

Restricting Child Factory Labour In Late Nineteenth Century Ontario

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Résumé de l'article

Cet article explore les changements dans le travail d'usine des enfants en Ontario à la fin du dix-neuvième et au début du vingtième siècles. L'auteur examine la validité de l'hypothèse largement acceptée voulant que les lois restrictives, telle la Loi des manufactures du l'Ontario de 1884, aient été dues à l'action des réformateurs et réformatrices sociaux, motivés par une nouvelle conception de l'enfance. Or, contrairement au mythe historique, il s'avère que le mouvement syndical a d'abord inspiré la législation contre le travail des enfants. Une fois légiférées, cependant, ces restrictions étaient mal contrôlées et peu respectées et demeurèrent inefficaces à réduire la pratique du travail des enfants. Ceci dit, l'article démontre que ce travail déclina de façon significative à partir du milieu des années 1890. L'explication de l'auteur est basée essentiellement sur les changements dans l'offre et la demande de ce genre de main d'oeuvre. Ainsi, la centralisation et l'accumulation du capital industriel, de concert avec les développements technologiques dans la production, sont responsables de la baisse de la demande d'enfants dans usines. En même temps, grâce à l'amélioration du niveau de vie des travailleurs et des travailleuses les familles avaient moins besoin d'envoyer leurs enfants sur le marché du travail. Cette étude ne nie pas que les changements dans la conception de l'enfance aient aussi influencé la participation de la main d'oeuvre enfantine. Cependant, plutôt que d'en être des causes premières, ces idées nouvelles font partie d'une toile de fond sociale qui contribua à la critique des employeurs d'enfants et qui inspira les travailleurs adultes désireux de protéger la "tendre enfance"

Restricting Child Factory Labour In Late Nineteenth Century Ontario

Lorna F. Hurl

THE DECEMBER 1900 EDITION of the *Labour Gazette* printed the following account:

The child injured in this case was only twelve years of age. He was employed at work at a circular saw.... The Ontario Factory Act names the different kinds of work at which a child under fourteen years of age may legally be employed in a factory — and working of a circular saw is not one of them. But the court decided that though the employer might have been wrong in allowing the child to do such work (and, if he had thus contravened the Factories Act he might be fined), yet in order to get damages from the employer it was necessary to prove that the accident really did happen because the child was too young to do the work properly, or because it was too exhausting for his strength. But that was not shown in this case, and therefore, no new trial was granted.

The outcome of the hearing and the manner of reporting suggest that the case was not considered highly unusual or worthy of special attention or public concern. In retrospect, this is curious. Existing legislation would seem to indicate a public sentiment against child factory labour, particularly labour that was physically demanding or dangerous. In addition, by the time of the reported incident, the Canadian child saving movement, led by Ontario reformers, was well underway.¹ Finally, and seemingly related to both of these points, it is generally agreed by historians of Canadian childhood that by this time English Canadians had adopted a new view of childhood which considered children to be both fragile and highly malleable, requiring protective yet stimulating environments in order that their full potential as in-

¹Neil Sutherland, *Children in English-Canadian Society: Framing the Twentieth Century Consensus* (Toronto 1976); Terrance Morrison, "The Child and Urban Social Reform in Late Nineteenth Century Ontario," unpublished Ph.D. thesis, University of Toronto, 1972; Andrew Jones and Leonard Rutman, *In the Children's Aid: J.J. Kelso and Child Welfare in Ontario* (Toronto 1981).

Lorna F. Hurl, "Restricting Child Factory Labour In Late Nineteenth Century Ontario," *Labour/Le Travail*, 21 (Spring 1988), 87-121.

dividuals and citizens might be developed.² In view of this, it is noteworthy that neither the circumstances of the case nor the way in which it was dealt with by the court and the press appeared to have drawn public criticism.

The child's story, therefore, raises many questions about the circumstances of child factory labour in Canada at the turn of the century. What was the relationship of the new concept of childhood to labour legislation? Who were the actors who urged the adoption of regulatory legislation? If there was enough concern to result in the enactment of legislation restricting child labour, why was there not enough concern to enforce it?

