupations. In Labour-Deteriorating Trades, paying equally insufficient wages, any such pecuniary subsidy is unusual; therefore the workers, rapidly deteriorating under their bad conditions, are constantly replaced by relays of individuals from other sections of the community, who are "used up" in their turn, and passed on to the hospital or the workhouse. In Self-Supporting, Bare-Subsistence Trades, the employers are debarred alike from pecuniary subsidy to their labour, and from recruiting it by new relays of unexhausted individuals. However inferior may be their wages and other conditions of employment, they get, and know that they can get, no more labour-force than they replace.

3. In industries of the first two types—the Subsidised Labour Trades and the Labour-Deteriorating Trades—the cost of production is lowered, and the expansion of the industry artificially favoured, exactly as if the employers received a "drawback" or "bounty" from the national exchequer. As regards the health and industrial efficiency of the workers concerned, industries of the first type are economically somewhat analogous to those which, under the Old Poor Law, received a "rate in aid" of wages. In industries of the second type, the parasitism is disastrous to the community. What they abstract from the nation is no mere money tax, but the energy, capacity, and character of successive generations of citizens. Finally, in industries of the third type, the lot of the operatives may be hard; but the employer gets no advantage over other trades; and the workers, together with their families, are at any rate, at their low level, completely maintained.

4. These bad conditions of employment—popularly known as “sweating”—are not inevitable. In one trade after another, where they formerly prevailed, they have been effectually cured. A hundred years of experiment proves that the remedy is the substitution, instead of Individual Bargaining, of a minimum enforced by Common Rules, prescribing standard rates of wages, a normal working day, and definite conditions of sanitation and safety. Wherever these are really enforced, whether by Collective Bargaining (Trade Unionism), or by Legal Enactment (Factory Acts), or both, the evils of the sweating system are unknown.

5. The regulation of an industry by these Common Rules is not only not injurious to it: it is positively advantageous. The Common Rules prevent the employers from exacting labour-force in excess of that which their wages replace. They heighten the incentive to invention and intelligent management, increase the total product, and lower its cost. They defeat the false national economy of “nibbling at wages,” “cribbing time,” and parasitism. These results are on record in trade after trade, where the effective enforcement of Common Rules has actually resulted in an improvement of processes, a better organisation of labour, increased stimulus to the brain-working managers, and the progressive advance in health, intelligence, and conduct of the manual labourers.

6. In the United Kingdom to-day, under the stress of keen foreign competition, we see two sets of industries gaining ground in the world-market. On the one hand, those trades which enjoy a high degree of regulation, such as coal-mining, cotton-spinning, and ship-building, easily go ahead of their competitors at home or abroad. On the other hand, such sweated trades as the manufacture of slop-clothing, with its subsidy of unpaid-for cheap labour, expand and flourish. The industries which are really dwindling under the competition of other trades are those which—like English agriculture—find themselves unable to get more out of their workers than they pay for, but do not enjoy the economic advantages of regulation.

7. The expansion of the regulated trades is entirely

advantageous to the community, both financially and in its effect on the character of the citizens. On the other hand, the expansion of the parasitic trades is entirely injurious to the community: the pecuniary profit is delusive, and not a real asset, whilst the physical and moral deterioration of the operatives amounts, in sober truth, to a succession of national calamities.

The conclusion, forced upon us by a century of experience, is that we must, if we are to maintain our position as a strong and efficient race, enforce in every industry, by one method or another, definite Common Rules prescribing a National Minimum of wages, leisure, education, sanitation, and safety.*

The Need for Law.—It will have occurred to some of our readers that in the foregoing description of the actual working and results of the Common Rule, we have ignored the distinction that some of these regulations are enforced by Law and others by Trade Union action. The fact is that the use of the two methods of enforcement has, hitherto, been so indiscriminate that it is not possible to investigate the working of the Common Rule without taking both methods of enforcement together. Thus, within our own English-speaking Empire, we find a Standard Rate of Wages for men, women, and children in some places enforced by the Courts of Law, as in Victoria; whilst in other places, such as England, it is left to the Trade Unions. On the other hand, in Lancashire the law regulates in detail the humidity and temperature of the cotton mills, and prescribes the very wording of the wage-ticket; conditions which are elsewhere left to voluntary agreement. As for the hours of labour: though women, young persons, and children are, in England, nominally regulated as regards all manufactures, it is only in the textile industries that the law can be said to have been effectually defined

* For a detailed application of the Policy of a National Minimum—with full consideration of such "difficulties" as are presented by children and women, the unemployed and the unemployable, the competition of boys and women with men, the inequality of standards between skilled and unskilled—the reader must refer to *Industrial Democracy*, Part III, chap. iii, section (e).

and enforced. On the other hand, in the most up-to-date Colonial legislation about the hours of work, no distinction is made between one trade and another. Railwaymen in England find their hours of labour limited by Board of Trade Order, made pursuant to Act of Parliament; whilst railwaymen in Victoria have to rely on their Trade Union in this respect. On the other hand, miners in Victoria have an Eight Hours Day by law, whereas miners in England have still to fight the matter out with their employers. And if we turn to the no less important conditions of Sanitation and Safety, we find every country, in every decade, differing widely from the rest, as to which particular Common Rules it enforces by law, and which it prefers to leave to Collective Agreement between employers and employed.*

There is, of course, a great difference between Trade Unionism and Factory Legislation, but it so happens that this difference does not concern the present argument. Some people, indeed, profess to approve of the principle of the Common Rule when it is a matter of Trade Unionism, and to object to it when it is a matter of Factory Legislation, because, as they say, they dislike compulsion, and regard Trade Unionism as merely a matter of voluntary agreement. But this is a mistake; if there is to be a Common Rule at all, it must, it is clear, supersede the individual decision. The very object of a Standard Rate, a Normal Day and definite conditions of Sanitation and Safety, is not to benefit a few exceptionally strong or favoured workers, who may have deliberately agreed to it, but to establish a dyke which shall stave off the pressure of competition from the livelihood of all the workers in the trade, and throw it upward upon the quality of the service rendered by both brain-workers and manual labourers. Clearly, so far as the Trade Union maintains this dyke, it inevitably exercises a very real compulsion on those employers and those wage-earners who would other-

* For an exhaustive account of Trade Unionism, the reader must be referred to S. and B. Webb's *History of Trade Unionism* (London, 1894), and for an analysis of all the different regulations and methods to Parts II and III of *Industrial Democracy*.

wise have made individual bargains at a lower level. Take, for instance, the Oldham weaver, who works under both methods. The rate of her wages is determined entirely by Trade Unionism; her hours of labour and sanitary conditions are fixed by law. But there is no more individual choice in one than in the other. An employer or a weaver would find it easier and less costly to defy the Factory Inspector and work overtime, than to defy the Trade Union and evade the Piece-work List of Prices. Or, take the Northumberland coal-miner. He, for particular reasons, objects to have his hours fixed by law. But we need be under no delusion as to his "personal liberty" or his views on that subject. If any inhabitant of a Northumberland village offered to hew coal below the rate fixed by the Trade Union for the whole county, or if he proposed to work two shifts instead of one, the whole village would rise against him, and he would find it absolutely impossible to descend the mine, or to get work anywhere in the county.

But though the enforcement of the Common Rule by Trade Unionism is, and must necessarily be, just as much a matter of compulsion as its enforcement by Factory Legislation, there are interesting and important differences between these two methods. Trade Unionism both develops and teaches democratic self-government. In times of exceptional profits it enables the strong trades, and especially the stronger sections of such trades, to make successively larger and larger demands, and so to raise their own standard of life above the National Minimum enforced by law. But this attempt must necessarily be purely experimental, and conducted exclusively at the cost of the persons who are to be profited. In so far as any rise in the level of the Common Rule results in an increase in the efficiency of the industry, each Trade Union can safely push its own interests. But any such attempt will be dependent for success on forces which cannot be foreseen, and many of which are unconnected with the efficiency of the manual workers themselves. The rapidity of industrial invention in a particular trade, the extent to which it is recruited by additional brain-workers, the

ease with which new capital can be obtained, will determine how quickly the Trade Union can, by raising its Common Rule, stimulate efficiency, and concentrate the business in its most advantageous centres. And there is another direction in which, under a system of private enterprise, a Trade Union may successfully push its members' interests. A legal monopoly or exclusive concession, a ring or syndicate, will secure for the capitalists of the trade exemption from competition and exceptional gains. The same result occurs whenever there is a sudden rush of demand for a new product or a sudden cheapening of production. If the wage-earners in those trades are strongly organised, they can extract some part of these exceptional profits from the employers by the method of collective bargaining. From the point of view of the community there is no reason against this "sharing of the plunder," as the expenditure of the workmen's share, distributed over thousands of families, is just as likely to be socially advantageous as that of the swollen incomes of a comparatively small number of newly enriched employers.

On the other hand, Trade Unionism has "the defects of its qualities." It is often said that "it helps those who help themselves." Unfortunately, this phrase comes to nothing more than the assertion that the workers can help themselves by voluntary combination in many cases in which they cannot help themselves by individual action. But effective voluntary combination is only possible where the conditions of the industry mass the workers together, and drill and discipline them to joint action—that is to say, only in the factory and the mine, and, as we shall presently see, not always even there. For the majority of wage-earners, scattered singly, or in groups of two or three, in separate farms, yards, shops, or kitchens throughout the country, combination is impossible. Indeed, even the most flourishing Trade Unionism finds that it has to rely on Factory Legislation to secure its minimum, and to establish its main Common Rules permanently. Besides, in spite of enormous advantages of Trade Unionism to the worker, the employer, and the nation, the fact that it operates sectionally, pursuing the interest of a

single trade or group of amalgamated trades rather than of the whole community, produces conflicts between trade and trade, and between skilled Unionists and outsiders seeking admission to their trade, which are by no means always conducted or settled in the public interest. Strong Trade Unions have often insisted on conditions injurious to other classes and detrimental to the community. In an elaborate description of Trade Union Regulations we have shown that Trade Unions have not limited themselves to the modern device of the Common Rule: they have, in some places, and at some times, endeavoured to obtain a monopoly of the service for their own members by limiting apprentices, excluding foreigners and women, by obstructing machinery, and restricting output, and by otherwise insisting on an exclusive "right to a trade."* And above all, the attempts of Trade Unions on the one hand, and Employers' Federations on the other, to enforce their demands, whether these be wise and beneficial or grasping and injurious, frequently lead to strikes and lock-outs, causing often serious economic harm to the community as a whole.

