

# CHILD LABOR LEGISLATION,—A REQUISITE FOR INDUSTRIAL EFFICIENCY

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We continually assert that we are living in an industrial age and on many occasions we openly boast of our industrial achievements; it is, for instance, almost impossible to make an acceptable Fourth of July oration without impressive mention of the railroads and telegraph lines "which bind together a mighty continent." Although in our moments of expansiveness we so fully admit this successful industrialism, at other times we seem to be ashamed of it and continually insist that we must find our culture, our religion and our education quite outside of it, as if the inner world developed in complete independence of the outer. This may be one reason that our culture, our religion and our education so often seem weak and feeble compared to our industrialism. We fail to realize that because we are living in an industrial age we must find our culture through that industry, and that to seek culture in some other age that is not our own is to wear a borrowed and ill-fitting garment; that if we fail to apply our religion to the industrial situation and refuse to be guided by it through the problems which current industrialism develops, that it perforce becomes meaningless and remote, and that even more is this true in regard to education. A school which fails to give outlet and direction to the growing intelligence of the child "to widen and organize his experience with reference to the world in which he lives" merely dresses his mind in antiquated precepts and gives him no clue to the life which he must lead. It was formerly assumed that a child went to school unwillingly, and that he there entered into an unending struggle with his teacher, who was often justified in the use of coercion. The new pedagogy, which is so ably represented in New York, holds that it is a child's instinct and pleasure to exercise all his faculties and to make discov-



eries in the world around him, that it is the chief business of the teacher merely to direct his activity and to feed his insatiable curiosity. In order to accomplish this he is forced to relate the child to the surroundings in which he lives, and the most advanced schools are using modern industry for this purpose.

Educators have ceased to mourn the changed industrial conditions in which children were taught agricultural and industrial arts by natural co-operation with their parents, and they are endeavoring to supply this disadvantage by manual arts in the school, by courses in industrial history, and by miniature reproductions of industrial processes, thus constantly coming into better relations with the present factory system.

The advocates for child labor legislation, as all the sessions of this conference have testified, are most heartily in sympathy with this new standpoint, and in several notable instances the advanced educator is he who is most conspicuously striving for adequate legal protection for the child. The members of this conference are in no sense those who advocate a life of idleness or of meaningless activity for the growing child, nor do they believe in a spurious or "leisure class" culture. On the contrary I hope to be able to show that because we recognize the significance and power of contemporary industrialism that we hold it an obligation to protect children from premature participation in its mighty operations, not only that they may secure the training and fibre which will later make that participation effective, but that their minds may finally take possession of the machines which they will guide and feed.

There has been for many years an increasing criticism of the modern factory system, both from the point of view of the worker and from the point of view of the product itself. It has been said many times that we cannot secure good workmanship nor turn out a satisfactory product unless men and women have some sort of interest in their work, and some way of expressing that interest in relation to it. The system which makes no demand upon originality, upon invention, upon self-direction, works automatically, as it were, towards an unintelligent producer and towards an uninteresting product. This was at first said only by such artists and social reformers as Morris and Ruskin, but it is being gradually admitted by men of affairs and may at last incorporate itself into actual factory management, in which case the factory itself will favor child.

labor legislation or any other measure which increases the free and full development of the individual, because he thereby becomes a more valuable producer. We may gradually discover that in the interests of this industrial society of ours it becomes a distinct loss to put large numbers of producers prematurely at work, not only because the community inevitably loses their mature working power, but also because their "free labor quality," which is so valuable, is permanently destroyed. Exercise of the instinct of workmanship not only affords great satisfaction to the producer, but also to the consumer who is possessed of any critical faculty.

We are told that the German products hold a foremost place in the markets of the world because of Germany's fine educational system, which includes training in trade schools for so many young men, and that there is at the present moment a strong party in Germany opposing militarism, not from the "peace society" point of view, but because it withdraws all of the young men from industrial life for the best part of three years, during which time their activity is merely disciplinary, with no relation to the industrial life of the nation. This anti-military party insists that the loss of the three years is serious, and the nation cannot successfully hold its advanced place if it must compete with those nations who do not thus withdraw their youth from continuous training at the period of their greatest docility and aptitude.

It is said that among the workmen of England, many of whom are engaged in supplying those cheap markets composed of semi-savage people which it is the pride of Great Britain to open to her manufactures, there is growing up a protest against the cheap and inferior articles which they are constantly obliged to make. The workers in the factories producing these unworthy goods are beginning to feel robbed of the skill which would be demanded if they were supplying the markets of civilized people and were ministering to the demands of increasing taste. "Cheap and nasty goods have an evil effect upon the producer as well as upon the consumer." It would be a curious result if these very markets which the British empire has so eagerly sought would finally result in so debasing the English workmen that they would at last be shut out from their legitimate share of the civilized markets of the world. It would be easy to produce other illustrations to demonstrate that in the leading industrial countries a belief is

slowly developing that the workman himself is the chief asset, and that the intelligent interest of skilled men, that power of self-direction and co-operation which is only possible among the free born and educated, is exactly the only thing which will hold out in the markets of the world. As the foremen of factories will testify again and again, factory discipline is valuable only up to a certain point, after which they must depend upon something else if they would achieve the best results.

