

**History of Child Labor in the United States
From Colonial Period Until the end of 20th Century**

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In today's global economy, the issue of child labor is in the forefront of public debate. The labor unions, politicians and consumers of rich nations are raising concerns about conditions of child labor in poor countries where a multitude of consumer goods are produced for export. The questions remain as to what age a child should start working, how long and what type of work they should be doing, what would the effect of the work have on their moral and educational development, and whether their engaging in work at an early age enhances or endangers their economic position in adulthood. Answers to all these questions vary depending on the type of production, level of technology, economic position of the parents, health of the child, and the preparation required to become a responsible producer in the society concomitant with overall progress of the economy.

From ancient times children worked, particularly in preindustrial societies where their work was very important for the survival of their families. Depending on the economic status of the family, a child worked on family farm or as a hired hand on someone else's farm. By helping on the family farm or any other enterprise, children learned the techniques of production, processing, trading, and other skills. Youth labor not only ensured family survival but also provided important lessons for the minors in becoming responsible, productive adults. In England and other European countries, children were sent to master craftsmen for prolonged apprenticeships in a certain trade. Historically, child labor has played a vital role in the development of American economy. "Only recently has childhood become ... an age of irresponsibility" (Nasaw, 1986). This paper gives an overview of conditions and regulations of child labor in the United States from the colonial period until the end of 20th Century.

Child Labor in the US During Colonial Period

With the discovery of abundant natural resources, the process of colonizing the "new world" was set in motion. These colonies were to be the suppliers of agricultural products and raw materials to England. Due to the obvious problem of the lack of human resources, poor and orphaned children became an indispensable part of the labor pool.

Often pauper and orphan children were sent from England to the US colonies such as Virginia and elsewhere to work on plantations, at craft shops, on construction, and as domestic help (E. Abbott, 1913). Often immigrants with children were induced to indenture their children to pay for their passage to the Colonies in America and earn livelihood (E. Abbot 1909, p. 333). Various historical records confirm that child labor was accepted without any questions of appropriateness or morality.

In colonies such as, Connecticut and Massachusetts, Poor Laws allowed people to buy poor or orphan children through an auction process, like slavery. This was common in families receiving public welfare support or if the child was unemployed and idle. Poor children would be kept with some "suitable person" (foster home) until the age of fourteen. At that age they

were bound until they became free by law (generally girls at age 18 or until marriage and boys at age 21)¹ (E. Abbott 1913, G. Abbott 1945).

Although law stipulated teaching skills and trade to these children, they essentially became bonded servants or temporary slaves. Strong evidence indicates that many of them received unkind and even inhumane treatment as well as a heavy workload for their age. It is important to note that conditions of the bonded children varied depending on their masters. (Ref: PBS movie “Heaven on Earth” regarding orphan children placed on Canadian farms. [https://en.wikipedia.org/wiki/Heaven_on_Earth_\(1987_film\)](https://en.wikipedia.org/wiki/Heaven_on_Earth_(1987_film))). Poor children were usually overworked, be it on farms, or as maids/servants performing domestic work.

The use of child labor for manufacturing began quite early in U.S. history. Many measures were taken to aid this process. For example, in 1646 two linen manufacturing facilities were established in Jamestown, Virginia. Counties in its vicinity were asked to send two poor boys or girls of at least 7-8 years of age to be trained in carding, knitting, and spinning. Similar efforts continued in other colonies. In 1656, philanthropists in Boston established schools to teach poor boys and girls the skills of spinning and weaving.

Manufacturers of the infant cloth and linen industry appealed to the government for protection with the argument that without such employment opportunities these women and children would become a public responsibility. “Society for Encouragement of Manufacturers” were formed in Pennsylvania and New York, employing hundreds of women and children.

Cotton was a focal point of the industrial revolution in America. Even after political independence, America was dependent on English manufactured goods. To maintain her market, England restricted the export of machines or skilled workers to facilitate the industrialization of America. Americans had to invent machines and use women and children to establish the cotton industry.

Early Industrialization and the Beginning of Factory System

After several attempts to mechanize the textile industry, Samuel Slater’s first cotton mill was established in Rhode Island in 1789. The “manufactories” were established which housed several looms; girls and women were hired to produce cloth on them. The “Family System,” where the spinning of yarn was done by women and girls in their own homes and delivered to the “manufactories” (Abbott 1913) was an old method of production and continued for a quarter of a century.²

¹ The practice of bonding poor and pauper children came from England. (MacLennan 1986)

² “The Family System” of production was used in a well-established textile industry in England before the Industrial Revolution.

American men were mostly engaged in agriculture, which was profitable as well as important to the food supply. Men could not be spared for the industrial production. In Samuel Slatter's Cotton Mill all operatives were children from 7-12 years old (Abbott 1909, p.44). Flying shuttles used in Providence, RI facilitated hand weaving and increased production of yarn, which also increased the demand for weavers. The manufacturing sector depended solely upon women and children who were considered "idle".