To date, these questions remain largely unanswered. Although Canadian scholars have shown considerable interest in the investigation of childhood history, the study of child labour remains a significant omission.³ Available works make passing reference to the considerable extent and frequently appalling conditions of nineteenth century child labour in Canada, yet there has been no focused inquiry into the circumstances and eventual restriction of child labour. As a result, it has been more or less assumed that anti-child labour legislation was part of the reform package of upper and middle-class Anglo-Canadians who, having adopted a new concept of childhood, sought to impose control over the family life of the lower classes. The 'success' of the legislation is likewise assumed to have resulted from the restrictive nature of the legislation in conjunction with compulsory education laws, both enforced by government appointed inspectors.

Though these assumptions are untested, two factors have led to their general acceptability. Firstly, studies of American child labour reform have identified the existence of a strong link between the new concept of childhood, the social reform movement, and child labour legislation.⁴ Given the many similarities between Canada and the United States, findings of American studies are frequently generalized to the Canadian situation. Secondly, mainstream theories of policy analysis have evolved that locate the origin of social policy in the attitudes and actions of "progressive" or altruistic

²See for example, Neil Sutherland, *Children in English-Canadian Society*; Terrance Morrison, "The Child and Urban Social Reform;" J. Donald Wilson *et al.*, eds., *Canadian Education: A History* (Scarborough 1970); Allison Prentice, *The School Promoters: Education and Social Class in Mid-Nineteenth Century Upper Canada* (Toronto 1977).

³See, for example, Neil Sutherland, *Children in English-Canadian Society*; T. Morrison, "The Child and Urban Social Reform;" J. Donald Wilson *et al.*, eds., *Canadian Education*; Allison Prentice and Susan Houston, eds., *Family, School and Society in 19th Century Canada* (Scarborough 1975); Patricia Rooke and Rudy Schnell, eds., *Studies in Childhood History: A Canadian Perspective* (Calgary 1982); Joy Parr, *Childhood and Family in Canadian History* (Toronto 1982).

⁴See, for example, Walter Trattner, *Crusade for the Children: A History of the National Child Labor Committee and Child Labor Reform in America* (Chicago 1970); and more recently, Vivana Zelizer, *Pricing the Priceless Child: The Changing Social Value of Children* (New York 1985).



Child workers outside Tuckett Tobacco Company, Hamilton Ontario, c. 1900
(Photo courtesy of Special Collections, Hamilton Public Library)

social reformers, or in the inevitable extension of the rights of citizenship.⁵ Accordingly, it is a simple matter to assume a direct and casual relationship between changing social attitudes towards children and the development of restrictive (and meaningful) child labour legislation.

This study will investigate the validity of these assumptions regarding the withdrawal of Canadian children from the industrial work-force and, concomitantly, attempt to answer the questions raised by the incident reported in the December 1900 *Labour Gazette*. Tracing the enactment and success of Ontario's late-nineteenth-century, anti-child labour legislation, it will investigate the changing experience, extent and importance of child labour, the push for restrictive legislation, and the efforts at monitoring and enforcing the legislation. Traditionally accepted reform and citizenship theories of policy development will be tested against an ecological approach attributing change not merely to a new ideology of childhood but more importantly, to alterations in the demand for and the supply of child labour that were in turn related to the nature of industrial technology, industrial capital accumulation, and advances in the standards of living of working class families.

⁵Ramesh Mishra, *Society and Social Policy: Theories and Practice of Social Welfare* (London 1981).

I

Introducing the Child to the Factory

THE MACHINES of the early industrial revolution, operated by relatively unskilled labourers, opened factory doors to children. Among the cheapest of the unskilled, child workers proved attractive to many employers. The majority of child labourers came from the early teenage and adolescent age groups. Smaller children, however, were employed in non-demanding tasks or tasks which required small and nimble hands or small statures.