The relative advantages and disadvantages of Trade Unionism do not, however, concern us here. What we are discussing is the best available means of preventing "sweating" and industrial parasitism. This remedy we have found in the enforcement, throughout each trade, for each class of workers, of Common Rules prescribing the minimum conditions of employment. These Common Rules we have shown to be in successful operation in many prosperous trades, enforced sometimes by law and sometimes by Trade Unionism. And it so happens that the very conditions which produce the evils of sweating and industrial parasitism make it quite impossible for the unfortunate workers to help themselves. There is not, and never has been, in any sweated trade, a Trade Union capable of enforcing a Common Rule. After a whole

* The bad side of Trade Unionism is fully treated in *Industrial Democracy*, see Part II, chapters x and xi, on "The Entrance to a Trade" and "The Right to a Trade"; and also Part III, chapter iii, section (a), "The Device of Restriction of Numbers."

century of attempts, we may quite certainly say that there never will be such a Trade Union. Before wage-earners can exercise the intelligence, the deliberation, the self-denial, and the administrative capacity that are necessary for effective Trade Unionism, they must enjoy a certain standard of physical health, a certain surplus of energy, and a reasonable amount of leisure. But these are the very conditions which are always absent in the sweated trades: their absence is, in fact, the essence of sweating. It is, for instance, hopeless for the casual dock labourers of London to attempt, by collective bargaining, to maintain any effective Common Rules against the will of their employers. Even if every man employed at dock labour in any given week were a staunch and loyal member of the Trade Union; even if the Union had funds enough to enable these men to stand out for better terms, they would still be unable to carry their point. The employers could without appreciable loss fill their warehouses the very next day by an entirely new set of men, who would do the work practically as well. There is, in fact, for un-specialised manual labour a practically unlimited "reserve army," made up of the temporarily unemployed members of every other class. As these form a perpetually shifting body, and the occupation of "general labouring" needs no apprenticeship, no combination, however co-extensive it might be with the labourers actually employed at any one time, could deprive the employer of the alternative of engaging an entirely new gang. The same reason makes it for ever hopeless to attempt, by collective bargaining, to raise appreciably the wages of the common run of women workers. It is, on the face of it, cruel mockery to preach Trade Unionism, and Trade Unionism alone, to the sempstress sewing day and night in her garret, for a bare subsistence; to the white lead or pottery worker whose health is undermined by wrist-drop or "potter's rot"; but though these cases supply the most sensational instances, the disability for Trade Unionism extends over the whole field of unregulated female labour. Where, as is usually the case, female labour is employed for practically unskilled work, needing only the briefest experience;

or, where the work, though skilled, is of a kind into which every woman is initiated as part of her general education, no combination will ever be able to enforce, by its own power, any standard rate, any normal day, or any definite conditions of sanitation and safety. No reasonable person could, we imagine, expect the boys and girls (who form in some of the parasitic trades the bulk of the labour employed) to be able to combine to exact from their employers healthy workplaces and "half-time" for technical education. When any British statesman makes up his mind to grapple seriously with the problem of the "sweated trades" he will have to expand the Factory Acts into a systematic and comprehensive Labour Code, prescribing minimum conditions of wages, leisure, education, and health, for each class of operatives, below which the community will not allow its industry to be carried on.

II. GAPS IN OUR FACTORY LEGISLATION*

By MISS B. L. HUTCHINS

THE following suggested amendments and additions to the Factory Act do not, of course, represent the whole difference between the actual and the ideal, between that which is and that which ought to be. If an enlightened Government in a new country, with industries as yet undeveloped, were to have a free hand in determining the conditions under which employment should be carried on, unhampered by custom, prejudice, or poverty, it could construct, and hope to enforce, a much more advanced and generous scheme, and be it observed, there is little doubt that such legislation would be, not only advantageous to the health of the people, but a powerful aid towards industrial efficiency. There is a great mass of evidence which tends to show that labour carried on for comparatively short hours, under the best sanitary conditions, and for high wages, eliminating the competition of child labour, is very much more productive than is the work of sweated industries, where the opposite conditions prevail. Further, it is evident that a country in which such a high standard of conditions could be maintained would enjoy an enormous advantage over its commercial competitors from the diminution of poverty, disease, and pauperism, which would be its reward.

Our position in England is very different. Factory legislation had its small beginnings in the early nineteenth

* Reprinted from "The Economic Journal," June, 1908, by kind permission of the Editor.

century, at a time when industry was already more or less demoralised by unregulated, one might say anarchic, competition, when child labour was recognised by custom and even approved by philanthropy, and capital had established a sort of prescriptive right to the utmost exploitation of labour. No statesman at that time could dare to dream of a large constructive scheme of social reform—the very poverty of the people would have made such an idea impossible. All that was attempted was to set limits to competition in its worst excesses, to prevent the night work of children, for instance, and to restrict their hours of labour. Even these measures, tardy and inadequate as they seem to us, had a great deal of prejudiced opposition to meet. The roots of custom and habit are hard to disentangle in an old country like ours, and the reformer has perforce to content himself with progress step by step, ever dogged and hindered by the knowledge that the greatest obstacle to progress is that very poverty of the people that he is working to diminish. We may be perfectly convinced of the soundness of the economic argument that long hours and insanitary conditions diminish efficiency, and, therefore, in the long run, tend to keep wages low, but we cannot entirely put aside the reflection that a higher standard of requirements will perchance lessen the earnings of the already underpaid, or even throw them out of work, at the moment. Factory legislation has never aimed at more than the redress of the abuse most clearly perceived at a given moment. It has in this way, however, progressed from small beginnings until at the present day it forms, not, indeed, the comprehensive scheme of race preservation indicated above, but at all events a very substantial measure of protection against the manifold dangers incidental to industry, dangers from which “the labourer,” to use the vague generalisation of the classical economists, is usually either by age, sex, ignorance, or economic dependence, not capable of guarding himself or herself. Our social reform is a process of becoming rather than of being. The individualist asks despairingly, “Where are we to stop?” The Socialist answers, “Certainly not yet.” Opportunist

methods and piecemeal reform are the English tradition. Consequently the work, like women's work, "is never done." The subject of the present article is merely to point out the next steps. We may separate the subject-matter as follows: (1) Duration of work; (2) Health and safety; (3) Payment of wages.

1. Hours of Work.—As regards the hours of work, there is a growing feeling that these are too long, especially for growing girls. The period of employment under 1 Edw. VII. c. 22 is for women and young persons (i.e. boys and girls from 14 to 18) 12 hours, with intervals for meals which must not be less than $1\frac{1}{2}$ hours in non-textile factories and workshops, and 2 hours in textile factories. This means that any girl of 14, or of 13, who has passed the educational requirements in force, may work "round the clock," i.e. from 6 to 6, 7 to 7, or 8 to 8. When I have put the matter thus in addressing meetings of ladies not familiar with the subject, I have sometimes been met with an incredulous look, and the objection, "I thought the Factory Act had altered all that." It certainly is somewhat remarkable that a century of legislation has done no more for these young growing girls, who, at a peculiarly critical and important age, may still be employed for hours longer than most men consider a proper working day for themselves. Shorter hours for all protected workers would seem to be an appropriate measure of relief. It may be remarked that in non-textile factories it has for some time been customary not to work the full legal hours. About nine hours is the rule, for instance, in the Birmingham brass works; an employer in this trade once very kindly explained to me in detail how it was that he found it actually bad economy to keep going more than nine hours, because the girls could not keep their attention fixed longer, made more "scrap" and wasted material. This seems to be commonly recognised in metal work, pottery, etc., but for some obscure reason textile factories customarily work the full legal hours—10 per day. Now it is important to remember that these hours mean more work and more fatigue than they did

when the normal day was first introduced 50 odd years ago. The speeding up of machinery has increased the strain, and even as long ago as 1872 shorter hours were agitated for by the trade unions. In the following year Dr. Bridges and Mr. Holmes were instructed by the Local Government Board to hold an inquiry as to the health of women and young workers in textiles. They reported, after taking a considerable quantity of evidence, that since the passing of the Act of 1847, the strain on the workpeople had certainly increased, i.e. each operative had a larger amount of machinery to attend to; the machinery was driven at greater speed; the practice of giving overlookers and foremen a premium on the work done impelled them to exact steadier and harder work than formerly. The Act of 1874, however, merely required an additional half-hour for rest and meals daily. In the intervening period the strain has undoubtedly increased. One of H.M.'s inspectors tells me that "both in cotton and woollen the strain of the full hours with speeding up is almost intolerable to the less robust women and girls." Miss Anderson, Chief Lady Inspector, stated before the Physical Deterioration Committee that in her opinion the legal hours were too long—"longer for women than men would stand in their own organised industries" (Evidence, q. 1498). Her Memorandum, included with the Committee's Report, should also be studied in this connection. Dr. Oliver, in considering the subject of "speeding up," writes: "That there is greater strain upon the nervous system, more exhaustion, and consequently need for greater leisure, few will deny, and that in many instances the hard work induces premature old age goes without saying. Will this speeding up tend to make female mill-workers better mothers and help them to give birth to healthy and robust children, or to infants who are puny, ill-nourished, and of a highly-strung, nervous system? . . . There is a limit beyond which the speeding of machinery cannot be run without detriment to the health of the operators, unless their hours of work are materially shortened." (Oliver, *Diseases of Occupations*, p. 3.) The extreme monotony of factory work is in itself a cause of strain. This was

noted by Dr. Bridges and Mr. Holmes in the report already quoted (p. 43), and has more recently been observed by Miss Vines (see Factory Inspectors' Report for 1904, p. 260).