Approval of child labor was so widespread that developing technology was geared to the size and strength of a child. In Boston, prototypes were designed so that children could be used effectively in cloth making. In 1789 George Washington visited a Boston manufactory, which employed sixteen women and sixteen girls, and recorded in his diary that "girls spinning with both hands with smaller girls to turn wheel for them." On the same trip he visited a similar establishment in Haverhill and noted that "one small person turned a wheel which employed eight spinners" (Abbott 1909, p.40). George Washington applauded the use of young girls in the flourishing cotton industry. Philanthropists of the time also cherished the "industrious childhood" and joined statesmen as well as economists to point out that the income and output generated by the 600,000 girls in the country, between 10-16 years of age, enhanced the national economy as well their family income. In short, child labor was collectively approved by the philanthropists, protectionists, and national leaders (Abbott 1913).

In 1814 the introduction of the power loom in Lowell, Massachusetts, marked a fundamental change from the "family system" to the factory system. Fewer children worked in Eastern Massachusetts and in New Hampshire cotton mills than in Rhode Island where the "family system" persisted. In Lowell and Waltham (MA), boarding houses were established. Farmers' daughters from New England, most of whom were educated, came to work in the mills, and were cared for in corporate boarding houses. In these mills, employment of children was not profitable since a child did not earn his/her cost of boarding. Nevertheless, the documentation of Lowell Mill Girls³ in the *Lowell Offering* confirms that children from 9-10 years went to work there.

Girls worked long hours; thirteen to fourteen hours a day was normal. Overtime was voluntary but not uncommon. Those hours at the Fall River Factories (NH) were even longer. Since they were paid at piece rate, Lowell girls preferred longer hours to earn enough money in a shorter period and return to their villages.

³ The mill girls (operatives) came from the surrounding farm communities, for a shorter period: 1 to 2 years or even six months. They came to earn enough money to send a brother to college, to pay for parents' mortgage, or to save for their own education. School teaching was not very well-paid, so a factory job provided supplementary income. Factory jobs offered the opportunity for independence and learning for village girls. Lowell Mill Girls were involved in various cultural and literary activities. They formed improvement Circles, attended lectures by Emerson, Edward Everett, John Quincy Adams, and others in the Lyceum, published literary journals (1825-1850: *Lowell Offering*), distributed those journals to other mills in the region, and organized debating clubs and lending libraries. <https://shcc.ashp.cuny.edu/solr-search?q=The+Lowell+Offering>, and <https://curiosity.lib.harvard.edu/women-working-1800-1930/catalog/45-990020194450203941>

The conditions of work and living were unpleasant. The mills of the first half of the nineteenth century were unsanitary or comfortable. The factories were poorly ventilated and full of cotton dust. These facilities were heated by stoves, and whale oil lamps were used when the lights failed. This caused the temperatures to rise to an unbearable level. Dorm rooms were uncomfortable and crowded with 6-8 girls in a room. The boarding houses were also long brick tenements, much like the mills.

Competition from newer mills brought crisis in the cotton industry, and mill wages declined during 1848-49. New England mill girls moved on to other higher paying jobs in teaching, in office work, or as missionaries in the West. From 1850, Irish immigrant men, women and children gradually took mill jobs. Initially, they worked as janitors or as maids. When educated mill girls moved on to higher paying jobs, Irish immigrants started filling those positions. Demand for the boarding houses declined as many immigrant families settled in the mill towns and went home after a days' work. New waves of Irish and French-Canadian immigrants took the mill work as the cotton industry recovered from prolonged recession. More young children came with their parents to work in those mills.

Table 1 shows employment of children compared to men and women in all industries and in cotton industry from 1850 - 1905 in the United States.

Table 1
Comparative Summary of Number of Employees in All Industries
(Factory, Mechanical and Neighborhood)
(From Census of Manufacturers - 1905)

Year	Men (after 1870 over 16)	Women+ (after 1870 over 16)	Children under 16
1850	731,137	225,922	not given*
1860	1,040,349	270,897	not given*
1870	1,615,598	323,770	114,628
1880	2,019,035	531,639	181,921
1890	3,327,042	803,606	120,885
1900	4,110,527	1,029,296	168,583
1905	4,801,096	1,194,083	167,066

**Number of Operatives in Cotton Industry
(From Census of Manufacturers - 1905)**

Year	Men (after 1870 over 16)	Women+ (after 1870 over 16)	Children under 16
1850	33,150	59,136	not given*
1860	46,859	75,169	not given*
1870	42,790	69,637	22,942
1880	61,760	84,558	28,341
1890	88,837	106,607	23,432
1900	135,721	126,882	40,258

* In 1850 and 1860 Men and Women include boys and girls respectively.

+ Women over 15 is the correct designation from 1870-90.

(Source: Abbott, E. 1913, pp.357-358)

Although the cotton industry was the biggest employer of children, other industries, including, shoes and boots, clothing, cigars, and printing/publishing, employed large number of young boys and girls. In many of these industries the division of labor, mechanization, unionization, and waves of immigration either increased or decreased the level of child labor. Children, particularly girls along with adult women used to do narrowly defined jobs in shoe making, cigar making or clothing industry.

