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The Case for the Factory Acts. Edited by Mrs. SIDNEY WEBB, with a Preface by Mrs. HUMPHREY WARD. (London: Grant Richards, 9 Henrietta Street, Covent Garden. 1901. Pp. xvi. 233).

IT is unfortunate that this useful book should have just missed the right moment. A few weeks earlier it would have been in time to influence public opinion on the proposed amendments of 1901; a few weeks later, it would have been in a position to incorporate those amendments as accomplished facts in its account of the law as it now stands. As it is, the book contains some matter that is already out of date, while it is to be feared that so far as public opinion is concerned it will have passed into oblivion before the question comes again into the sphere of practical politics. Perhaps a well-timed second edition may remedy both these defects.

The book is definitely what it calls itself, a powerful presentation of "The Case for the Factory Acts," as it appears to enthusiastic supporters who are thoroughly familiar with the working of the Law which regulates labour. It is a great gain that the case should be put so strongly and clearly, as well as in such short compass; for the difficulty of compelling popular attention to think upon these matters is great. The general method of appeal is purely sensational—a lurid picture of overwork and revolting conditions on the one hand, and of poor widows forbidden by law to work for their starving children on the other. By such a method neither the supporters nor the opponents of labour legislation can prove anything. We do not mean that inquiries into the conditions of particular trades are not eminently useful as bringing to light the need for regulation, or the reverse; it is the taking isolated, very often idealised, instances, without any further knowledge of their industrial setting, which is so futile; and it is as a contrast to this method that we welcome the carefully reasoned and historical plea before us as a real contribution to the controversy. It consists of five essays, dealing with different aspects of the question, and introduced with an attractive preface by Mrs. Humphrey Ward. "The Economics of Factory Legislation," by Mrs. Sidney Webb, treats of the effects of Factory Legislation upon the trade of the country, and is most effective in slaying the bugbear of Foreign Competition. Miss B. L. Hutchins gives a short but interesting account of the "Historical Development of the Factory Acts;" Miss Gertrude Tuckwell points out "The More Obvious Defects in our Factory Code," and manages to include some at least which are less obvious. Mrs. W. P. Reeves gives a brief account of "Colonial Developments in Factory Legislation," in which perhaps the chief points which strikes us is, that our colonies place very much more reliance on the combined judgment of masters and men than the writers of the book are inclined to do. And finally Miss Clementina Black easily combats "Some Current Objections" as formulated by herself. It may be suggested

that this chapter would have been more effective if the objections had been stated and defended by some one who believed in them; the position is strong enough to meet a real attack.

But the writers are not merely concerned to defend Factory Legislation as it now stands; nor yet to point out the definite defects which private interests have succeeded in maintaining in particular industries. Their principal aim, or one principal aim, is to build up on their justification of present legislation the case for a large extension of its sphere. Though this policy is definitely stated, it is, if we may say so, somewhat kept in the background—at any rate in its full significance; and the average reader might very well accept the general position laid down without being at all aware to what he had committed himself.

We gather that there are three main directions in which the writers desire to see legislation extended, in order to cover to their satisfaction the whole field of labour. They are: the regulation of all places where work is done (including the home) on the same lines as the present regulation of textile factories (pp. 148, 153); limitation of the hours of work for all classes of labour, including adult men and home-workers (pp. 130, 165); the enactment of a National Minimum Wage, below which no one shall be allowed to work (pp. 64, 74).

The question of regulating home-work is perhaps the one to which we are nearest, and the arguments in favour of it are twofold and important. The first is, of course, the wretched economic condition of the home-workers in certain trades; the second the very serious assertion that “the increasing protection extended to the worker in the workshop or factory, puts a premium on work done elsewhere, and thus encourages the diversion of work into the hands of the outworkers” (p. 141).