But although the textile factories customarily work up to the full limit of the legal hours, it has to be noted that they are by law better regulated than the non-textile factories. In the former, work may not be continued by a child, young person, or woman for more than $4\frac{1}{2}$ hours without a break. In the latter the spell may be, and frequently is, 5 hours. Taking into consideration the hurry and pressure under which modern industry is carried on, this is too long a spell. Another grievance is that the pause for a midday meal is frequently too short. An hour's interval must be allowed before 3 o'clock p.m., but this hour may be divided, half an hour taken perhaps before beginning work (8.30 instead of 8), and only half an hour need then be allowed for dinner. The results of so inadequate an interval after a long morning's work are considered by Miss Anderson to be very serious. This restriction of the dinner hour appears to be a common custom in the London dress trades, and accounts for much indigestion, anæmia, and sickly looks noticeable among the young women working in these trades.

Overtime.—Another highly desirable reform in regard to hours of work would be the abolition of overtime. This has been consistently advocated by the trade unions, especially by the Women's Trade Union League, for many years. Overtime has been made illegal for young persons in all trades, and also for women in textile, and in some non-textile, industries. Exemptions are still permitted in industries in which the nature of the employment is supposed to require elasticity, as, for instance, the making of wearing apparel, Christmas presents, etc. etc. The Lady Inspectors constantly emphasise the evils of the long hours of work allowed in fruit preserving. The workers in these employments are thus liable to be kept for very long spells of work at certain seasons. Considering how long the daily hours under the Factory Act still are, it appears utterly

unreasonable to require overtime as well. A master once said to me, "In nine hours the girls have done as much work as it is in them to do." The permission of overtime is simply a premium on irregularity and bad organisation. Permission to make up lost "time" and work overtime used to be granted in the textile industry, but it has gradually been recognised as a source of weakness, the exceptions have been shut off one by one, and the "normal day" has become more and more the standard. The trend is unmistakably towards the prohibition of overtime, and the sooner the better, if we value the health of working girls and women.

Hours of Young Workers.—It is necessary to remark here that even if the working day is reduced by one hour and overtime prohibited, the state of things is still not satisfactory in regard to young workers. A full day's work, whether 10 hours or 9, ought not to be required of a boy, still less of a girl, of 13 or 14. The question is a difficult one, because, as most people now know, the organisation of a textile factory (possibly of other factories) involves a subdivision of labour, which renders the elder and more skilled workers dependent on the co-operation of the younger and less skilled. The spinner cannot work without his "piecer." This difficulty might perhaps be got over by raising the age of half-timers to 16. If this operated as a discouragement on the employment of young workers, it might, on the other hand, tend to increase the demand for the labour of adult women, and raise their wages. One of H.M.'s inspectors tells me that the present tendency is to employ girls rather than women, which has the effect of depressing piece rates. From the social point of view, adult workers should be preferred. May not some of the high infant mortality of the cotton towns be due to the overstrain of women in their early life, before and whilst attaining maturity?

2. Washing Appliances.—In regard to improving the regulations for health much might be said, did space permit. It is a singular fact that with all our national pride

in cleanliness, the Factory Act includes no provision in regard to washing appliances, save for certain specified dangerous trades. In France this provision is required in factories and workshops generally; English law apparently regards wash-basins, soap, and towels as an expense only to be justified when deadly peril, such as lead or phosphorus poisoning, is involved. In a recent report, Miss Anderson says that the need for washing appliances is increasingly felt among women and girls (surely a hopeful sign), and has a moral and social, as well as a hygienic, value. The girl who is contented to go home dirty and unkempt from the long day's work is not the most self-respecting of workers. Even in cases where the work is specially hot and dirty (is not most work more or less hot and dirty?), the lady inspectors have no power to do more than advise this provision, which one would expect the ordinary self-respect of employers to dictate. Miss Anderson says that employers will complain to her of the roughness or carelessness of the young women they employ, yet do not realise how extraordinarily "rough, primitive, and uncivilised" are the surroundings in which too often they place their employees, or how closely these phenomena are related. It is pleasanter to read that the same observer has often noted with surprise and admiration the efforts working women will make, in the face of the greatest difficulties, to turn homewards with a neat and cleanly appearance. The Chief Inspector has said that washing accommodation has a civilising influence, and he has rarely known such provision to be unused or despised. Probably no class in any society takes such an open and almost childish pride in the habits that promote physical health and refinement as the English wealthy classes. Might they not occasionally ask themselves what are the conditions in the houses from which they draw their rents, the factories from which they draw their profits, or the industries in which they invest their capital? Much is done by the best employers, and the law might surely try to awaken the sleeping conscience of the worse.

Medical Inspection.—Another important point in re-

gard to health is the medical inspection of young persons to ascertain their physical fitness for work or for special kinds of work. This is already done for children on entering the factory, and the inspectors have power to require the certifying surgeon to make a reinspection of young persons under 16. It was represented to the Physical Deterioration Committee that this re-examination might properly be made general and compulsory, and extended to all young workers under 18 or even 21. Dr. Scott pointed out that some boys, who might be fully capable of useful work, were yet too slow-witted to deal safely with machinery, and might be the cause or the victim of horrible accidents. The same gentleman strongly urged the medical inspection of boys before working in coal mines, and the abolition of half-time for children. He considered that boys who came straight from school to work at 14 made better and more capable and regular workers. Another observer, who has recently visited a good many factories on business, has told me he was greatly struck by the fact that the employment of children seems to be dying out in the best conducted factories, and to linger on in those which are most crowded, worst ventilated, and altogether precisely the most undesirable for children to be in.

Other Provisions for Health.—Among other provisions for health which are still not required by law, but are urgently needed, their absence forming the subject of many complaints to the women inspectors, are the provision of messrooms; these are chiefly needed in large works, and might be dispensed with in small workshops or where there are facilities for meals accessible in the immediate neighbourhood. It is important that messrooms should be under the supervision of the inspector, instead of, as now, outside it. Cloakrooms or provision suitable for outdoor garments are also highly necessary, many workers having a long walk and arriving wet through in bad weather. The provision of adequate light in workrooms is a singular omission from the law. One of the lady inspectors writes to me that some provision is necessary to ensure that both

by day or artificial light all workers should have sufficient and properly placed light on their work. An inadequate or badly placed arrangement causes straining of eyesight, stooping or twisting of shoulders, headache, not to mention more terrible dangers from machinery worked in shadow or in an uncertain, fitful light. The lighting of staircases, passages, yards, and sanitary conveniences is also necessary both for physical and moral reasons.

Maternity.—In regard to one of the most important of the Factory Act provisions for health—namely, the prohibition of work after confinement—it is not possible here to say much, as the adequate discussion of it would take us outside the subject of the Factory Act. Every competent person is agreed that the prohibition of work for one month is altogether insufficient, but every one also knows that the poverty of the women themselves is the most frequent cause of breaches of the law, and in default of some system of national insurance or compensation for the expenses of maternity, it is difficult to see how the period of unemployment can be extended. One useful amendment, however, could be made in the existing law, and that is the deletion of the word “knowingly.” At present the employer can escape a fine if he can show that he did not know, or could not be expected to know, that the woman had given birth to a child within four weeks. It has actually been decided in a court of law that an employer which is a company cannot have cognisance of such a fact, and, therefore, is not liable to a fine for employing the woman in such circumstances (see Report for 1904, p. 273). It is extremely difficult for the inspectors to get a conviction under this section, even when the offence is practically certain. Other useful provisions would be to require that the occupation of mothers be returned in the registration of the deaths of infants, and to require mothers to produce a medical certificate on returning to work. But the main question is an economic one, which cannot be dealt with under the Factory Act alone.

Heavy Weights.—The carrying of heavy weights by women and young persons is frequently mentioned by H.M.'s inspectors as being highly dangerous to health. Of all uses to put a woman to, surely that of beast of burden is one of the most repugnant and inhuman. Some provision could surely be made to check the practice, which in the case of children has been forbidden by the Act of 1903. The enforcement of similar regulations in the case of women and girls would result either in the increased employment of men or in the more extended use of labour-saving appliances, as trolleys, etc., either of which would be far better social economy than the overstrain of these poor women, often bearing the triple burden of mother, wife, and industrial worker.

Dust.—Miss Anderson has stated that in her opinion it is possible to conduct factory labour in such a manner as to involve no harm to health whatever. The conditions that injure health, as, for instance, the quantity of dust generated in certain processes, are not essential to any employment, but admit of a remedy if due scientific means are used. It is interesting to recall that about 90 years ago Sir Richard Arkwright described to Peel's Committee the means he used to prevent dust in the process of cleaning cotton, and said there need be no dust. Miss Anderson told the Physical Deterioration Committee that among the causes adverse to health in industry were dusty processes, extremes of temperature, and working in a damp atmosphere. There has been a great improvement in the application of exhaust ventilation to the removal of injurious dust and in remedies for defective structural conditions, but much yet remains to be done. There seems to be a general opinion among experts that progress now lies in the direction of raising the general standard of hygiene, by means of cleanliness, ventilation, and light, the maintenance of proper space between machines and between the workers employed, freedom from dust, and control of temperature, all of which conditions are now felt to be more important on the whole than the adoption of specific precautions for dangerous trades.