In the main, children were hired for wages as were adults. Although some firms persisted in calling the children apprentices, by the mid 1800s the apprentice system had largely broken down. With fewer craftsmen self-employed and the workplace separated from the home, the socialization and vocational training offered by apprenticeships were greatly weakened. Children who continued to enter the apprentice system were apprenticed to industries rather than to craftsmen, thereby losing the intimate (though not always benevolent) relationship between master and worker. With many children operating machinery which required little skill, or working at tasks which facilitated the work of adult labourers (e.g. stoking fires, fetching materials or tools) they could no longer said to be receiving training in a trade; they were merely working at unskilled jobs, with little assurance of being later absorbed into adult branches of the industry.

The participation of children in the labour force must be understood in relation to their membership in the family wage unit. Throughout the nineteenth century the concept of the autonomous and mutually responsible family prevailed: the family was to be economically self-sufficient, composed of members who were responsible for ensuring each other's well-being. In more affluent families, this meant the family was supported by the parental wage and children were dependant for long periods upon their parents. In less affluent families, however, children were required at earlier ages to be contributing members of the family economy. Observing this phenomenon, one school inspector remarked that parents could not "always control their domestic affairs to such an extent as to keep their children at school when these affairs require that the efforts of their children must be made available to promote the comfort of the family."⁶ The contributions of children became particularly important in those families without a functioning male head of the household. For families led by widowed, disabled, ill or aging parents, it was imperative that children work; society offered few alternatives

⁶Ian Davey, "Educational Reform and the Working Class: School Attendance in Hamilton, Ontario, 1851-1891," unpublished Ph.D. thesis, University of Toronto, 1975, 198-99, quoting Inspector of Schools for London, *Annual Report of Schools*, 1879.

for support, condemning relief as "pauperizing."⁷

Child labourers, however, came not only from the homes of unskilled workers, but also from the homes of artisans. Although artisans' children had established patterns of school attendance by the 1850s similar to those of the more affluent classes, studies indicate that these patterns were abandoned in favor of attachment to the work force once the process of industrialization began.⁸ That absences from school were related to work force participation was made evident in the reports of school inspectors, like the Superintendent for London Township, who remarked that "the irregularity [of school attendance] is caused by the boys and girls of almost all sizes and ages, staying out of school or going to it, according as their assistance is required or not at the factories."⁹

There are two possible explanations for the initial attraction of the factories over schools. First, the introduction of mechanized production seriously affected the position of the skilled artisan. Machines, operated by unskilled labourers, reduced or even eliminated the need for skilled artisans in many industries. Thus many artisans suffered both a loss of status and of income in the early phases of industrialization. With a reduction in the parental wage and the creation of unskilled employment opportunities available to children, it was natural that children would be withdrawn from school and required to work to contribute to the upkeep of the family unit.

A second explanation is suggested by the opportunity costs entailed in school attendance in the early days of industrialization. With the introduction of machines creating opportunities for paid employment for children, school attendance became a costly alternative. Not only did the new machinery offer early employment for children, but also it portended the possibility of continued employment into the adult years, without the necessity of skilled trades training. The prospect of an immediate increase in the family income, not countered by a clear threat of reduced earnings as the child became an adult, must have proved attractive to many families. Education, rather than being the means by which a child might improve his own and his family's future earnings, may have appeared a costly and unnecessary option in the early phase of industrialization.

This is not to imply that the early relationship between school and employment was competitive. Education, even when declared compulsory, was

⁷James Pitsula, "The Relief of Poverty in Toronto, 1880-1930," unpublished Ph.D. thesis, York University, 1979.

⁸Michael Katz, *The People of Hamilton, Canada West: Family and Class in a Mid-Nineteenth Century City* (Cambridge, Mass., 1975); Ian Davey, "Educational Reform and the Working Class;" Bryan Palmer, *Working Class Experience: The Rise and Reconstitution of Canadian Labour, 1800-1980* (Toronto 1983).

⁹Ian Davey, "Educational Reform and the Working Class," 285, quoting the Inspector of Schools for Hamilton, 1874.

not intended to eliminate the practice of child labour. Advocated as a panacea for virtually all social ills, free, compulsory education was intended, at least for working class children, to accompany employment, not to replace it.¹⁰ The Ontario School Act of 1871 required that each municipality provide free common schools which children between seven and twelve years of age were to attend for four months of the year. The short school term was established in order not to unduly restrict children's participation in domestic labour or in the paid workforce, thereby accommodating parents who wanted their children to work and manufacturers who relied upon child labour. Moreover, the lack of provisions for effective enforcement allowed many parents and employers to disregard the laws entirely. Thus, as indicated in Table 1, the enactment of compulsory education resulted in no immediate or significant change in school attendance during the following decade.