The smallest child I ever saw at work was in a southern mill, —a little girl of five walked up and down her short lane in a spindle room. The product the mill was turning out was cotton sheeting of the coarsest sort, which was said to be designed for use in the Chinese army. Quite naturally a child of five, holding her snuff stick against her first “milk-teeth” and tying threads with her clumsy baby hands, could not contribute to a product demanding care and skill, and a mill which used up the labor power of its community in such reckless fashion could never hope to compete with the product turned out in another community in which a large share of the mechanics had been carefully educated in the public school and in which the municipality itself sustained a textile school.

Monopoly of the raw material and newly-opened markets are certainly valuable factors in a nation's industrial prosperity, but while we spend blood and treasure to protect the one and to secure the other, we wantonly destroy the most valuable factor of all, which is intelligent labor.

We have made public education our great concern in America and perhaps the public school system is our most distinctive achievement, but there is a certain lack of consistency in the relation of the state to the child after he leaves the public school. At a great expense the state has provided school buildings and equipment, and yet other buildings in which to prepare professional teachers. It has spared no pains to make the system complete, and yet as rapidly as the children leave the school room the state seems to lose all interest and responsibility in their welfare, and has, until quite recently, turned them over to the employer, with no restrictions as to the number of hours he shall permit them to work, nor as to the sort of employment which he shall give them. The Webbs long ago used in illustration of this contradictory attitude of the state the

story of an employer who might ask the state to equip his factory with machinery of recent invention that he might use it for his own profit and with but the incidental benefit to the community; at the end of a few years finding it worn out, he would again apply for a new equipment of a later device and value, throwing the old back upon the state which had previously given it to him. The Webbs insist that this is analogous to the employer asking the state for children, who have been educated in the public schools, demanding that they be especially drilled in habits of obedience and promptness and in those practical studies which make them the most useful to him; he puts them to work, and if they are worn out at the termination of a few years by labor beyond their strength, the state will have to care for some of them in its hospitals and poorhouses, but it takes them back without a word of protest against the employer who demands a fresh lot, educated in accordance with his requirements, which he may again overwork without any interference from the state. At no point does the community say we have allowed you to profit by the labor of these children whom we have educated at great cost, and we demand that they do not work so many hours that they shall be exhausted, nor shall they be allowed to undertake the sort of labor which is beyond their strength, nor shall they spend their time at work which is absolutely devoid of educational value. The preliminary education which they have received in school is but one step in the process of making them valuable and normal citizens, and we cannot afford to have that intention thwarted, even though the community as well as yourself may profit by the business activity which your factory affords. Such a position seems perfectly reasonable, and yet the same citizens who willingly pay taxes to support an elaborate public school system strenuously oppose the most moderate attempts to guard the children from needless and useless exploitation after they have left school and have entered industry.

Mr. Edgar Gardner Murphy, a member of the National Child Labor Committee, has said that child labor is a national problem, even as public education is a national duty. The children of Alabama, of Rhode Island and Pennsylvania belong to the nation quite as much as they belong to each state, and the nation has an interest in the children at least in relation to its industrial efficiency, quite as it has an interest in enacting protective tariffs for the preservation of American

industries. In a democratic country children in one station of life are quite as valuable as those in another, not only from a human point of view, which is true the world over, but from a strictly national point of view, and in studying industrial conditions in the light of their effect upon the children we may discover that the children cannot be adequately protected by too much deference to state lines, quite as it was found that a railroad commission must represent interstate authority in order to deal with railroads which were independent of state boundaries. There is a distinct manufacturing region composed of Western Pennsylvania, West Virginia and Ohio in which similar labor conditions prevail, and yet Ohio has a law which forbids a child under sixteen to work all night, in Pennsylvania any child over thirteen may work all night, and in West Virginia any child over twelve. The manufacturing establishments in these three states enjoy the same protective tariff and railroad rates, concerning which the federal government is most alert that no discrimination shall be made, and yet the nation is quite unmoved if the children in West Virginia are crushed and brutalized by being allowed to do night work four years earlier than the children of Ohio.

Uniform compulsory education laws in connection with uniform child labor legislation are the important factors in securing educated producers for the nation, but there is another side to the benefits of child labor legislation represented by the *time element*, the leisure which is secured to the child for the pursuit of his own affairs, quite aside from the opportunity afforded him to attend school. Helplessness in childhood, the scientists tell us, is the guarantee of adult intellect, but they also assert that play in youth is the guarantee of adult culture. It is the most valuable instrument the race possesses to keep life from becoming mechanical. The child who cannot live life is prone to dramatize it, and the very process is a constant compromise between imitation and imagination as the overmastering impulse itself which drives him to incessant play is both reminiscent and anticipatory. In proportion as the child in later life is to be subjected to a mechanical and one-sided activity and as a highly-subdivided labor is to be demanded from him, it is therefore most important that he should have his full period of childhood and youth for this play expression, that he may cultivate within himself the root of that culture which can alone give his

later activity a meaning, and this is true whether or not we accept the theory that the æsthetic feelings originate from the play impulse with its corollary—that the constant experimentation found in the commonest plays are to be looked upon as “the principal source of all kinds of art.” In this moment, when individual forces are concentrated and unified as never before, unusual care must be taken to secure to the children their normal play period, that the art instinct may have some chance and that the producer himself may have enough coherence of character to avoid becoming a mere cog in the vast industrial machine.