3. **Payment of Wages.**—In regard to wages, no discussion can here be attempted of the proposed law *re* wages boards, which is treated in another article, though I may perhaps be allowed to say in passing that I regard the extreme poverty and underpayment of large classes of workers as the main evil of their condition, and fully believe that Factory Acts and Public Health Acts, valuable as these are, cannot adequately protect workers who are too underpaid to combine together for the enforcement of the law. But the present law as to the payment of wages undoubtedly needs strengthening. The Women's Trade Union League has for many years demanded the abolition of fines and deductions. Miss Clementina Black, in her book, *Sweated Industry* (p. 41 *et seq.*), tells us how fines, which the outsider might innocently suppose to be instituted as a means of preserving discipline amongst giddy young workers, are actually a profit-making device among low-class employers. Miss Black quotes wage-books in which fines and deductions amounted to a sum varying from 10 to 30 per cent. of wages. In another case workers were charged rent for their place in the factory. In others charges are made for the use of machines, or even for cleaning the workroom, one ingenious employer paying 15s. to the scrubber, while the pence collected from the workers amounted to twice that sum. Some charge for hot water to make tea, and it can be easily seen that even a small charge of this kind, when put upon a number of workers, would bring in a sum much in excess of the cost of water. Deductions for spoilt work are often grossly unfair, as with jam and preserve making, where one or two jars in a few hundreds are sure to crack with the heat. The unlucky girl who chances to wash the cracked jar will be charged for damage she is probably entirely unconnected with, and may even be made to pay the selling price of the pot of jam. Other deductions are inflicted for punishment; and of these Miss Black tells a significant story. One of the best employers who have come within her observation said, when questioned on this head, "If I could not run a factory without fines I should be ashamed to run one at all." Another employer

of a very different stamp defended himself against a charge of excessive fining by asserting that, without fines, his factory would be a "bear-garden." Comment is superfluous. Perhaps the worst kind of fine is that used by employers who deduct a surplus from those piece-workers who make up a total rather better than usual. I have myself been told by a girl in reference to a certain factory: "It doesn't do to work too well there—they cut you down directly." Miss Black mentions a factory where the foreman deducts one or two shillings from the week's payment if he thinks the girl entitled to it has "earned too much." Can anything more demoralising than such a system be imagined? Fines and deductions should be abolished, and the "Particular Clause," which provides that the worker shall be made fully acquainted with the piece rates he or she is working for, needs extension to all piece-work trades. In isolated cases employers in industries not under the clause have voluntarily adopted it, showing that they realise the advantage of having a fair and above-board agreement. Legislation is also necessary to bring out-workers more completely under the Truck Acts, the decision of the High Court in *Squire v. The Midland Lace Co.* having unfortunately placed outside the protection of the law a large class of needy workers.*

Postscript.—Since the above was written, the Report of the Select Committee on Home Work has appeared, and it seems appropriate here to make some mention of this important document, dealing, as it does, with a subject in which members of the Fabian Society have constantly interested themselves. We have first to welcome and draw attention to the tone and style of the Report, which is distinctly advanced, and contains many gratifying indications that the Collectivist propoganda has not been altogether in vain. After briefly summarising the evils of sweated work, the long hours, insanitary conditions, and

* See report on the Truck Acts in the *Factory Inspector's Report for 1906*, p. 239, and a report of the above case in the *Factory Inspector's Report for 1904*, p. 281. The Court stated that it gave its decision reluctantly and recommended amendment of the law.

low pay that have been brought to their notice by a large number of witnesses, the Committee recognise that no proposals which fail to increase the income of these people can have any appreciable effect in improving their condition. Improved sanitation and cleanliness are no doubt desirable, but poverty is the root of the trouble.

In a very interesting passage on page xiv., sec. 38, they state their opinion that in regard to the general policy of Parliament in regulating or providing for the regulation of wages, it is no more improper for Parliament to establish a minimum scale of remuneration than it is to establish such a standard of sanitation, ventilation, or remission of work. If it be said that many industries cannot be carried on at all if a minimum rate is to be enforced, still, wisely reply the Committee, this is only what has been said in olden times when the earlier Factory Acts were passed; and surely, even if the prophecy were true, "it would be better that any trade which could not exist if such a minimum of decent and humane conditions were insisted upon should cease." This is excellent, and exactly what the Fabian Society has been saying for twenty years.

But, however excellent in principle, the Report is open to criticism in detail. The framers appear to have (quite rightly) given the greater part of their attention to the question of a minimum wage, which no doubt is by far the most important question, and the one as to which there may be the most opposition. They appear to have hurried over the question of sanitary measures in a somewhat perfunctory manner, and with an imperfect mastery of the existing law. For instance, on page xii., sec. 31, they advise the extension of "Section 9 of the Public Health Act, 1875," with respect to factories and workshops which are not kept in a cleanly state, or are ill-ventilated or overcrowded, to rooms in which Home Work is done. Now, sec. 9 of the Public Health Act, as Mrs. Ramsay MacDonald has pointed out, does not deal with any matter of this kind, and probably 9 is a misprint for sec. 91, which can be found in any handbook of the Factory Acts. It provides, among other things, that any factory, workshop *or workplace* (italics mine) not kept in a cleanly state,

or not ventilated in such a manner as to render any foul air or dust generated by the work done innocuous, or so overcrowded as to be dangerous or injurious to health, may be deemed to be a nuisance, and dealt with summarily under the Act. Sec. 92 requires the local authorities to make inspections of their district from time to time, so as to ascertain what nuisances exist and enforce the powers of the Act to abate the same. So the local authorities already have the power which the Committee advises should be given them. The same with their recommendation that the factory inspector should have power to enforce the law if the local authority neglect or overlook their duty; this power is already possessed by the factory inspectors, under sec. 4 of the Factory Act, 1901. What is really needed is an increase in the numbers of inspectors, both in the central and local bodies; and, in the case of local sanitary inspectors, to strengthen their position in cases where unfortunately the interests of members of the Council are against efficient inspection. The appointment of qualified women inspectors ought to be required of all local sanitary authorities.

More serious, however, than these slips is the absence of any attempt to place responsibility for insanitary structural conditions on the landlord. Mr. Booth, in *Life and Labour in London* (vol. iv., pp. 345-7), and Mrs. Sidney Webb, in *How to do away with the Sweating System*, and elsewhere, have consistently recommended imposing this duty on the owner of houses, who often makes a handsome profit out of letting rooms that are quite unfit for human beings to live, sleep, wash, and work in. When fashion and prosperity quit a particular district, the houses are often "made down," as the Scotch call it; that is, let off in tenements of one or two rooms apiece. This means that the water supply and sanitary accommodation that were originally intended for a family have to be shared up or used in common by five or six different tenants or, it may be, many more. It ought to be compulsory for a landlord letting a house in this manner to adapt the arrangements to suit the larger number of tenants. This is, of course, a question that applies also to poor persons

who are not home workers ; but it is most pressing in the case of home workers, because the very fact of work being done at home introduces a fresh element of dirt and disorder. It has been stated before the Home Work Committee that structural sanitation has greatly improved of late years, but domestic uncleanliness is still very noticeable among these workers. The inadequacy and inconvenience of water supply is here an important factor. It is still not at all uncommon for houses in poor districts to contain but one water-tap for all the inhabitants, and this probably on the basement floor. "Domestic uncleanliness" is not a surprising phenomenon among people who have to carry all their water up several flights of stairs, and then boil it over a small fire if they are so exacting as to want it hot. The whole question of sweating, on its sanitary side, is intimately bound up with the housing question, and it is a great pity that the Home Work Committee did not follow Mr. Booth and Mrs. Webb in recommending that the landlord should be made responsible for the conditions in the tenements from which he draws his rents. The recommendation made by the Committee that the keeping of out-workers' lists by employers should be more strictly enforced will probably not be of much use unless the co-ordinate responsibility of the landlord, advised by Mr. Booth and Mrs. Webb, be introduced. As a matter of fact, the first thing a sanitary inspector always tells one when asked about out-workers is that their powers under the Public Health Act are much more useful than the lists required by the Factory and Workshops Act. What is wanted is "the establishment of a minimum of soundness and sanitary convenience in houses, below which it should be illegal to inhabit a house at all" (Wells, *Mankind in the Making*, p. 102), rather than special regulations for out-workers, which might easily cause rents to be raised against a very poor class.

B. L. H.

III. THE CASE FOR A LEGAL MINIMUM WAGE

IN a discussion of the institution of a National Legal Minimum Wage there is no need to deal with the fascinating but abstract subject of the right of the State to interfere with the conditions under which persons employ, or are employed. The development of factory legislation and its effects upon national life and industry have settled the question as to the limits of State regulation in this sphere once and for all by proving that experience alone can show where these limits ought to be fixed. The only real criticism to which industrial legislation is now subjected is not on the ground of principle, but on the practical question of effectiveness in points of detail, and such criticism leads to continual demands being made for the extension of legislation to secure a standard minimum of leisure and safety for an increasing number of the workers.

State Minima.—But not only in matters of safety and leisure has the State assumed, with general approval, the duty of fixing a standard. All normal children, and many who are abnormal, are legally required in the interests of national mental efficiency to receive a minimum of instruction; every person is supposed to be compelled to conform to a certain sanitary minimum; and in housing the State is gradually feeling its way to the enforcement of a minimum of health and comfort. These measures, aiming at the protection of the masses from the evil effects of anarchic industrial conditions, are, however, limited to a considerable extent in their utility by the failure of the State to secure sufficient remuneration to those industrially

employed. There appears to be a superstition held by economists and politicians, even by those who have no prejudice against State regulation in itself, that the cash relation between employer and employed is so sacred that to interfere with it by law is to commit the unpardonable economic and political sin. Moreover, it was thought that the worker would become educated through compulsory Education Acts; healthy through Public Health Acts; comfortably housed through Housing Acts; and that the inevitable result of this education, health, and comfort would be increased mental and physical efficiency capable of effecting a dead lift in wages all round. This expectation has not been realised, as may be easily gathered from recent well-known inquiries into social conditions. It is glaringly apparent that an alarming proportion of the mass of the people, in spite of the efforts of the State by indirect and partial means to raise the standard of life, do not receive sufficient wages to provide for a healthy physical existence. The researches of Mr. Charles Booth and Mr. B. S. Rowntree indicate that it is probable that at least twelve millions of our population are living just on or below a level of bare subsistence. This estimate appears to be so well founded that a responsible politician, Sir Henry Campbell-Bannerman to wit, adopted it as an argument in favour of the return of the Liberal Party to power. It is true that according to Mr. Rowntree a good deal of this degrading poverty arises from the careless and unscientific expenditure of incomes, which, if carefully and scientifically expended, would be just sufficient to maintain physical efficiency. The class which suffers through this cause would not be directly assisted by the enforcement of a legal minimum wage of the kind we shall discuss, but below it there is another class which does not receive enough to maintain physical efficiency, no matter how wisely the family expenditure may be regulated. Nothing but a rise in family income can help this lower class.