TABLE 1
Total Enrolment and Percentage of Average Daily Attendance
in Ontario Public and Secondary Schools, 1866-1880

Year	Enrolment '000	ADA %
1866	390	42.9
1870	443	42.5
1875	499	39.8
1880	489	45.5

Source: *Historical Statistics of Canada*, F.H. Leacy, ed., Ottawa, Minister of Supply and Services, 1983, second edition, series W67-93.

II

Securing Restrictive Legislation

ALTHOUGH EARLY SCHOOL reformers and legislators were not firmly opposed to child labour, skilled labourers developed a different perspective. In the ranks of skilled labour, opposition to child labour was voiced as early as the 1830s and 1840s, when changes within the apprenticeship system indicated that children were being employed not as apprentices but as workers, in competition with adults for employment. Accordingly, early instances of

¹⁰Allison Prentice, *The School Promoters*; Susan Houston, "Victorian Origins of Juvenile Delinquency: A Canadian Experience" in Michael Katz and Paul Mattingly, eds., *Education and Social Change: Themes from Ontario's Past* (New York 1975), 83-109.

labour unrest, such as the York printers strike of 1836, frequently involved complaints against the employment of children and the abuses of the apprenticeship system.¹¹

Confronted with the hardships and insecurities accompanying the new industrial age, skilled workers began formally to organize and to harden their opposition to child labour. In the years following Confederation, trade union memberships increased and leaders sought to affiliate on a national, and sometimes international, basis. The formation of the Canadian Labour Union in 1873 marked the first attempt at national organization. However, due to poor organization and the onset of depression, the CLU collapsed within three years. Nevertheless, beginning at its first convention, the CLU censured the employment in industrial settings of children under 10 years of age.

The failure of the CLU did not mark the end of Labour's public criticisms of child labour. In 1881, the first Canadian local of the Knights of Labor, representing unskilled as well as skilled workers, was founded in Hamilton. Among the first of its resolutions was the abolition in factories of child labour under the age of 14 years. The Trades and Labour Congress, formed in 1883 as another attempt at national organization, adopted positions similar to those of the Knights, calling for the abolition of child factory labour under the age of 14 years. Throughout the remainder of the century, both the KOL and TLC continued to advocate strongly against child labour, with the TLC expanding its call by 1898 to include the "abolition of all child labour by children under 14 years of age."¹² Uncertain as to whether the provincial or federal government had the jurisdictional responsibility for regulating conditions of work, unions lobbied both.

The first response came at the federal level. In 1879, a Conservative MP, Dr. Darby Bergin, submitted the first of several private member's bills seeking to "Regulate the Labour of Children and Young Persons in the Mills and Factories of Canada." The Bill failed to find support in the House of Commons, however, and was withdrawn. It was twice revised and submitted by Bergin in 1880 and received the support of the *Toronto Globe*, traditionally an opponent of both labour and Sir John A. Macdonald's government:

What we would like to see effected would be the absolute prohibition of the employment in factories of very young children; and the regulation of the employment of such children and young persons who are employed, the regulation being directed to securing that education shall proceed along with work.¹³

¹¹Bryan Palmer, *Working Class Experience*, 33-4.

¹²Desmond Morton, *Working People* (Ottawa 1980), 78.

¹³*Globe*, 6 January 1881.

The Bill was withdrawn a third time to allow time for what Macdonald deemed a proper study of the matter.