Quite aside also from the individual development and from the fact that play in which the power of choice is constantly presented and constructive imagination required is the best corrective of the future disciplinary life of the factory, there is another reason why the children who are to become producers under the present system should be given their full child-life period.

The entire population of the factory town and of those enormous districts in every large city in which the children live who most need the protection of child labor legislation consists of people who have come together in response to the demands of modern industry and who are held together by the purely impersonal tie of working in one large factory, in which they not only do not know each other, but in which no one person nor even group of people, knows all of them. They are utterly without the natural and minute acquaintance and inter-family relationships which rural and village life affords, and are therefore much more dependent upon the social sympathy and power of effective association which is becoming its urban substitute. This substitute can be most easily experienced among groups of children.

Play is the great social stimulus, and it is the prime motive which unites children and draws them into comradeship. A true democratic relation and ease of acquaintance is found only among the children in a typical factory community because they readily overcome differences of language, tradition and religion, which form insuperable barriers to adults. “It is in play that nature reveals her anxious care to discover men to each other,” and this happy and important task children unconsciously carry forward day by day with all the excitement and joy of co-ordinate activity. They accomplish that which their elders could not possibly do, and they render a

most important service to the community. Social observers comment upon the influence of this group and gang spirit as it is carried over into politics, but no valuable observations have as yet been recorded of its relation to the present system of production, which is so pre-eminently one of large numbers of men working together for hours at a time, probably because the factory offers so little opportunity for its exercise compared to the operations of self-government even in its most unsatisfactory manifestations in a crowded city quarter.

It would bring a new power into modern industry if the factory could avail itself of that *esprit de corps*, that triumphant buoyancy which the child experiences when he feels his complete identification with a social group; that sense of security which comes upon him sitting in a theatre or "at a party" when he issues forth from himself and is lost in a fairyland which has been evoked not only by his own imagination, but by that of his companions as well. This power of association, of assimilation which children possess in such a high degree, is easily carried over into the affairs of youth if it but be given opportunity and freedom for action as it is in the college life of more favored young people. The *esprit de corps* of an athletic team, that astonishing force of co-operation, is, however, never consciously carried over into industry, and is persistently disregarded. It is indeed lost before it is discovered, if I may be permitted an Irish bull, in the case of children who are put to work before they have had time to develop the power beyond its most childish and haphazard manifestations.

Factory life depends upon groups of people working together, and yet it is content with the morphology of the group, as it were, paying no attention to its psychology to the interaction of its members. By regarding each producer as a solitary unit a tremendous power is totally unutilized, but in the case of children who are prematurely put to work under such conditions an unwarranted nervous strain is added as they make their effort to stand up to the individual duties of life while still in the stage of group and family dependence. We can all recall moments in our childhood when we were not allowed to go "out to play" with other children and were overcome with rage and helpless despair as we looked from the window at the playing group which we could not join. We can recall moments of even more bitter isolation when we were "with the



others," but owing to some eccentricity of dress or some other stupid mistake of a controlling adult, we still felt quite outside of the group which we so fervently called our own. Some such remembrance may perhaps aid our imagination in behalf of the solitary child working in a crowded factory.

We naturally associate a factory with orderly productive action, but similarity of action without identical thought and co-operative intelligence is coercion and not order, and the present factory discipline needs to be redeemed as the old school discipline has been redeemed. In the latter the system of prizes and punishments has been given up not only because they were difficult to administer, but because they utterly failed to free the power of the child. "The fear of starvation," of which the old economists made so much, is, after all, but a poor incentive to work, and the appeal to cupidity by which a man is induced to "speed up" in all the various devices of piecework is very little better. The natural reaction against these in the determined efforts of workmen "to limit the output" has arraigned the entire system. It is the old revolt against incessant muscular labor divorced from any exercise of the instinct of workmanship and devoid of the creative touch of the artist.

Let us realize before it is too late that in this age of iron, of machine-tending, and of sub-divided labor, that we need, as never before, the untrammelled and inspired activity of youth. To cut it out from our national life, as we constantly do in regard to thousands of working children, is a most perilous undertaking and endangers the very industry to which they have been sacrificed.

We may in time learn to be discontented with the pleas which we continually put forth on behalf of more adequate child labor legislation, demanding, as we continually do, that the child be secured his normal period of growth and his full chance to acquire such education as the state is able to provide; we may in time add to that, that we are imperilling our civilization because at the moment of its most marked materialism we wantonly sacrifice to it that eternal spirit of youth, that power of variation which alone prevents it from degenerating into a mere mechanism; that in the interests of industrial efficiency we will be obliged to extend legislation for the protection of working children.