Wages Clauses in Public Contracts.—In spite of the protests of old-fashioned economists against the legal

regulation of wages, the State, both central and municipal, has begun to act upon the principle that no sweating or underpayment must be allowed in its direct or indirect service. The adoption by public bodies of a "standard," "fair," "agreed," or "trade union" rates of wages clause in forms of tender for their work is undoubtedly a small step in the direction of the regulation of wages by the State, even though it may be simply a public endorsement of a private agreement arrived at between employers and a trade union. And when a municipal body goes further, and, finding that there is no "standard," "fair," "agreed," or "trade union" rate in a particular trade, proceeds to fix a minimum wage for members of that trade when it is engaged upon public work, either directly, or through the medium of a contractor, a longer and still more important step in the same direction has been taken and the infringement of the right of free contract in matters of wages becomes extremely flagrant. The London County Council for several years has fixed minimum rates to be paid by contractors who carry out its tailoring work; and, recently, the companies who take the contracts for keeping clean the acres of glass in London's educational and other public buildings have been bound by the Council to pay a minimum rate per hour to the men engaged upon the work. Along these lines something has been done to help weak and unorganised sections of labour to attain a higher standard of comfort. But there are strict limitations to the efficacy of wage clauses in contracts for public work. It is very difficult in an occupation which is either badly organised or wholly without a trade organisation to make certain that the clauses are observed. In those trades where unionism is strong the natural tendency of the contractor to try to get round the labour conditions of his contract can be more or less effectively checked. Where unionism is either absent or weak the way of the transgressing contractor is easy. Moreover, the number of persons employed directly or indirectly upon municipal or State work under regulated conditions, while increasing, is at present comparatively small, and although the number of contractors who carry out such work is large

the regulated conditions do not apply to all their employees, but only to those engaged in executing the public contracts. Hence we find that the tailoring contractor to the London County Council will pay the minimum rate for the Council work ; but it is understood that the worker who is given a park-keeper's suit to make up is compelled to balance the advantage in wages accruing therefrom by taking a certain quantity of other work for her employer's private customers at a far lower rate of pay than the County Council's minimum. To parody the showman's classic phrase, what she gains on the regulated municipal uniform she loses on the unregulated private overcoat.

Therefore, although the introduction of wages clauses and the fixing of minimum rates in connection with public work are extremely desirable and useful, they do not promise to be either efficient or speedy as a means of improving the lot of those for whom an immediate rise in income is the only salvation. They are mentioned here simply as illustrations of the fact often overlooked, that the State, in spite of the serious warnings of economists, has begun, if only in a very tentative way, to take an intelligent interest in the terms of the cash nexus between employer and employed.

Obsolete and Modern Economic Theory—"All generous minds," says the most genial of American essayists, "have a horror of what are commonly called facts." One need not possess a very generous mind to have a horror of what used to be called political economy. It is now happily banished to Saturn ; but it must not be supposed that genuine economic science has been banished with it. The Saturnian economy was the economy of middle class professional life, in which every man is his own employer and capitalist, absurdly applied to modern industrial civilisation by college professors. It misled the nation on every practical issue ; and it would, if it could, prevent the enactment of a minimum wage law by giving yet another mistaken verdict against it. Those who are desirous of learning in detail the arguments in support of such a verdict, and also how they may be effectively

demolished, are referred to Mr. and Mrs. Sidney Webb's *Industrial Democracy*. But the professors still protest. They were against the Factory Acts; against the prevention of capitalist exploitation of children of tender years; against the fencing of dangerous machinery; against trade combinations of the working people; in a word, against the whole trend of modern industrial and social legislation. Against the enactment of a minimum wage law they reason as they taught the individualistic opponents of the Ten Hours Bill to reason sixty years ago. They urge that the cost of production would be increased in the industries where the minimum wage was enforced, and that therefore they would inevitably shrink or collapse owing to the falling off in the demand for their products which would result from the rise in price caused by the increased cost of production. This would tend to swell the ranks of the unemployed, and the last stage of the sweated worker would be worse than the first. This argument is based upon the assumption that the industries referred to can only exist by the employment of sweated labour. The practical opposition to the abolition by legislation of insanitary, unsafe, and unhealthy factories and workshops, and to the State prevention of excessive overworking of women and children, was based upon similar assumptions. "The cotton industry will be ruined," said the Lancashire millowner in effect, backed up by the economic professors, "if it is compelled to bear the expense of making decent the places in which the manufacture is carried on." Speaking in the House of Commons in 1855 against a Bill for the compulsory fencing of machinery, John Bright said that if the Bill passed he would advise his partners to shut up their mills because the legislature would not allow them to employ their hands at a profit.* Needless to say, there was still a handsome dividend to be drawn from the cotton industry after the cost of fencing machinery had been met; and the Lancashire mills are still open, thereby showing scant respect for college-made economics. We know now that the effect

* Simpson, *Many Memories of Many People*, pp. 263-264; quoted by Prof. Dicey in *Law and Opinion in England*.

of stopping competition in wages at the expense of the vitality of the workers is, to quote from *Industrial Democracy*, to concentrate it upon efficiency. A minimum wage would continue and intensify that salutary concentration. Doubtless a number of the weakest and least efficient workers would then be excluded from employment where formerly they had been able to keep themselves partially alive by their sweated and inefficient labour, inefficient because underpaid. This result, instead of being deplored, should be welcomed. It would draw attention to the urgent need for the State to take in hand the problem of the unemployable—a problem which arises mainly through the absence of a national minimum wage. Even if some occupations were unable to bear the cost of a minimum wage, it would obviously be a national benefit for them to disappear rather than to continue by living upon the life capital of the nation.

Wages Law in New Zealand.—Before going further into detail with regard to the proposed law it will be well at this stage to consider an important practical objection, namely, that although it might be possible to draft on paper a satisfactory Minimum Wage Bill, and even get it passed, the Act would break down in practice owing to the immense difficulties which would arise in its administration. It is urged that the work of calculating and fixing the minimum wage rate and of inspection for the prevention of evasion would be so vast and minute that the wit of man could not devise machinery capable of coping with it. When, however, we turn to Australasia, we find laws in operation there demanding a system of administrative organisation more complex than would be required in connection with a minimum wage law founded on the cost of living. The New Zealand Arbitration Acts, the effect of which has been the institution of legal minimum rates of wages on the basis of what each trade arbitrated upon will bear, entail upon the members and officials of the Conciliation Boards and the Court of Arbitration a vast amount of labour in settling multitudinous points of great difficulty which would not arise here under

a minimum wage law. Some idea of what those labours have been may be formed from the following quotation from *State Experiments in Australia and New Zealand*, by the Hon. William Pember Reeves :

“ The trades that have come under the awards of the tribunals have been those of the bootmakers, seamen, goldminers, coalminers, printers, tailors, millers, carpenters, plumbers, painters, moulders, drivers, saddlers, tailoresses, dressmakers, sawmillers, engineers, ironworkers, furniture-makers, bakers, confectioners, butchers, grocers' assistants, and others of less importance. The questions arbitrated upon have already included most of the hard nuts which students of labour conflicts know so well. Among them are hours of labour, holidays, the amount of day wages, the price to be paid for piece-work, the proportion of apprentices, the facilities to be allowed to trade union officials for interviews with their men, the right of employers to engage non-unionists, or to discharge or refuse to engage unionists, the conduct of unionists in refusing to work side by side with ' free labourers,' and pressure exerted by employers to induce them to join a private benefit society.”

Yet, in spite of the hardness of the nuts mentioned by Mr. Reeves, they have been successfully cracked without any serious strain upon the machinery provided for the purpose, or any strong or widely spread dissatisfaction arising with the methods adopted.

State Action in Victoria.—Again, the Shops and Factories Act of the State of Victoria, Australia, which so far is the boldest experiment entered upon for the stamping out of sweating and industrial parasitism, necessitates an elaborate system of inquiry and inspection in each trade brought under the Act. The measure, besides being one for the regulation of factories and shops on the ordinary lines, also contains clauses which make it an actual minimum wage law, and accordingly deserves special attention.

The Act as passed in 1896 provided for the appointment of special boards to fix wages and piecework rates for persons employed either inside or outside factories in

making clothing or wearing apparel or furniture, or in breadmaking or baking, or in the business of a butcher or seller of meat. Special boards might be appointed for any process, trade, or business usually or frequently carried on in a factory or workroom, provided a resolution had been passed by either House of Parliament declaring it to be expedient to appoint such a board. The special boards were to consist of not less than four or more than ten members and a chairman, and to hold office for two years. Half the members (elected as prescribed) were to be representatives of employers and half of employees. If the employers' or employees' representatives were not elected the Governor in Council was given the power to appoint representatives. He was also empowered to fill all vacancies. The members of a board might elect a chairman (not being one of such members); if they did not elect a chairman the Governor in Council might appoint one. The members of these boards were to be paid 10s. per full day, 5s. per half day, the chairman £1 per day with travelling allowances. A board might fix either time rates or piecework rates, or both; must also fix the hours for which the rate of wages was determined, and the payment for overtime, and in fixing wages might take into consideration the nature, kind, and class of work, and the mode and manner in which the work was to be done, the age and sex of the workers, and any matter which might be prescribed by regulation. A board could settle the proportion of apprentices or improvers to be employed in any process, trade, or business, and the wage to be paid to them; and in fixing such wage might consider age, sex, and experience. The determination of a special board was to apply to every city and town and might be extended by the Governor in Council to any borough or shire or part of a shire. A board could determine that manufacturers might be allowed to fix piecework rates based on the minimum wage. That is to say, the board, after fixing time wages itself, might leave it to employers to pay a fair equivalent to their pieceworkers. The Chief Inspector might, however, challenge any rate so paid, and the employer might have to justify it before the board.