The result of the study, the 1882 report of the Royal Commission on Mills and Factories, confirmed the concerns of Bergin and Labour. It noted that "The employment of children and young persons in mills and factories is extensive, and largely on the increase...." The hours and nature of work, the Commissioners added, constituted "too heavy a strain on children of tender years, and [are] utterly condemned by all except those who are being directly benefited by such labour...." Children, the Commissioners thought, were working either because of the "cupidity" of parents with good positions or to support the "idle habits" of parents who lived off children's earnings. Although the Commission was clearly concerned by what it had found, it made no recommendations. Its reluctance was seemingly explained in its observation that conditions in other countries should be examined "lest by an attempt to benefit our own people we give a positive and substantial advantage to outside competitors."¹⁴

In response to the Commission's report, Macdonald's government introduced a Bill in 1882, similar to Bergin's earlier Bills, proposing to regulate the ages of women and child workers and the working conditions of factories. Immediately upon the Bill's introduction the question arose as to whether labour legislation properly fell within the jurisdiction of the federal government. The Bill was thus withdrawn for consideration of the jurisdictional issue, a move supported by employers who were reported to have written the government almost daily in opposition to the Bill.¹⁵

The Bill was refashioned and submitted again in 1883 and 1884 by the Macdonald government. It was withdrawn on both occasions — once as the result of the jurisdictional dispute, and once because of objections coming from the Canadian Manufacturing Association.¹⁶ Frustrated with his Party's half-hearted attempts and its subsequent lack of progress, Bergin resubmitted the proposal as a private members' Bill in 1885 and 1886. On both occasions it was withdrawn due to the jurisdictional issue. With the failure of these last Bills, Bergin ceased his efforts.

Although unsuccessful at the federal level, Bergin's efforts and the debate which accompanied them spurred debate at the provincial level. The *Hamilton Times* claimed labour laws came under federal authority, but further suggested that even if it were to be agreed that labour was a provincial responsibility, protective legislation should not be enacted as it would given an advantage to manufacturers in other provinces.¹⁷ The rival *Labour Un-*

¹⁴Royal Commission on Mills and Factories, Government of Canada, Sessional Paper no. 42, 1882, 3.

¹⁵Eugene Forsey, "A Note on the Dominion Factory Bills of the Eighteen-Eighties," *Canadian Journal of Economics and Political Science*, 13 (1947), 582.

¹⁶*Ibid.*

¹⁷Cited in the *Hamilton Labour Union*, 3 February 1883.

ion condemned the *Times* article, calling it "a piece with the cold-blooded heartlessness of modern commercial morality throughout." Declaring "(b)etter every factory in the land where children of tender years are employed should close down than that the men and women of the future should grow up dwarfed and stunted with their mental faculties benumbed from excessive premature toil," the *Labour Union* challenged the Provincial government to enact protective legislation.¹⁸

The challenge was accepted by the Mowat Liberal government in early 1884. Desirous of attracting Labour support, and with the federal government mired in debate over its half-hearted attempts at legislation, the provincial Liberals introduced the Factories' Act establishing a minimum age of 12 years for boys and 14 years for girls, and restricting hours of work to 10 per day or 60 per week excepting "breakdowns" or "exigencies of the trade." The regulations applied to factories employing 20 or more workers, defining factories as sites in which steam or mechanical power was used to operate machinery. "Reasonable" provisions for ventilation, sanitation, and safety were required, and a system of inspectors was provided to oversee the implementation of regulations.¹⁹

While the foregoing measures placed some restrictions upon the use of child labour, they contained major loop-holes — no details of what constituted "reasonable" health and safety provisions were specified; claims of "breakdowns" or "exigencies of the trade" could nullify any attempts to control hours of work; employers were not held responsible if parents or children falsified children's ages. Further, no protection was afforded to children in smaller industries in which keen competition heightened the possibility of exploitation; regulation of the notorious 'sweated trades' was excluded by the definition of a factory; regulation of 'home' trades was similarly prevented by a clause which excluded labour in family dwellings and labour performed for family members. Even given these limitations, however, the Factories' Act was welcomed as a progressive, though moderate, measure in support of the labouring classes.

The Act was passed in the spring of 1884, but was not proclaimed until December of 1886. The delay would seem to have been, in part, the result of a stalling tactic due to the opposition of employers.²⁰ However, the official government explanation of allowing time to settle the issue of jurisdiction is also plausible.²¹ After two years of fruitless correspondence with the

¹⁸*Ibid.*

¹⁹An Act for the Protection of Persons employed in Factories, *Statutes of Ontario*, 47 (Victoria 1884), ch.39.