Table 2 gives a further breakdown of number of children employed in five industries in 1905. Of the 167,066 children employed in the United States industries, 68,456 were in textile industry, 3,812 in garment or clothing industry, 5,274 in tobacco or cigar industry, 5,132 in boot or shoe industry and 5,001 in printing and publishing.

Table 2
Number of Persons in Manufacturing Industries
in 1905 (Number in the five industries
employing largest number of women)

Industry	<u>Men</u>	<u>Women</u>	<u>Children</u>
Textile Industries Total:	273,822	298,910	68,456
Cotton Manufactures	147,283	128,163	40,428
Hosiery & Knitting	25,167	68,867	9,681
Silk & Silk Goods	27,037	45,198	7,366
Woolen Goods	44,452	24,552	3,743
Worsted Goods	29,883	32,130	7,238
Clothing Industry Total:	101,373	147,710	3,812
Men's Clothing	58,759	75,468	2,963
Women's Clothing	42,614	72,242	849
Tobacco & Cigar	72,790	57,174	5,274
Boots & Shoes	95,257	49,535	5,132
Printing & Publishing Total:	142,110	37,503	5,001
Book & Job	65,293	19,975	2,478
Newspaper & Periodicals	76,817	17,528	2,523
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Total Number of Persons Employed in 5 Industries	685,532	590,832	87,675
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Total Number of Persons in all Industries	4,801,096	1,194,083	167,066

Source: Edith Abbott, 1913, p. 85.

Child Labor Regulation in Nineteenth Century

With the spread of industrialization, the problem of unfair child labor practices by mill and mine owners became prominent. A Child Labor Reform movement started in America in 1830 and was heavily influenced by a similar movement in England.⁴ The first child labor law

⁴England was the first country to enact a child labor law in 1802 which prohibited the employment of pauper children (children dependent on charity) under 9 years of age in cotton mills. Night work was prohibited for pauper children under 14 and they could not work for more than 12 hours a day (Brody 1992). By 1819 all children were subject to similar regulation. Nine- to sixteen-year-olds were able to work only 12 hours a day and be allowed to

was passed in Massachusetts in 1836, specifying a minimum age of 14 for any child to be employed in any incorporated manufacturing establishment; the child also needed to provide a certificate of school attendance for at least three months in the preceding year. The corporations were subject to \$50 penalty for noncompliance. The fines were to go to the school fund. Unfortunately, no limit of hours was specified in the law and the statute was inadequate as no provision for enforcement was specified. In 1842, Massachusetts revised its child labor law and declared "no children under the age of 12 years shall be employed in laboring in any manufacturing establishment more than ten hours in any one day" (Parsons 1911, p.20). This was the first labor law in the United States. In 1894 Massachusetts law fixed minimum age of 13 to be regularly employed in textile factories. Other codes embodied in this law limited the number of hours of work and added a provision for compulsory education (Ellis 1902).

New York, Connecticut, and Pennsylvania followed Massachusetts in regulating child labor.

Conditions of Child Labor in Early Twentieth Century

By the turn of the century only a few states had protective child labor laws. Most of the northern states had difficulty enforcing the laws. Poor children could obtain permission to work, plus corporations continuously lobbied against stricter child labor laws, pointing out the unfair competition with states where lower child labor standards were practiced. Also, the laws regulated factory or mill work but agriculture, the canning industry,⁵ street trade, domestic help, and work in the tenements remained unregulated. Children continued to work in violation of labor laws or without any labor laws in factories, mines, and sweatshops. By 1910, nearly two million children were working in the United States. (See table 3)

take one and a half hours for meals. In 1825 working hours were abridged for Saturdays to 9 hrs. By 1831 a law passed prohibiting night work for nine- to twelve-year-old, all workers less than 18 years of age could work for 12 hours per day and 9 on Saturdays. No real provisions for enforcing these laws were made until 1833. An 1874 law passed to regulate child labor even further. Children under thirteen were allowed to work only 5-7 hours per day. A ten-hour-a-day restriction applied for workers under 18 years of age. Fourteen-year-olds could work a full day but were required to attend school between work periods. In 1878 employment of children under 10 was totally prohibited. Periodic medical certificate for workers under 16 and weekly certificates regarding school attendance were required for workers under 14 years of age. Improved sanitation and safety measures, such as, safeguarding against accident were required for the factories. Enough inspectors were also demanded by this law to enforce the provision of this comprehensive act. Similar laws were enacted in Germany, France, Russia, and Austria during this period (Ellis 1902).

⁵ Canning industry work with perishable raw materials so they were exempt from child labor law.

Table 3
Employment of 10–15-year-olds by Occupation
(1910)

Occupation	Number Employed	Distribution
Agriculture	1,432,428	72.0%
Mining	18,090	0.9%
Manufacturing	260,000	13.1%
Transportation	20,800	1.0%
Trade	70,700	3.6%
Public Service	537	*
Professional Service	3,566	0.2%
Domestic & Personal Service	112,171	5.6%
Clerical Occupations	71,001	3.6%
Total	<hr/> 1,990,225	<hr/> 100.0%

* Less than one tenth of one per cent.