The Success of the Victorian Act.—The boards set up for the baking, clothing, bootmaking, shirtmaking, and underclothing trades, in spite of intricate complications, found it possible to arrive at determinations which have given general satisfaction. The furniture trade board had the most onerous task, as certain sections of the trade are in the hands of the Chinese, whose idea of honouring Factory Acts of this kind is to contravene them. Though collusion between Chinese masters and their Chinese workpeople to outwit the inspector in matters of wages and hours was glaringly obvious, the cunning of the yellow man was too often superior to that of the representative of the law when it became a question of securing legal proof that the regulations had been broken. Yet even here sweating has been checked to a very great extent, and the conditions of the trade in 1901 were reported as far superior to those prevailing before the establishment of the wages board.

It is important to note that the alleged tendency of a minimum wage to become the maximum has not shown itself. In May, 1902, the Chief Inspector asserted that whereas in the clothing trade, in 1901, the minimum wage for adult males was 45s. per week, the average paid was 53s. 6d. For adult females the minimum was 20s., the average 22s. 3d. He instanced similar differences in the boot, furniture, and shirtmaking trades.

Owing to the favourable results of the working of these six boards, twenty-six other trades have been brought under the operation of the Act—amongst others, the aerated water trade, artificial manure making, bedstead making, brassworking, brewing, brickmaking, coopering, dressmaking, jam-making, ironmoulders, pastrycooks, plate-glass making, stonecutting, tinsmithing, wood working, etc. etc.

By the end of 1904 determinations had been made by the above 32 boards, except in the case of the tinsmiths, where the fixing of piecework rates caused delay. In all cases rises in wages had been made, and in nearly every instance the staff of inspectors reported that the decisions of the boards had been acted upon without any serious

friction taking place. In two industries only does it appear that trouble arises. One is the furniture trade, which suffers from the blight of yellow labour. According to the Chief Inspector's report of December, 1904, a case of evasion by a white firm engaged in the furniture trade was discovered, and the employer was compelled to hand over to his underpaid workmen the sum of £40 each. It should be mentioned in passing that a weakness of the Act is that no provision appears to be made for punishing the men as well as the employers in a case of collusion. The other of the two troubled trades is that of dressmaking. Here dissatisfaction has been caused by the low minimum wage fixed by the board, which, following the example of all the other boards, based its award upon the principle of giving what the trade would bear.

In 1903 a court was created in order that appeals against the determinations of the wages boards might be heard. By December, 1904, only one case had come before the court—an appeal by the employers in the artificial manure industry against a decision fixing a minimum wage of 40s. 6d. The employers were successful, the award being reduced to 36s. This dearth of employment for the Appeal Court may fairly be taken as further evidence that the Act is working smoothly.

The Victorian Act, 1896, was intended as an experiment to be tried for three years only. In 1899 it was amended slightly and extended for two years plus a session of Parliament. In 1902, when a sudden dissolution of the Victorian Parliament endangered it, an Act was got through again extending its life, this time until 1905. The Chief Inspector of Factories, in December, 1904, reported strongly in favour of the Act being made a permanent one. Last year (1905) the Act was again renewed.*

It has been urged that the successful working of the Australasian laws affecting wages and dealing with complicated and minute details, throws no light upon the question as to whether similar laws would be practicable in England, because the population of Australasia is less

* For further details of Australasian labour laws, see *Fabian Tract* No. 83.

than one-tenth that of the United Kingdom. This objection is easily disposed of. Melbourne, Manchester, and Birmingham have practically the same population: five hundred thousand each. The notion that the experience of Melbourne is useless as a guide to Manchester is flatly contrary to common sense. The two cities resemble each other far more closely than Shrewsbury resembles Sheffield.

The Proper Basis of a Minimum Wage Law.—

So far we have been discussing the objections to State interference with wages, and to the fixing of any kind of minimum wage by Act of Parliament. We now have to consider the form such an Act would take in this country.

The Act should aim at the fixing and enforcement of a wage sufficient to enable our workers to be maintained in healthy existence. Therefore the wages should be calculated on what the worker requires for physical health and efficiency, and not on what the trade will bear. The latter method, obviously resulting in the fixing of different minimum rates for each trade, would come under the head of wage regulation, which, in the interests of industrial peace, may be extremely desirable, but is something quite apart from the establishment and enforcement of a national minimum wage in the interests of physical and industrial efficiency. The minimum wage would not replace "standard" or "trade union" rates where these were the higher amount.

In the second place the law must be national: that is, must apply to the whole country in order that no district shall undersell another in the labour market at the cost of national vitality. Thirdly, since the last condition cannot be fulfilled by equal money wages all over the country, the Act must be drafted on the assumption that it is possible to determine a national minimum of *real* wages: that is to say, such a wage as, worked out in its cash equivalent, will equalise all local variations in cost of living.

Relative Wages of Men and Women.—The necessity for fixing a lower wage for women than for men raises one

of the greatest difficulties in the way of an equitable solution of the problem ; and it may be said at once that it is a difficulty which cannot be fairly adjusted without bringing the Poor Law to the aid of the Minimum Wage.

The reason for paying men more highly than women is that under our marriage institutions the man is the woman's paymaster for her domestic work. This domestic work, including childbearing and the rearing of children, is onerous, dangerous, and absolutely indispensable to society. But the woman is not directly paid for it : she is given, instead, a legal claim on her husband's means, name, and status. Therefore it is admitted that the man, having to support another adult and their children, must receive a wage sufficient to maintain these several persons, whilst the woman is regarded industrially as a single woman, needing only enough to support herself.

The objections to such an arrangement are obvious. Some men are not married, and are therefore receiving family wages for single life. What is far worse, some women are widows with children ; and these women are receiving the wages of a single adult, and starving a family on it.

To novices in political science it may seem simple to establish two wages, one to be paid to married and the other to single workers. But in competitive commerce such solutions are Utopian. If married men cost more in the labour market than single ones, employers would never employ a married man where a single one was available ; and the married men would thus tend to be driven out of the market by the single ones. The same would be true of women. Further, if women and men were paid at the same rates, men would always be employed in preference to women wherever possible, because, fairly or unfairly, male labour is considered industrially superior to female. The demand for "equal wages for men and women" is perfectly well known to trade unionists as a device for keeping women out of men's trades. Any attempt to maintain two prices in the labour market for the same article, or to maintain the same price for two different qualities of the same article, must fail, because

nobody will buy at the higher price when he can get what he wants at the lower, and nobody will take second quality when he can get first quality for the same money. Therefore, whilst the present competitive system of employment by competing private enterprises prevails, the industrial minimum wage must conform to three conditions: (a) It must be lower for women than for men; (b) all men must have the same minimum wage, and all women the same minimum wage; (c) the man's wage must be enough to support a family, and the woman's to support a single independent adult.

This leaves the problems of the bachelor and the widow with children unsolved, just as they are left unsolved by our present system.

The case of the bachelor may be disregarded for two reasons: (a) if the minimum wage secures enough to the married man, it is no evil, but only a negligible inequity, to let the bachelor have a little more than enough; (b) the practice of working men at present shows that, as a matter of fact, they do not find that they can provide themselves with domestic service and companionship more cheaply as bachelors than by marriage.

The case of the widow cannot be set aside in this way. Nothing can be more deplorable than the position of a woman who, in addition to industrial work, has to be both father and mother to a family, and yet can get only the wages of an underpaid single person. It is impossible for her to maintain her health and self-respect under such circumstances. When her children grow up they are more likely to join "the residuum," and become a heavy charge on the community, than to add to its resources. She must be rescued from this miserable and mischievous condition. But a minimum wage law alone cannot rescue her, though it alone can make her rescue possible. The only way of meeting her case is to give her, as a matter of right, sufficient assistance from public funds to enable her, with the aid of free public schools, and free meals in them, to make up her income to the standard for heads of families. There is no element of charity in this. The death of her husband has cut off the payment made

through her husband for her services to society in bearing and rearing children ; and the continuation of this payment through another channel is no more than her due.

One of the weightiest arguments in favour of a minimum wage law is that it would make such an arrangement workable for the first time. Without such a law, the widow's allowance would be used, as soldiers' pensions now are, to cheapen her labour and drag down the wages of her competitors to the level of what starving widows could be driven to accept in addition to their allowances. This is what happened in the case of the old parish allowances which were so ruthlessly cut off under the Poor Law of 1834. Wages went down ; outdoor relief went up ; and employers got labour at the expense of the rates, with results that were morally and industrially ruinous. But the merciless and inconsiderate cutting off the allowances altogether without making other provision for the widow was not a remedy : it was a catastrophe to which we are indebted for our present problem of the unemployable and our physical deterioration scare. The cruelties of the new Poor Law have, in their own way, been as great a failure as the indulgences of the old one. They stand to-day condemned as perhaps the most disastrous of the many practical blunders produced by the application of individualist economics to social problems. Had the reformers of that day looked at the situation from a social point of view, they would have placed the workers behind the bulwark of a legal minimum wage instead of abandoning them to the horrors of unrestrained competition in a market where sordid selfishness was deliberately worshipped as a divine ordinance for ensuring the spontaneous welfare of the human race.