²⁰Bernard Ostry, "Conservatives, Liberals and Labour in the 1880s," *Canadian Journal of Economics and Political Science*, 27 (1961), 141-61.

²¹O. Mowat to S. D. Thompson, federal Attorney General, 26 May 1886, Aemelius Irving Papers, Provincial Archives of Ontario (P.A.O.).

federal government, facing the height of labour agitation and a provincial election, Mowat's government proclaimed the Act.

With the proclamation of the Ontario Factories' Act in 1886, the federal Conservatives were upstaged in their bid to attract the loyalty of Labour. Facing an election in the same year, and desirous of formulating an appeal to Labour, Macdonald announced a second Royal Commission to investigate issues of concern to Labour.

One of the areas of interest for the members of the Royal Commission on the Relations of Labour and Capital, established in 1887, was that of child labour. Although the philosophical differences which split the Commission resulted in the presentation of two final reports in 1889, the reports agreed in their sound condemnation of the practice of child labour. Many findings were repetitious of those of the 1882 Commission; others shed new light on the issue; all confirmed the continuation of child labour in contravention of Ontario's new protective legislation.

As in the first Report, young children were found to be working in unsafe and unhealthy environments, subject to long hours and harsh treatment by employers. However, members of the second Commission found that working children came not only from the homes of greedy and idle parents: many children had parents who worked but were unable to earn enough to provide regularly for the family's needs without the contributions from children's wages; others were children of widows who, without their children's wages, would be unable to keep their families together. Thus, a relationship between child labour and poverty was clearly and publicly established.

The Commissioners reported themselves to be truly appalled by some of the conditions in which they discovered working children. However, the children, themselves, displayed matter-of-fact acceptance of the hardships and unpleasanties. The children reported little interest in school; their fathers, on the other hand, expressed the desire to have them attend school for longer periods. Employers, too, acknowledged the advantages of literate children. The Commissioners concluded, therefore, children should be required to receive some amount of formal education in order to become "fit for the duties of life in a civilized community" and to become "artistic and skilled workmen," contributing to the development of a "great manufacturing country."²² These views, in combination with the Commissioners' shock at the working conditions of the children, led them to call for country-wide restrictive legislation. Acknowledging that if one employer was permitted to employ cheap child labour, the forces of competition would compel others to do likewise, the Commissioners recommended uniform regulations throughout the country to prohibit the employment of children under 14 years

²²Reports of the Royal Commission on the Relations of Labour and Capital in Canada, in Gregory Kealey, ed., *Canada Investigates Industrialism* (Toronto 1973), 21 and 57.

of age in mills, factories and mines. Neither of the two reporting groups of Commissioners, however, was able to resolve the jurisdictional question in order to clarify how this could be done. The issue was moot at any rate, for the Ontario legislation had been passed and the Macdonald government had no interest in challenging it.

III

Enforcing the Ontario Factory Act

THE COMMISSIONERS DID, however, take the opportunity to comment upon the effectiveness of the Ontario legislation. It had, in their opinion, "so far accomplished little or no good." Critical of its enforcement, Commissioners noted of the Ontario Act, "up to the close of this enquiry [1889], only one case had been brought before the courts. This inactivity cannot be for want of material to work upon."²³ The problem, in fact, stemmed from two sources — the paucity of inspectors, and the caution with which they first approached their jobs. The Mowat administration had appointed only three inspectors for the entire province. When, on the inspectors' recommendations, the Government amended the Act in 1889 to extend coverage to factories employing five or more workers, it did not hire more inspectors despite the large increase in work load. Social and political priorities were high-lighted when critics noted that while the government employed only three inspectors to enforce the Act throughout the entire province, Toronto employed three inspectors merely to hunt for liquor offences.²⁴

That the inspectors were capable was not disputed. They were, nevertheless, cognizant of and responsive to the needs of employers. The first prosecution under the Act, for example, involved the owner of a canning factory for infractions of regulations governing ages and hours of work. Sympathetic to the owner's situation, the investigating inspector recommended and obtained an amendment in 1887 which permitted the employment of children below minimum age to prepare fruits and vegetables for canning during the summer. A second inspector expressed sympathy toward other manufacturers, regretting that "with all the improved labour-saving machinery, it still appears to be necessary to utilize child labour in order that such machinery may be operated to advantage."²⁵

The inspectors also showed themselves to be aware of and sensitive to the family hardships created by poverty. While they continued to cite paren-

²³Cited in A. M. Rossman, "Factory Legislation in Ontario," Ontario Ministry of Labour Library, typescript (1964), 14.