Source: NICB (National Industrial Conference Board), 1925, p.24.

Because of the violation of law and lack of enforcement, official statistics do not reflect the extent of child labor for any period. Critics believed that the increase of child labor since 1900 was more rapid than before. In the south, cotton mills employed nearly 60,000 children (many of them eight and nine years old). Often, parents had to sign contracts to send all their children to work after reaching certain age (Lovejoy 1906). In 1903 about 24,000 or nearly one sixth of all the employees of the anthracite coal mines were children (Hindman 2002, Ch. 4). The boys working in the coal mines had to bend low to distinguish slate from coal and worked with their fingertips. Working in the cold their fingertips bled; the nails wore down. They worked for 10 to 11 hours a day for 40-70 cents (Nichols 1903).

Silk factories or knitting mills were established near mining towns to employ miner's daughters. Ninety per cent of the employees were between 12-16. They stood all day long in their job, worked ten hours per day and earned 46-47 cents per day (Nichols 1903 p.137-138.). In Pennsylvania, 85% of the children under 16 years of age were employed in various industries. Often, able-bodied men were without jobs and children were hired to defeat union demands (Roberts 1904).

Children worked in the glass factories in Illinois, Indiana, Ohio, New Jersey, and West Virginia. The boys worked the night shift every other week. Many factories virtually refused to hire men unless they promised to bring small boys to work with them (Lovejoy 1906). Before

mechanization, every glass blower needed two to three young boys to assist him in the work. Boys were needed to close the mold, pick the bottles out of the molds, and to put them in front of a small furnace where the top or neck of the bottles were finished. Then, the bottles were placed on a long tray and the boys carried them into the annealing furnaces, where they are gradually cooled. For their energy and agility, boys were suitable in the glass industry and earned 30-40 cents a day for this work (Van der Vaart 1907).

Children worked in the fish and vegetable canning industry. Because of the perishability, the canneries were exempted from child labor regulations. Seasonality, irregular, and long hours were the main problems. In the sardine factories of Maine, children 8-10 years old worked until midnight only to be called back again early in the morning (Lord 1909). The canning of vegetables and fruits were not much different. Children were employed for hulling strawberries, stemming cherries and plums, cutting, and stringing green beans, and cleaning tomatoes and apples. It was not unusual for young girls and women to work for 80-90 hours a week to earn from 1 to 1.5 cents per lb. of vegetables processed. Polish and Italian immigrants from the nearby cities of New Jersey, New York, Connecticut, Maryland, and Delaware worked for the canning industry. Living quarters provided by the canners were overcrowded and without any privacy; 50 people might be housed in an old barn or poorly constructed shed. Working families did not return to the city until the winter months, thus children were behind in schoolwork (Goldmark 1910).

Child labor was not regulated in tenement home production. Immigrant families worked with their children in small, crowded apartments on flower making, cigar making, finishing clothing, book binding etc. for very low pay. Intense competition among unskilled workers kept the wages at a very low level. Children from ages 4 to 12 worked with their mothers for long hours. In one such case, two sisters who helped their older sister after school and worked until midnight to make, count and bunch 1400 small roses earned 80 cents a day for their collective work. A study in 1902 reported that earnings from tenement home production never provided enough income to support the family. The average earning for a family in the clothing trade was \$3.67 per week and in artificial flower production it was \$2.07 per week (Van Kleeck 1910). This system of work was very profitable for the contractor or the manufacturer because they avoided factory law, did not have to pay for rent, heat or light and did not have to keep the workers on payroll during slack seasons (Van Kleeck 1908).

Many immigrant families took in boarders along with their work orders to make both ends meet. By law, tenement production had to be undertaken in licensed homes. But the law was not to protect the child workers but the consumers from a contaminated product. Violation of this law was common and in hundreds of tenements women and children worked without proper licensing (Van Kleeck 1908, 1910).

For a more detailed discussion and conditions of child labor in mines, mills, glass factories, agriculture and seafood sectors see Hindman 2002, pp.89-290. In the early decades

of nineteenth century, use of child labor was an interstate commerce, where padrones were taking children with family members, often mothers, to cross border tours to work various crops (such as cranberries, beans, apples, tomatoes etc.), and in winter to Gulf Coast seafood canneries from Florida to Louisiana (Hindman 2002, pp.248-290).

Social reformers and liberal politicians continued their debate to legislate stricter laws protecting children from the ill effects of child labor. The effect of child labor ranged from hazard of accident, breakdown of health, lack of education which kept their mind closed and reduced their chances of higher income in adult lives. There were also evidences and concerns about moral and psychological effects of certain occupations on children.