If this latter statement is to any large extent true, it is an argument which cuts two ways. The opponents of Factory Legislation may fairly use it as a demonstration of how regulations are making it impossible for industry to be carried on, and are driving underground and into the homes of the people the bad conditions which they profess to cure. But it is not clear to the writer of this notice that the statement describes the situation rightly. In the laundry business, for instance, where no doubt there is a tendency for work to be given out instead of being done in the laundry, it is not because there is any premium on home work, but because there is a shortage of respectable ironers. The old-fashioned ironer, who likes to work when she likes, and to have a pot of beer always at her elbow, still holds the field to a large extent; and the younger generation of skilled ironers, who like the order and discipline of a well-regulated laundry, is not yet sufficient to undertake all the work. When an industry has been for generations in the hands of an ill-regulated, not too sober class of women, it is impossible, perhaps not desirable, to supersede them suddenly by a body of sober skilled women who will find a regulated life attractive. For a time the old-fashioned generation will take its work home and

do it how and when it likes ; but it is inevitable that before long it will pass altogether out of their hands into those of the "new woman."

There is another reason why home-work lingers ; and that is the subsidy which women who work irregularly receive from Charity and the Poor Law. But for this, the tendency for women to find protection and a sufficient livelihood in the workshop and factory would be even more universal than it is.

Before then pressing for such change in the law as would require an immense increase in expense, officialdom, and probably also in friction, it might well be considered whether home-work of the least desirable sort is not likely to die out of itself, with the generation of women who cannot adapt themselves to the newer and better conditions of work, and of parents who refuse to give their daughters a proper industrial training.

It would take too long to discuss in all their bearings the possible and probable results of a legal eight hours day and a minimum wage ; especially as the reader of the book is referred for "full consideration of difficulties" to the portly volumes of *Industrial Democracy*. But lest the reader should rashly assume that consideration and solution are synonymous, he should be urged at least to consider the question at first hand, and not to take it upon trust. And one point there is which may be dwelt upon here ; especially as it finds illustration in the book before us. One inevitable result of insisting upon the "Common Rule" is the rejection of those workers who cannot work up to a given speed. Already the policy of the Trade Unions has made it difficult for men past the prime of life to find employment ; to press the policy to an extreme throughout the whole field of labour would be to throw an immense proportion of the industrial population out of work. Something of the kind no doubt is anticipated by the advocates of the policy (see *Industrial Democracy*, pp. 784-9) ; but we think they have greatly underestimated the enormous additions that would be made to what in another connection they call the "human rubbish-heap of Charity and the Poor Law" (*ib.* p. 767). It would be practically a division of the people into freedmen and helots ; citizens with the right to work and to order their own lives, and slaves condemned by their poor physique or lack of skill to yield their lives into alien hands.

Such a policy would tell especially hardly upon women, for whom the "speeding up" system is perhaps even less desirable than for men. No doubt women are inclined to be intermittent in their work ; they like to take it easily, and to rest from time to time ; and up to a certain point it is good for them physically and morally to be drilled into regularity and strenuousness. But after all, it is a question of physical constitution ; intensity of work may be pushed to an extreme at which it becomes more trying than long hours ; and the pressure of even a short day's work which must be done at great speed will tell very hardly upon most women. That this harder work is likely to result is already the experience in Victoria, where Wages Boards have

been established to regulate certain trades. It is reported that the amount of work done in a day is increased, wages are better, employment more regular, and *the women have to work harder and more consistently* (p. 178). It is also reported, and this is especially interesting, that after the "determination" in the underclothing trade many women who could not work up to the required standard left the trade and turned to shirtmaking; a movement which suggests the impossibility of raising the earning powers of all workers to a given standard by mere legislation. We are not arguing against Factory Legislation; we heartily agree that it is "of vital importance to women that they should increase their physical strength and their industrial skill" (p. 209); and we also think that judicious legislation will assist them to this. But the consequences of pushing legislation to the extremes here advocated must be more completely realised and faced; and in the book before us they are not faced at all. And it must be urged that the Victorian method of instructing Boards composed of masters and men to settle wages in a particular trade with which they are conversant, affords no analogy for the fixing by law of a universal National Minimum. It is easy to show how any one trade can be improved until it employs none but picked workers, under ideal conditions, and is carried on with a profit to all concerned; it is less easy to conceive of the fate of those who are not picked workers when all industries alike are closed to them; and that is what would have to be faced under the universal application of the Common Rule.