²⁴Desmond Morton, *Working People*, 84.

²⁵Ontario Inspectors of Factories, Annual Reports for 1887 and 1888.

tal greed as a major cause of child labour, they also recognized the plight of poor families, particularly widows, whose welfare depended upon the earnings of their children. Their reports indicate that, seeing no alternative for such families, they reluctantly but frequently turned a blind eye toward the employment of their children.

Although in the 1890s the inspectors appear to have developed a firmer belief in the desirability of limiting child labour, their dilemma continued throughout the century. Thus, in 1892 one inspector called for the extension of protective legislation to cover all factory-employed children, not just those in factories with more than five employees, yet he continued making exceptions until 1900. By 1900 at least one other was adamant that no exceptions be made, arguing that work precluded education, thereby "dooming" children "to a life of toil and ignorance."²⁶ Seven years later, however, the government sponsored *Report on Child Labour*²⁷ revealed occasional abuses of the legislation, at the same time assuring legislators that inspectors were performing their task in a "painstaking and conscientious manner." Admonishing that "the well-being of the child, mental, moral and physical, should take precedence over the necessities of the parents, the exigencies of industries, or any other consideration" the authors of the report called for restrictive amendments to the Factory Act and for improved enforcement of truancy regulations.²⁸

The increasing vigilance of the factory inspectors and the views of the authors of the Report on Child Labour reflect the change in public attitudes toward child labour which was gradually occurring in the late 1800s; in the minds of an increasing number of individuals, education was to replace child labour, not merely to accompany it. Despite such sentiments, however, the fact remained that for many families and employers, reliance on child labour was a necessity. Thus, legislators and truancy officers remained "flexible" in regards to the continuation of child labour. In fact, legislators had proven so accommodating during the 1880s that they had made amendments to the School Act to permit working children to attend school only half-time. Although these provisions were withdrawn with the introduction of anti-truancy measures and attendance officers in 1890, truancy legislation was considered as late as 1907 to be a "dead letter."²⁹ Thus, though there was a gradual increase in school attendance following the enactment of legislation restricting child labour, school attendance remained highly sporadic for many children until well into the 1900s (See Table 2). Even by 1900, on any given day, it could be expected that only slightly more than one half of the

²⁶Ontario Inspectors of Factories, Annual Report for 1899.

²⁷"Report on Child Labour," printed by order of the Legislative Assembly of Ontario (Toronto 1907), PAO.

²⁸"Report on Child Labour," 4.

²⁹*Ibid.*

children enrolled would actually be in attendance. Not until the beginning of World War I could one expect to find even two-thirds of enrolled children regularly attending classes. While some of the absent children might have been 'playing hookey,' many others were engaged in some form of paid or family labour.³⁰ For these children education continued to be regarded as something which was to be undertaken in addition to labour, not in place of it.

TABLE 2
Total Enrolment and Percentage of Average Daily Attendance
in Ontario Public and Secondary Schools, 1866-1900

Year	Enrolment '000	ADA %	Year	Enrolment '000	ADA %
1880	489	45.5	1900	493	55.9
1885	503	49.3	1905	493	57.9
1890	514	52.2	1910	519	58.9
1895	517	52.5	1915	564	65.1

Source: *Historical Statistics of Canada*, F.H. Leacy, ed., Ottawa, Minister of Supply and Services, 1983, second edition, series W67-93.

Tables 3 and 4 provide data pertinent to child labour in the period 1871 - 1911. These data are interesting for two reasons. First, they show that children continued to work in factories, thereby confirming the previously noted problems with enforcement. Second, and of greater importance to this paper, they reveal patterns of employment of children in industrial establishments throughout the late 1800s and early 1900s.

