

Child Labor Laws

Florence Kelley



OVERVIEW

Florence Kelley worked for the National Child Labor Committee, which publicized the deplorable and unhealthy conditions in which children worked. At a meeting of the committee in 1906, Kelley reported on the status of child labor laws and explained why they were not effective. Portions of her report follow.

GUIDED READING As you read, consider the following questions:

- According to Kelley, why are child labor laws not enforced?
 - What steps does Kelley suggest for greater enforcement of child labor laws?
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SIXTY YEARS AGO IN ENGLAND the great obstacle to the enforcement of child labor legislation, and even to the enactment of such legislation, was the attitude of the cotton manufacturers of that Kingdom, who went in delegations to Parliament and said, "Yes, there is child labor, and it is a good thing that the children should learn to work. We are carrying on schools to teach them to work. Moreover, it is good for the Kingdom that there should be child labor, for on that rests the commercial supremacy of the nation." . . .

We have not that obstacle in this country. No great delegations of manufacturers go to Congress, or to any legislature, and say, "Yes, there is child labor, and it is a good thing for the children, and for the republic." . . .

But they do employ children, and the children are working tonight. I know that children six, seven, and eight years old work this week in New York City tenements for reputable manufacturers. I have seen children in a cotton mill in Georgia whose employer told me they were ten years old, who were wretched dwarfs if they were really eight years old. That one man frankly showed children at work in his mill.

On the whole, however, the entire attitude of the manufacturing class has been revolutionized in sixty years. No one now says that it is a good thing for little children to work. The haggling now is as to whether a child shall legally begin at twelve, or at fourteen, or at sixteen years to work.

It is ultimately the attitude of mind of the nation that decides whether child labor laws shall be enforced after they are enacted. . . .

There are three objective tests of the enforcement of our laws. One is the presence of children in school. This is now being shown in an interesting exhibit of industrial conditions in Philadelphia. There is a chart showing the attendance of the children of Chicago at school in the year 1902. A small block symbolizes the attendance in that year. For the following year the same

block repeated symbolizes the attendance; but the next year, 1904, when the present drastic child labor law of Illinois had taken effect, the enrollment in the Chicago schools of the children of compulsory school age trebled. It required three times the original block to indicate the school attendance in the year after that new law took effect and was enforced. That statute carried 1,000 children out of the stockyards in a single week; and later it carried 2,200 children out of the mines of Illinois in another week, following the decision of the enlightened judge of the Peoria district. And the increased school enrollment showed whither the children went.

The second objective test of the enforcement of child labor laws is prosecution. The child labor law is enforced in Illinois by persistent prosecution. Hundreds of employers have paid thousands of dollars in fines, and the visible result of the success of those prosecutions is the presence of the children of compulsory school age in school. That is an infallible test of the effectiveness of the enforcement of the law which prohibits children working throughout the period of compulsory school attendance.

South of Baltimore—south of Louisville—there are no prosecutions; there is no compulsory school attendance. In any Southern state today, school attendance does not serve as a test of the efficiency of the protection of the children because there are not schools enough to enroll the children if they were all dismissed from the mills.

We enroll our children in New York City. I wish I might say that we kept them in school. We enroll them, at least, and the enrollment has increased under the recent efficient enforcement of the law in the factories by Commissioner Sherman. Even where there are not schools enough to admit the children, we can at least enroll them so that we may know where they are, and the opportunity to enroll them depends largely upon the efficiency of the prosecutions carried out by the factory inspectors.

The enforcement of the law depends not only on the quality of the men to whom the work of enforcing it is entrusted; it depends far more largely on the quality of the community in which those men hold office. There are few blacker chapters in the history of this republic than the ever recurring story of removal of efficient officers because they have attempted to enforce child labor laws in communities which were willing to have those laws on the statute books so long as they were not enforced, but either repealed the statutes or removed the officers as soon as there was any effective prosecution. . . .

Two years ago I saw 150 children working illegally at 20 minutes past 10 o'clock at night in a perfectly reputable dry goods store in the city of New York on the Saturday night before Christmas. If one of those children had stolen any small article, a doll or a penknife, the heavy hand of the law would have carried that child promptly into the Juvenile Court. But 150 children were robbed of sleep in violation of the law; and the merchant, their employer who robbed them, has never been prosecuted to this day, and will never be prosecuted. The community does not insist that the great in New York City

shall obey the law for the protection of the children; and no commissioner of health has had the moral courage to do that which his community does not wish done. . . .

The third test of the enforcement of the child labor laws is the published records of the officials appointed to enforce them. The friends of the children are growing in numbers, but they often lack technical acquaintance with the subject. It may be said of many of us that our intentions are good, but we have never been working children; we have never been employers; we have, perhaps, never been teachers of working children, and we do not speak with authority. . . .

. . . The national Consumers' League, a volunteer philanthropic body, publishes every year a *Handbook of Child Labor Legislation*. Why is this book left to be published by a volunteer body? Why does not the United States Department of Commerce and Labor publish it? And why has the predecessor of that department not done so for the past twenty years? . . .

. . . Why have we endured being left with no official means of ready comparison of the statutes of the different states and the prosecutions of violations of the child labor law in the different states? . . .

These, I believe, are the gravest obstacles at the present time to the enforcement of the child labor law: first, the general hypocrisy of the American people, believing that child labor is an evil, and that, therefore, we do not tolerate it—when there are working children on the streets before our eyes, every working day in the year, in every manufacturing city; second, the failure to make the work of enforcing the law a desirable and recognized profession into which the ablest men will willingly go. . . .

The trouble is with ourselves. We get exactly the sort of care for the children through the officials that the community determines they shall have; and we register our indifference in accepting such printed records as we have now, obscuring the actual conditions of the working children in nearly all the states.

Where the employment of children is arrested, as is the case effectually in Illinois, partially in New York, partially in Massachusetts, the records are so clear that any schoolchild can understand them. The ability which makes it possible to arrest the growth of child labor makes it possible also to print records which we can all read and understand and use.

The next step which we need to take is to insist that this is a national evil, and we must have a national law abolishing it. We must also insist that this is a matter of great import to the people of this country, that the government must give us information not only through a bureau for the children in the federal government but through all the existing departments—the Census Bureau, the Department of Commerce and Labor, the Department of Education. We must demand trustworthy records in our state publications so that we shall not blush when a request comes to send a complete collection of our records for the use, for instance, of the Austrian government.