Effect of Child Labor

Long hours and night shifts of monotonous factory work were detrimental to a child's health. Adolescents need proper balance of work and play for all the muscles to develop and grow. If some of the muscles are overworked, as was the case in factory work, they degenerate sooner in adult life while some other muscles do not develop at all. According to a physician who practiced in a mill town, young girls who worked in hosiery mills from age 12 to 20 used to lose their health and mental wellbeing permanently after working long hours of 60-75 hours per week (Roberts 1904).

Children also worked in dangerous conditions. An observer recorded that the short dresses of little girls working in textile mills had to be tied to keep them from tangling in the fast-moving machines (Roberts 1904). Children get into danger because of recklessness, curiosity, and immature judgement. One instance was reported of a young girl of nine who lost her hand while playing near a drier in a sardine factory. No damage could be recovered from the employer because the girl was supposed to know that the drier was dangerous (Lord, 1909). Young boys working in the glass factory all night coming out early in the morning were susceptible to cold and bronchitis. Young boys and girls who worked in cigar factories were exposed to tobacco dust and suffered from tuberculosis.

Some working children were also subject to negative moral influence. For example, in the street trades, newsboys, bootblacks and messenger boys were exposed to drinking, gambling and prostitution. With the newfound financial independence and culture conflict with immigrant parents, many boys left home to live on the street with all its attendant danger⁶ (Adams 1905). Sexual abuse of young boys by their employers caused venereal disease (Adams 1905) and continued psychological distress in their adult life (Myss 1996). Young boys coming out of the glass factories after long hours often took to drinking like the adult workers (Van der Vaart 1907). Juvenile delinquency was reported to be higher among children who worked in factories or canneries (Lord 1909). A report of U.S. Dept of Labor, Bureau of Labor and

⁶A counter argument on this issue was put forward by Nasaw (1986) who noted the solidarity among street traders - older boys training and taking care of the younger boys.

Statistics, (Bulletin 175, 1915) noted that newsboys and errand boys contributed the largest proportions of delinquents among the boy's occupations, while domestic service accounted for the biggest percentages among the girls (Reported in NICB,1925 p.43). Working class children who earned money by scavenging scrap metals and other junk were often involved in petty theft (Nasaw 1986).

Children who worked on farms or in factories sacrificed education. Social reformers repeatedly pointed out the need for the society at large to have educated citizens. That is the reason why every child labor law (originating from England) incorporated some type of compulsory schooling. Children below a certain age⁷ had to acquire some minimum level of school attendance certificate. Early on, mill owners or upper-class families sent their children to prep school and working-class children were sent for industrial education to tech schools. Gradually, universal public education was introduced. However, most poor and immigrant families did not see the value of hard schoolwork, which only brought report cards, whereas pay envelopes were much more valuable to keep the body and soul together for the family members. Even with compulsory education stipulation, violation of the law was rampant. Child workers were often absent from school or were tardy in their schoolwork. After hard work in a mill or a mine, children often lacked the energy and concentration required to do the schoolwork. For street traders, half-time school was offered as an experiment. Whenever a truancy officer found a young street trader in the morning, they were supposed to attend school in the afternoon and vice versa. The literacy rate was generally low in those states where higher percentage of children were in paid employment (National Industrial Conference Board, 1925 p. 40-41).

The effect of early employment and the neglect of academic work was obviously reflected in a child's adult earning ability. Children who left school early and took a job often were in low paying unskilled and dead-end jobs with no prospect of acquiring skilled or higher paid positions (National Industrial Conference Board, 1925 (pp.33-35).

But why did Children Work?

Children worked because of necessity. Even before the industrial revolution, children of poor families were sent off to work on the farm or as domestic help for well-off families. Children's Aid Societies sent children on "orphan trains" to live and work on Midwest farms (G. Abbott 1938). However, there were not enough farms to place all the orphan children (Nasaw 1986). The industrial revolution created jobs for children in America, particularly with a labor shortage. Generally, poor and orphan children worked. A 1907 study reported that 60% of the families with budget of \$800 - \$1100 were dependent, in some degree, upon the earnings of wife and children, and upon income from lodgers (Chapin 1990). Other family budget studies in different cities at this time reported similar situations. Working class families could not escape

⁷It must be noted that minimum age of legal work for children gradually increased along with the minimum level of compulsory education.

recurrent layoffs and short weeks. Many jobs were seasonal, and families had to find sources of income - children could not be spared (Nasaw 1986).

Although necessity forced children to work for the survival of the family, several studies during the second decade of the twentieth century estimated that for 30 to 60 per cent of the cases, children went to work because of their dissatisfaction with the schoolwork (NICB 1925, pp.3-5). In 1909, a survey of 500 children who worked in factories in Chicago area revealed that 412 of them preferred to work in a factory than go to school. To many of them, schoolwork was harder than factory work. The social environment was difficult, teachers also showed racial and ethnic prejudice, and corporal punishment disenchanting the children. On the contrary, factory work earned money, they got a higher status in the family, parents did not hit them because they earned money, and necessities could be purchased for the family members. Children also pointed out that income gave them independence - they could go to the nickel show, buy candies, or go to restaurants. They did not foresee the prospect of higher earnings by attending school for a few years (Todd 1913). Nasaw (1986) discusses elaborately how working children took part in the emerging consumer society at the turn of the century.