Public provision for widows with families will raise no difficulty whatever when it has a minimum wage for women as its fulcrum. Instead of a rate in aid of wages, it will become a form of State endowment of motherhood and orphanage. As such it might well have terrified the politicians of seventy years ago, who were in the first panic of an unprecedented increase of population. But to-day we are in the first panic of a most alarming diminution of

our birthrate; and anything that promises to relieve the family anxieties which have so powerfully spread the artificial restriction of the population since 1880 is on that account alone highly desirable.

It only remains to note that the funds for such allowances should not come from local rates or be connected with any stigma of "pauperism." The burden—or rather the investment, for it would pay us enormously in national health—is essentially a national and not a local one; and its fittest source is taxation of rent, interest, and industrial profits.

The Unemployable.—A minimum wage law cannot help the unemployable. On the contrary, we must frankly face the fact that it will increase their numbers at first. For in competitive commerce unemployable is not an absolute but a relative term. A man who is employable at twelve shillings a week may be unemployable at twenty-four. A woman who is employable at four shillings a week may be unemployable at twelve. On the other hand, a man who is actually employed at eighteen shillings may be quite employable at twenty-four, and a woman actually employed at twelve quite employable at eighteen. That is, if their employer had either to raise their wages or refuse to employ them at all, he would raise their wages and be content with less profit. Consequently it must not be assumed that all the workers who are now receiving less than the legal minimum would be thrown out of employment. But some of them would. Our social anarchy has created not only an absolutely unemployable class, but a class just above them which is commercially only just worth employing at starvation wages in busy times. If the employers had to pay these a standard subsistence wage, however modest, they would discharge them at once and add them to the ranks of the absolutely unemployable. What is more, there are whole industries dependent on sordidly cheapened labour which would be wiped out by the minimum wage. And there would be indignant letters to the press from benevolent persons shocked by individual cases of poor men and women de-

prived of their little wage and flung into destitution, with much furious clamour from the sweated trades and their landlords and shareholders. But the destruction of the trades which subsist only by sweating is one of the beneficent results which the minimum wage is expressly devised to accomplish. And it is far cheaper for the nation to deal with the unemployable as destitute persons by wisely adapted poor law methods than to allow them to drag down decent workers to their level by the competition in the labour market. Besides, it must be remembered that whereas under the present system there is a constant supply of unemployables produced by abject poverty and the physical and moral deterioration it creates, a minimum wage would abolish this poverty and so cut off the supply. We should have only one generation of ordinary unemployables to deal with. When they died out, we should only have the casual imbeciles and criminals; and even these would be enormously reduced in number, as they too are largely poverty products.

There is another most important deduction to be made from the total of temporary destitution to be apprehended from the first effects of a Minimum Wage Law. It is quite a mistake to suppose that all the direct recipients of starvation wages are starved. A large number of them are well-fed and even blooming lasses who are really supported at home by their parents, but are willing to work in a factory for the sake of five or six shillings a week pocket-money and the comparative gaiety of factory life. The father, having to support the girl in any case out of his earnings, is glad to have her demands for money not only stopped, but actually replaced by a contribution of a few shillings to the housekeeping. It seems an excellent arrangement to all immediately concerned; but it involves incalculable social mischief. Not only is the woman, when she has to support herself wholly, or is perhaps left a widow with several children, compelled by the competition of the girls to starve on five or six shillings a week; but the trade at which she is working is not a genuinely self-supporting one: it is parasitic on the trades in which the fathers of the girls work, and produces all the in-

dustrial and social evils which recent economic investigations have brought home to parasitic trades. If this practice were defeated by a Minimum Wage Law, the girls would not be deprived of their livelihood, but simply sent back to their families with the prospect of re-entering industrial life later on with a sufficient wage secured by law. And the temptation to the parents to rely to some extent on their children's earnings, either by resisting reductions of wage less determinedly, or working less, or spending more in questionable ways—a tendency which sometimes ends in the reduction of the wages of a whole family to the sum formerly earned by the father alone—would be removed.

In short, much of the loss of employment and the bankruptcy of parasitic trades which the enactment of a Minimum Wage Law might involve would be blessings in a very thin disguise. But as to the unemployables, however lightheartedly we may look forward to a future when they shall have disappeared, we must not forget the first effect of the law will be to throw more of them on our hands, and that they must not be left to starve. As social invalids, they will have to be dealt with in some of the known forms of disciplined colonies for unemployables; cured, reformed, or trained as far as possible, and treated with as much consideration as the nature of their case permits.

In fixing the relative wages of men and women, regard must be had to the fact that family life costs much less per head than single life. If, for instance, it were calculated that thirty shillings a week would be a sufficient minimum for a family of five persons, it would by no means follow that six shillings a week would suffice for a single woman. A woman with six shillings a week could live decently on it only by getting received into a family; and this would reproduce the evils of parasitic trade exactly as if she were a daughter. Her wage must be calculated on the basis of the needs of a single adult living independently without any other resources. It will then be found that the difference between the man's wage and the woman's will be much less than at present,

and will probably be scarcely more than sufficient to protect women from having to compete with men in the labour market at equal wages.

Finally, it must never be forgotten, in dealing with the wages of women, that the possibility of eking out insufficient wages by occasional or systematic prostitution is always present, and that there are trades in which the employers have as little scruple in taking this into account in the wages they offer as a hotel-keeper has in taking tips into account in the wages he pays a waiter. And as the hotel practice has the effect of making it compulsory on a waiter to accept tips if he is not prepared to starve, so women may be, and sometimes are, compelled to resort to prostitution to keep themselves alive. Their minimum wage should, therefore, be sufficiently high to save them from so demoralising an alternative, and even from having to escape from it by contracting clearly undesirable marriages.

The Real Minimum Wage.—The first provision of the Minimum Wage Law would be one for the ascertainment of the minimum of food and clothing necessary for the healthy subsistence of (a) an average family, reckoned as consisting of a man, his wife, and three children; and (b) an adult woman living by herself. This could be made the duty of either a Special Commission appointed for the purpose, or of the Labour Department of the Board of Trade. The researches recently conducted by the Labour Department into working class budgets would form an admirable basis for the prosecution of the necessary inquiries. The task would not be one of extreme difficulty. Mr. B. S. Rowntree, in his book on *Poverty* in York, goes very carefully into the matter, and has drawn up tables of the minimum amount of food needed for adults and children for the maintenance of merely physical efficiency. He bases his estimates upon the results of the scientific experiments of Professor Atwater, of the U.S. Department of Agriculture, and of Dr. Dunlop, who made a series of studies upon the dietaries of prisoners in Scotland. Mr. Rowntree's tables follow in some respects the dietaries for paupers framed by the Local Government Board;

but they are not so generous, nor would they cost as much. His figures as to the amount of poverty which festers under the shadow of York Minster, have been criticised as exaggerated, but no one will accuse him of asking for a highly luxurious diet as a minimum. The question of clothing and indispensable household necessities would be less easy to settle. Mr. Rowntree bases his estimate upon inquiry among those who know what poverty means, and he arrives at the conclusion that an adult cannot be decently and fairly warmly clad under 6d. per week, nor a family of five under 2s. 3d. per week. Household necessities (including fuel) he estimates at 2s. 8d. per family per week.

The investigations which would be made by the suggested special Commission or by the Labour Department might lead to a higher standard being fixed. It could hardly be put lower. The Postmen's Federation, in making elaborate calculations in connection with this subject some time ago, for the purpose of convincing the Postmaster-General that many of their number were unable to maintain physical well-being on the wage they received, naturally took a less modest basis than that adopted by Mr. Rowntree. Its figures total up to 50 per cent. more.

The minimum of food, clothing, and indispensable household necessities having been determined, the law would enact that the national minimum wage in its two categories should provide for these, plus the rent of house-room complying with the legal requirements of sanitation and accommodation.

The Minimum Wage in Cash.—The translation of the national minimum of real wages into money wages according to the local variations in prices and rents, would be made a part of the duties of county councils and of borough and urban district councils with populations of not less than 50,000. In London the County Council should be the authority for this purpose.

There are good grounds for believing that in regard to the main items of the real wage, local variations in price will be found not to be very great, except, of course, in

the case of rent and rates. The report of the inquiries made by the Postmen's Federation, to which reference has already been made, included indefinite returns as to the cost of living from 412 towns throughout Great Britain and Ireland, and these show that the prices of food-stuffs do not vary to any considerable extent. The report adds that although an article of daily consumption may be cheaper in one part of the country, this advantage is usually counterbalanced by the higher cost of another article of common use.

By way of illustration, let us take Mr. Rowntree's estimate. In York, where rents are evidently low, the money wage for an adult man, reckoned as the responsible head of an average family, works out at 21s. 8d. per week. The rent in this case is put at 4s. per week. In London, house-room, satisfying legal requirements as to sanitation and accommodation for an average family, could not be obtained for less than 7s. 6d. per week. Certain is it that it cannot be built for less. This would bring the cash minimum wage for the metropolis to just about 25s., which robs the London County Council's "moral minimum" of 24s. of its austere virtue. These figures are given simply as illustrations, and must not be taken as representing the amount which ought to be fixed as the minimum cash wage. Mr. Rowntree's budget of food, clothing, and shelter would most likely be rejected as being far too meagre.

Besides the duty of fixing the cash minimum wage for the district, the local bodies mentioned should be given the authority to enforce it. For this purpose a staff of local inspectors would be required. It would be well if these inspectors, although officials working under the direction of the local authority, were appointed and dismissed only with the sanction of the Labour Department, which should also be empowered to settle the qualifications required for the positions. A certain proportion of the salaries of the inspectors should be paid out of the Imperial Exchequer, as a return for the powers exercised by the Labour Department in connection with these officials.