But indeed there is, and we hope to be excused for saying so, an almost superstitious reverence for the power of the law within the covers of this little book. Not only is the Law omnipotent, but nothing is good which does not come from the Law. For instance, the regulation of the textile trades is quoted as the ideal at which to aim, but even this is imperfect, not because there is anything wrong, but because the limitation of the men's hours is not the result of a legal enactment! (p. 153). This is surely to exalt the means above the end, for after all Factory Legislation is only a means, and often a very clumsy means, of attaining the desired end; and if the end is already attained it is the reddest of red tape to desire new enactments for the sake of developing the code logically in all directions.

It is probably true that there would be no great difference of principle involved in pushing Factory Legislation much further than it has gone at present. Any proposal which arises has to be considered on its merits; is the evil so serious as to justify interference? are there, or are there not, forces already at work which will remedy it naturally? can the interference take place without causing greater evils in another direction? these and other questions must be solved afresh every time. But there is one point which perhaps some economist might determine for us. It is this. In defending the regulation of industry introduced during the last century, Mrs. Webb assumes the position that this regulation has acted as a restriction on

free competition in the Labour Market, and maintains that the weight of evidence is overwhelmingly "against unfettered competition among wage-earners for employment" (pp. 5 and 6). But would it not be a more correct account of the result of Factory Legislation to say that it has fettered the competition among employers? It has, as Mrs. Webb says elsewhere, ruled out the "downward way" of competition and compelled employers to take the "upward way." But with few exceptions, such as the prohibition of women's work in the mines, it has never yet created a monopoly in the Labour Market by excluding any class of workers from offering their services. The Trade Unions have, of course, done this by rejecting those who cannot work up to a certain standard; and for the State to carry out this policy would be the introduction of class legislation of a kind more oppressive than we have yet seen in England.

HELEN BOSANQUET

1. *Democracy versus Socialism*. By MAX HIRSCH (Melbourne). (London: Macmillan & Co. 1901. Large 8vo, pp. ix., 481. 10s.)
2. *The Political Economy of Humanism*. By HENRY WOOD. (Boston: Lee and Shepard. 1901. Large 12mo, pp. vii, 319).

THE subject of Mr. Hirsch's volume falls into two sections—a criticism of socialism and an exposition of the "Single Tax doctrine," as an alternative and sufficient policy of social reform. It is doubtful, however, whether the argument of *Democracy versus Socialism* fulfils the purposes either of criticism or of construction. The author seems to regard socialism as the lion in the path of the Single Tax, just as Marx, with more reason perhaps, regarded the single tax as the last ditch of the capitalists. Mr. Hirsch has a somewhat simple and ready method of criticism: socialism must be logical and systematic, or it is nothing. Whatever, therefore, appears to be socialism, but is not of its essence, may be rejected; and the result is—socialism, not as it is spoke or imagined by socialists themselves, but as it is defined by Mr. Hirsch. Since the "Marxian" type of socialism best lends itself to this treatment, it is "Marxian" socialism, pure and unadulterated, that serves as the *corpus vile* for our author's strictures upon socialism generally. Socialism must be understood to be "Social Democracy," whatever unauthorized or opportunist programmes may suggest or even affirm to the contrary. This being assumed, it only remains to exhibit socialism as a perfect symmetry of all the conceptions, ethical, political, and economical, that our author thinks wrong. But the result, as might be expected, can hardly be effected without a certain amount of "contamination." Thus it has often been supposed that Social Democracy rested, to no slight degree, on certain ideas of "abstract right," or again, that, to a social democrat, State Socialism