Move Toward Federal Child Labor Law

The first quarter of the twentieth century was the Progressive Era and reformers continued raising their voice against child labor practices. With Florence Kelly's leadership, the U.S. Children's Bureau was established in 1912. To uniformly protect the children of all the states from the evils of early employment, reformers proposed federal child labor regulation in 1906. Southern mill owners opposed the bill and wanted the same privilege to employ children as the New England manufacturers enjoyed a century ago. Also, southern states, particularly the Carolinas did not have adequate provision to care for the dependent children (G. Abbott 1938, 1945 Vol.1).

In 1916, the first Federal Child Labor Law was adopted which prohibited interstate and foreign commerce of the products made by child labor. Unfortunately, in 1918 the U.S. Supreme Court declared the law to be unconstitutional (G. Abbott, 1945). Children were reemployed in the southern mills. With the advice of President Wilson, "Congress imposed a tax of 10% on the annual net profits of industries which employed children in violation of age and hours standards of the previous bill. The Child Labor Tax Law became effective on April 25, 1919. As a result, by 1920 number of working children between ten and fifteen years of age declined 47 per cent compared to 1910. On May 15, 1922, U.S. Supreme court declared the law unconstitutional." (Grace Abbott 1938/45).

During the early years of the depression, many children lost their jobs.⁸ However, in

⁸During the years of depression many children who lost their jobs in factories or mills went into domestic or personal services where wages and working conditions were worse.

1932 employers started hiring children because they were less costly than their parents.⁹ The National Recovery Administration (an organization developed under the National Industrial Recovery Act (NIRA) of 1933) stipulated sixteen year to be minimum age for various types of jobs; and the employment of children in non-agricultural occupations reached an all-time low in 1935. Activities of NIRA came to an end in May of 1935 when Supreme Court declared it unconstitutional. Business activities revived in 1936 and number of child workers increased sharply (Grace Abbott 1938/1945).

Finally, in June 1938 the Fair Labor Standards Act (FLSA) was passed, setting sixteen as the national minimum age for factories and mines producing for interstate commerce. This law did not include agricultural work, domestic help, and street trading, which employed the largest number of children. However, FLSA influenced the state legislations to protect the children not covered by the federal law (G. Abbott 1938/1945).

In 1939 the law was revised and allowed 14 and 15 years old to do specific nonhazardous jobs. Children younger than 18 were barred from hazardous jobs. Twelve- and 13-year-olds were barred from most jobs but may work outside school hours on their parent's farm or other farms with parental consent. Children younger than 12 years were barred from nearly all employment. There were four other jobs in which children could work with little restriction: acting, wreath-making, delivering newspapers, and sports-related jobs such as batboys.

Federal child labor law applies only to employers who are engaged in interstate commerce. Employers whose products never leave the state, and whose sales come to less than \$500,000 annually, are exempt. Employers not covered by federal law remain subject to state child-labor laws. Oregon law, for example, permits children as young as nine to pick berries and beans. Hawaii law allows 10-year-olds to harvest coffee. In many states labor law enforcement is very poor.

Child Labor in the Second Half of Twentieth Century

During the period 1954-1979, labor force participation of 14- and 15-year-olds has increased from 18.1% to 20.7% (of the age group). This percentage includes both legal and illegal workers. Girls' participation rate increased, and boys declined slightly during this period. (Westcott 1981 – foot note in Kruse et. al. 1997). An estimate of labor market participation of 15–17-year-olds for the period 1971-1997 is given in Table 4 below. Illegal workers in that age group declined from 4.9% in 1971-75 to 3.1% in 1995-97. General Accounting Office (GAO 1990) of U.S. reported detection of child labor law violation almost tripled from 1983-91.

⁹A strike in Western Pennsylvania brought national attention to this trend in child employment and National Recovery Administration tried to control this practice (Grace Abbott 1938/45, p.469).

Table 4
Trends in Legal and Illegal Employment
of 15–17-year-olds from 1971-1997

Year	<u>Population of 15-17 yrs.</u>		<u>Working Illegally</u>	
	% Working	No. Working	% of Workers	Number
1971-75	25.8%	3,183,673	4.9%	156,000
1976-80	27.7%	3,520,833	4.8%	169,000
1981-85	24.5%	2,800,000	4.0%	112,000
1986-90	26.0%	2,871,795	3.9%	112,000
1991-94	21.4%	3,333,333	3.0%	100,000
1995-97	24.3%	3,677,419	3.1%	114,000

Source: Kruse & Mahoney 1997

The child labor reform movement in the U.S. started in 1830, and 168 years later, while most children are protected from unfair or dangerous labor practices by either state or federal law, many still work. Most of them work only part-time, earning money to pay for their personal expenses and financial independence. They often spend their money on fashion merchandise, compact discs, CD players, electronic games, recreation (movies, concerts) or cars. They work for few hours after school or during summer when school is closed. Retail trade and restaurants are the largest employers of these children.