Trade Boards.—A necessary part of the administrative machinery would be trade boards in each acting local authority's area for each trade or group of trades. The constitution of these boards would be on the lines of the Special Wages Boards of Victoria—say two or three representatives of the employers and an equal number of the employees, with a chairman. As the workers in trades within the scope of the Minimum Wage Law would in the main be without enough organisation to elect representatives, it should be the duty of the local authority to nominate them. In default of suitable persons inside a trade persons of ability and impartiality should be chosen from outside. The chief function of these boards would be to translate the weekly minimum wage into piecework rates: that is to say, to determine the number of articles to be made or the quantity of work to be done in an hour. This task implicitly involves the fixing of the length of the normal working week. There would be little difficulty in the case of factories and workshops where the number of hours is already fixed at 56 per week, but in domestic workshops it is impossible to regulate hours of labour. Domestic workshops must be placed on an equality with factories and workshops, unless we wish to put a premium on sweating; and the only way to do this is to enact that the boards shall convert the legal weekly wage into piece rates on the basis that for all classes of factories and workshops 56 hours constitute a normal week. Whatever the minimum wage may be, one-fifty-sixth of it will be an hour's pay, and what the boards will have to do is to fix the number of articles to be made in an hour.

We might very well go a little further in imitation of Victorian precedents by making the rates for home work higher than those paid for work done in the employer's workrooms, and thus compensate the home worker for the cost of rent, light, etc. Incidentally this would help to drive work out of the home into the workshop. In addition, the boards would deal with the proportion of children and young persons that might be employed, and the minimum wages to be paid to them, and with

any other question relating to hours of labour and to wages arising through the operations of the Act and not already covered implicitly or explicitly by other industrial legislation.

These determinations—to use the term adopted in Victoria—of the trade boards would be sent to the Labour Department for ratification. Before ratification they would be checked by the Department for the purpose of amending any too great local variations in working hours, piecework rates or other details, and to ensure the greatest possible uniformity in the minimum conditions of any widely distributed trade. The Labour Department should also be empowered, in conjunction with the local authority, to assist in drawing up a determination when a trade board found it impossible to arrive at an agreement. When ratified by the Labour Department the determinations should have the force of law, and any employer not complying with their provisions should be liable to a heavy fine or imprisonment. Where collusion between employer and employed was discovered both parties should be punished proportionately. Inspectors would have the power to inspect the wages books of employers, and to institute proceedings under direction of the local authorities for any breaches, or suspected breaches, of the Act. Home-work employers must now keep registers of the names and addresses of persons so employed, and would further be compelled to take receipts for wages, showing the work done and the rate paid. The difficulties of enforcing a minimum wage for home work are certainly formidable; but they appear to have been surmounted in Australasia. With the occupation of those engaged as shop assistants, waiters, waitresses, and the like, or as domestic servants, the complications of a wage paid partly in cash and partly in food and sleeping accommodation, and sometimes clothing, will be troublesome. But here, as in many other spheres of employment, much of the apparent difficulty in fixing a minimum wage arises from the present lack of systematisation. By means of the trade boards it should be possible to evolve improved conditions for labour even out of the chaos of sweating in cheap retail drapery, or

the overworked life of the general slave to suburban snobbery or boarding-house brutality.

The Minimum Wage Law in Operation.—It will have been noticed that the proposed law is not intended to be of immediate universal application. The Act would have to be applied gradually but systematically. The procedure would be as follows: Directly the minimum of real wages had been fixed by the Special Commission, or the Labour Department, the county council, borough council, or urban district council, as the case might be, would transform this wage into a local cash equivalent. It would then appoint its inspectors, who would inquire into the conditions of the local industries. This inquiry would not take up much time, as sweated industries are always well known. Taking the trades with the worst conditions first, the local authority, acting on the information and advice of its inspectors, would appoint trade boards in these occupations. This might be called scheduling a trade under the Minimum Wage Act. Directly the boards were appointed, the local authority would inform the Labour Department of the fact. The Labour Department would send the information to all other local authorities, instructing them at the same time to take immediate steps for the formation of trade boards in these scheduled trades, if any existed in their districts. This would systematise and hasten the work of arriving at determinations applying to the whole country. Directly such a determination had been made, public notification would be given of the date when it would come into operation. It would be necessary to arrive at determinations for the whole area of an industry before action was taken for enforcement, otherwise those portions of the country in which local authorities neglected or delayed their work might for a time undersell districts in which local authorities were active and conscientious. In cases of undue delay or culpable negligence on the part of any local authorities, the Labour Department should have the power to apply to their areas the determinations already made by other local authorities.

Proceeding in this way every trade could be brought under the operations of the Act. In practice there might be no necessity for the institution of trade boards in some industries owing to the prevalence of satisfactory conditions; and these industries might not therefore be scheduled. Still, in connection with nearly every trade or group of trades there is a fringe of so-called unskilled labour which is not receiving sufficient for the maintenance of healthy existence. Hence it is likely that few occupations would remain outside the scope of the Act were it efficiently administered.

Probable Effects of the Law.—As there will be local variations in the minimum cash wage owing chiefly to variations in rent, there will be an increasing tendency for industries—so far as greater cost in wages is not compensated by market advantage, or proximity to sources of raw material—to move from the high-rent to the low-rent districts, that is to say, from the large and crowded manufacturing cities to the small town or to the country. Migration of this kind, which is already going on, is to be welcomed for obvious reasons. Home work, under a strict administration of our Minimum Wage Law, would tend to become more expensive than that carried on in the factory, and this handicapping of domestic industry would be a great social advantage. The institution of the trade boards would bring to the weakest sections of the workers a sense of the power of organisation and combination which, it is not too much to predict, would induce them to use the minimum wage as a stepping-stone to further improvements in industrial conditions. That there would be at first a great deal of friction aroused by the minute inspection, especially of wages books, required by the law, is highly probable. But it must be remembered that to-day many public bodies, in order to investigate charges of breach of contract in matters of wage payments, insist upon the right to examine the books of firms who carry out public work. The higher the standing of the firm the less trouble there is in exercising this right. It is certain that in England, as in Australia, when the first

horror of the shock caused by State interference with the cash nexus is over, the better employers will heartily welcome the means of ridding themselves of the competition of those who employ parasitic labour.

As to the effect of the law upon our foreign trade, Mr. and Mrs. Sidney Webb have shown that the abolition of parasitic labour would not necessarily lead to a reduction in the volume of our export trade; and, moreover, that a sweated trade will not be lifted from its degraded position by a protective tariff on the products of a foreign, competing trade. But with the institution of a national minimum wage a new question arises, which is not altogether one of abstract economics. Under a Minimum Wage Law the manufacture of goods in England under sweated or parasitic conditions becomes unlawful, and by inference the sale of such goods ought to be made a breach of the law in the same sense as selling illicit whiskey. Therefore, it follows from a Minimum Wage Law that the importation of goods made under sweated conditions abroad must be prohibited. The difficulty of deciding what is the foreign equivalent of sweating, and the impossibility in many cases of tracing the foreign goods through all the processes of their manufacture, are obstacles to the complete enforcement of such regulations; but this is not a sufficient reason for abandoning the attempt.

The National Dividend Increased.—What is the number of persons who would immediately feel the effects of the enactment of a legal minimum wage? If we take Mr. Rowntree's figures with regard to the primary poverty in York as fairly representative of the whole kingdom, we should have about five millions of people who are members of families that have incomes insufficient to maintain merely physical efficiency. This is the class that breeds the weak, the unfit, in a word the residuum. Many of its members, it is true, would not be capable of earning even the low minimum suggested by Mr. Rowntree. These would become the unemployable. To the others, the largest proportion, an increased wage would give the

increased mental and physical vitality which are a nation's real capital. The manufacture of human wreckage by the process of semi-starvation would be in greater part checked and controlled. Indirectly the classes above this lowest would benefit. There would be a gradual growth in the national dividend, arising from the greater power of production due to the increase of physical efficiency and the share of each grade and each trade in the dividend would be increased accordingly. A Minimum Wage Law cannot cure the evils which arise from the foolish spending of incomes small or great, but it would act as a palliative of those evils which arise from the existence of incomes that are sufficient for the barest necessities of life.

Since the above was written the Select Committee on Home Work, first appointed in 1907, to which the Sweated Industries Bill was committed, has issued its Report. The following is the summary of its conclusions:—

1. That there should be legislation with regard to the rates of payment made to home workers who are employed in the production or preparation of articles for sale by other persons.

2. That such legislation should at first be tentative and experimental, and be limited in its scope to home workers engaged in the tailoring, shirtmaking, underclothing, and baby linen trades, and in the finishing processes of machine-made lace. The Home Secretary should be empowered, after inquiry made, to establish Wages Boards for any other trades.

3. That wages Boards should be established in selected trades to fix minimum time and piece rates of payment for home workers in those trades.

4. That it should be an offence to pay or offer lower rates of payment to home workers in those trades than the minimum rates which had been fixed for that district by the Wages Board.

5. That the delivery and collection of work done at home should be done by persons in the direct employ and pay of the employer. Where that has not been done, the amount which a worker could earn in a specified time

should be calculated on a basis which included the time spent in fetching and returning the work as time occupied in doing the work.

6. That all home workers who are employed by other persons in producing or preparing articles for sale should be required to register their name, address, and class of work at, and receive a certificate of such registration from, the offices of the local authority, and that the keeping of accurate outworkers' lists by employers should be strictly enforced.

7. That it should be an offence for any person to employ any home worker to produce or prepare any articles for sale by another person unless the worker produce a certificate of registration.

8. That the provisions of Section 9 of the Public Health Act, 1875, with regard to factories and workshops which are not kept clean or are ill-ventilated or overcrowded should be extended to rooms in which home work is done, and power should be given to sanitary and factory inspectors to inspect them and secure the enforcement of the law.

9. That the full protection of the Truck Act should be secured to home workers.

These conclusions, and the arguments on which they are based, are, on the whole, in agreement with the opinions and proposals in these pages. There is, however, one important omission. The Committee do not state what should be the basis of the minimum wage. To fix it according to "what the trade will bear" would not cure the evils of sweating. As already stated, the minimum wage must be calculated on what the worker requires for physical health and efficiency.

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