Based on 1988 data, a US GAO (1990) study revealed that children aged 15-17 years from low-income families were less likely to work, whereas 54% of the same age group from higher income families worked sometime during the year. Minority children were also less likely to be employed. According to Table 5 below, about 50% of the White children, 27.9% Black children and 27.6% of Hispanic children in this age group worked during 1988.

A recent study by Kruse and Mahoney (1997) estimated that 290,300 youth under the age of 18 years are illegally employed sometime during the year, of which 100,900 are 16–17-year-old, 129,700 14-15-year-old and 59,600 below 14 years of age. Non-agricultural employment of children is 285,300, whereas agricultural employment is 4,900 which includes 3,400 age 14-15 and 1,500 below age 14.

It must be noted that agricultural employment of children is much less restrictive. Children under age 16 who do not work on family farm are not allowed to operate power-driven machinery or work with certain pesticides. From the Current Population Surveys (CPS) an estimated 229,600 children between 14 and 17 years of age work in agriculture at some point during a year, while 147,000 do so in an average week (Kruse and Mahoney 1997).

"Children working as migrant workers are among the least protected minors in the workplace" reported 1997 Child Labor Coalition Survey. According to that report, an estimated 800,000 migrant and seasonal farm workers in the U.S. are children. Approximately 30% of these children travel on their own to do farm work (Child Labor Monitor, Spring 1998, Vol. VIII, No. 1, p.5). Many states do not have any minimum age for agricultural workers. For example, Amanda, 8-year-old migrant worker, picks cucumbers in Ohio. Many children are exposed to pesticides at a much higher dose than the U.S. law allows for produce sold in stores (Columbus Dispatch, Dec.16, 1997). Association of Farm Workers Opportunity (AFOP's) National Farmworker Database showed that annual income of 54% of the families with children working is less than \$2,500 and 31% with income between \$2,500-\$4,999. Most of these families depend on food stamps (Child Labor Monitor, Spring 1998).

Children working in agriculture also face higher occupational injury. An estimated 104 children younger than 20 years of age die of agricultural injuries in the U.S. farms and ranches annually. Each year an estimated 22,288 children under the age of 20 who live on farms or ranches, are injured for which they are treated in an emergency facility. Most of the injuries are machine or tractor related (Children's Safety Network, Feb.1998).

Sweatshops and other home-based production still employ children without legal protection. The use of sweatshop labor is prevalent in garment production, restaurants, and meat processing industry. These operations are highly decentralized and thus it is hard to detect violations. Kruse and Mahoney (1997) estimated 7400 minors are working illegally in the clothing industry in an average week and 13,100 in a year. Home-based work, where some "sweated trade" may be going on, is excluded from their estimate. Distribution of legal and illegal employment of 15–17-year-old children are given in Table 6.

Table 5
Characteristics of Working Children
(15-17 Years of Age) in the U.S.
(Based on 1988 CPS Data)

	Annual Family Income	
	Below \$20,000	Above \$60,000
Percent of All 15-17 Year Old Employed	32	54
No. of Employed	964,490	1,026,407
Average Hours Employed per week	21.9	18.5

Average Weeks per year	19.5		22.9	
Percent of Working Children in:		(S.E.)		(S.E.)
Hazardous Industry*	20.4	(4.2)	13.5	(3.5)
Retail Trade	44.5	(5.2)	51.5	(5.1)
Services, Govt., Other	35.1	(5.0)	35.1	(4.9)

	<u>Percent Employed</u>	<u>No. Employed</u>	<u>Population</u>
White	49.7%	3,608,662	7,265,263
Black	27.9%	446,418	1,599,825
Hispanics	27.6%	275,060	995,261
Others	34.2%	139,590	407,969

*"Hazardous" industry includes mining, manufacturing, construction, public utilities, communication, transport, and wholesale trade.

Source: US GAO (Government Accountability Office) Report (June 1991), "Child Labor - Characteristics of Working Children", p. 45

Table 6
Distribution of Legal and Illegal Workers
in the U.S. (Age 15-17)
(Based on 1995-1997 CPS Data)

	<u>Age 15</u>		<u>Age 16-17</u>	
	Legal	Illegal	Legal	Illegal
Occupation:				
Managerial/ professional/tech.	3.4%	2.4%	3.3%	0.0%
Sales	15.7%	12.7%	26.4%	0.6%
Admin. Support	6.6%	4.5%	8.0%	0.7%
Private Household Services	13.0%	3.7%	2.4%	0.0%
Food Prep. Services	20.3%	19.3%	28.5%	0.7%
Other Services	13.9%	7.8%	9.3%	4.9%

Farming, Forestry & Fishing	17.9%	1.4%	6.0%	4.2%
Precision Production, Craft/Repair	0.6%	8.7%	2.0%	24.1%
Operator/Fabricator	0.1%	14.7%	1.3%	14.3%
Transportation & Material Moving	0.1%	2.6%	0.2%	45.8%
Helpers & Laborers	8.5%	22.3%	12.8%	4.7%
Industry:				
Agriculture/Forestry and Fisheries	14.9%	0.8%	5.1%	2.7%
Mining	0.0%	0.0%	0.1%	0.6%
Construction	0.8%	19.7%	2.3%	12.0%
Manufacturing	6.4%	10.8%	3.0%	22.0%
Transportation	0.5%	0.8%	0.5%	1.5%
Communication, Utilities	0.3%	0.0%	0.3%	0.0%
Wholesale & Retail	35.6%	38.4%	62.3%	51.9%
Fin/Ins. & Real Est.	1.0%	1.6%	1.4%	0.9%
Pvt. Household Serv.	15.0%	3.9%	2.7%	0.1%
Other Personal Serv.	3.2%	3.9%	2.4%	0.9%
Other Services	21.6%	19.0%	19.5%	7.6%
Public Administration	0.7%	1.0%	0.5%	0.0%

Source: Kruse & Mahony (1997)

Conclusion:

Child labor has played an important role in American economic history. Children worked on farms, in factories, in mines and in sweatshops, in tenements and as street traders. Opposition from concerned citizens and labor unions brought regulations of child labor - minimum age, maximum hours, safe work environment and compulsory education for children. With the gradual increase of the level of family income and advancement of science and technology, the problem of child labor declined over time. A newly industrializing country may look at American economic history and argue that they should have the privilege of exploiting child labor as was extensively used in the process of American economic development. However, it should also be noted that the United States also introduced universal public education, provision of social security benefits for the families of disabled and deceased

parents, welfare support of poor mothers and dependent children, minimum wage to assure living wage for poor families, and unemployment insurance. Although it is beyond the scope of this paper, provisions of social safety nets, expenditure on public education to prepare the children for higher productivity and earning are all an integral part of child labor reform issue. So, the reformers in the United States as well as in developing countries should know that restricting the child labor itself is not enough, but what is going to happen to these children – these newly disposed workers? Will they return to domestic and agricultural servitude, be forced to prostitute their bodies, or end up in the street for begging? or starve to death? This is a large and complex issue, and we need multidimensional solution. In all countries children deserve our utmost concern and consideration.

Epilogue

This paper has focused on the Child Labor issues in the United States from the colonial period until the end of the 20th century. However, some of the problems continue in the 21st century. It is imperative that some of those are identified. Also see Hindman (2002, pp. 293-319) about Child Labor in America in twenty-first century. According to Hindman (2002) United States of America successfully eradicated child labor from mining and manufacturing, and specifically textile manufacturing. However, problems of child labor persist in street trade, sweatshops (garment industry) and in agriculture.

On July 22, 2022, Reuters reported of Hyundai subsidiaries in Alabama who supply parts to the US based Hyundai and Kia car makers, used illegal child labors from Central America. <https://www.reuters.com/world/us/exclusive-hyundai-subsiary-has-used-child-labor-alabama-factory-2022-07-22/> On Feb. 8, 2023, Reuters reported that Hyundai is engaged in talks with the U.S. Labor Department over the issue of Alabama Child Labor in hazardous conditions. Supposedly, the delay in the supply chain is much more costly to the car manufacturers relative to the penalty faced due to the illegal child labor, which were recounted by the middlemen who recruit these children at the subsidiaries. <https://apple.news/ADAsuh68STv6BbIsRcCPWDA> Another article discussed immigrant children from Guatemala employed in chicken processing plant in Enterprise, Alabama. <https://www.reuters.com/investigates/special-report/usa-immigration-alabama/>

News of Child Labor violations are rampant in meat processing/packing plants in Midwestern States, and Federal investigations are on-going in Wisconsin, Minnesota, Iowa, Nebraska, and Missouri. https://www.hppr.org/hppr-news/2022-11-15/federal-investigation-into-child-labor-violations-at-meatpacking-plants-expands-in-nebraska-and-missouri?_amp=true. These children work with hazardous chemicals and sacrifice their academic work. These are mostly Spanish speaking children. In most of these cases false documents are used to get work permit and involves legal and illegal immigration status.

Newsweek reported on Feb. 8, 2023, that an Iowa legislator is introducing a bill to allow 14+ workers to be employed in meat packing, mining, and logging sector with training and

supervision; and businesses will not face civil liabilities if the teen gets sick, injured, or killed on the job due to employer's negligence or teen's negligence. <https://www.newsweek.com/iowa-bill-relaxing-back-child-labor-laws-sparks-outrage-this-just-crazy-1779821?amp=1>

Child labor in agriculture is totally unprotected, not only in most of the southern states, but also in California, Oregon, Washington, Colorado, and Hawaii. <https://www.vox.com/future-perfect/2023/6/16/23762593/child-labor-laws-republicans-agriculture-farm-care-act>. Mostly legal and illegal Latinx children who live in extreme poverty are working in agricultural sector for long hours and hazardous conditions. Many commentators mention that Department of Labor and Department of Health and Human Services often don't have enough resources to follow up on Labor Law violations in all cases.

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