TABLE 3
Employment of Children in Relation to Total Workforce in
All Ontario Industrial Establishments Reported in Census

	1871	1881	1891	1901	1911
Children	7101	9018	10354	5065	5178
Full Workforce	87281	118308	166326	142330	212330
Percentage	8.1	7.6	6.2	3.6	2.4

Child in this and following tables defined as under 16 years of age, working at full-time wage labour.

Source: This and following from Census of Canada, Dominion Bureau of Statistics: 1871 — Volume 3, Tables 28-53; 1881 — Volume 3, Tables 29-54; 1891 — Volume 3, Table 1; 1901 — Volume 3, Table 2; 1911 — Volume 3, Table 3.

³⁰For descriptions of the labour of children outside of factories see John Bullen, "Hidden Workers: Child Labour and the Family Economy in Late Nineteenth-Century Urban Ontario," *Labour/Le Travail*, 18 (1986), 163-87 and John Benson, "Working Class Capitalism in Great Britain and Canada, 1867-1914," *Labour/Le Travail*, 12 (1983), 145-54.

TABLE 4

Trends in the Employment of Children in Relation to Total Workforce in Selected Ontario Industrial Establishments, 1871-1911

	1871		1881		1891		1901		1911	
	Child	Total	Child	Total	Child	Total	Child	Total	Child	Total
Basket Making	13 (37.1%)	48	36 (36.4%)	99	76 (20.0%)	380	62 (19.7%)	315	44 (9.5%)	464
Boots and Shoes	382 (6.0%)	6354	291 (5.0%)	5827	102 (2.3%)	4410	65 (1.0%)	6563	173 (4.1%)	4174
Brewing and Distilling	18 (1.9%)	957	28 (2.3%)	1195	32 (2.2%)	1425	30 (1.9%)	1591	8 (0.5%)	1760
Brick, Tile and Pottery	279 (12.4%)	2246	386 (12.7%)	3033	529 (13.3%)	3970	356 (9.4%)	3768	124 (3.2%)	3861
Broom and Brush Making	41 (12.3%)	332	55 (10.0%)	552	28 (5.4%)	514	58 (10.4%)	556	40 (7.0%)	574
Cabinet and Furniture	137 (4.9%)	2769	304 (8.8%)	3460	253 (5.4%)	4720	313 (6.2%)	5076	238 (4.0%)	5945
Carriage Making	162 (3.4%)	4780	132 (2.4%)	5391	154 (3.0%)	5096	22 (0.7%)	3133	22 (0.6%)	3460
Clothing (Custom and Factory)	492 (5.9%)	8374	808 (6.1%)	13230	1307 (5.6%)	23480	218 (2.0%)	10954	326 (1.9%)	17391
Cooperage	92 (5.0%)	1837	172 (9.3%)	1843	142 (8.5%)	1667	8 (1.5%)	529	22 (2.1%)	1057
Cotton Manufacturing	212 (42.8%)	495	622 (37.0%)	1683	397 (15.9%)	2495	284 (12.1%)	2350	332 (14.4%)	2308

Flour and Grist Mills	105	2759 (3.8%)	100	3565 (2.8%)	78	3453 (2.3%)	5	2217 (0.2%)	11	3422 (0.3%)
Foundry and Machine Works	296	4682 (6.3%)	200	5021 (4.0%)	130	6198 (2.1%)	125	7328 (1.7%)	238	16478 (1.4%)
Glass Making	29	98 (29.6%)	78	333 (23.4%)	85	265 (32.1%)	52	794 (6.5%)	100	967 (10.3%)
Printing, Publishing and Binding	413	2149 (19.2%)	768	3893 (19.7%)	512	5489 (9.3%)	371	5851 (6.3%)	619	7550 (8.2%)
Saw Mills (Logs and Lumber)	754	13851 (5.4%)	1012	16846 (6.0%)	1343	23851 (5.6%)	489	26655 (1.8%)	64	25951 (0.2%)
Tobacco (all kinds)	245	707 (34.7%)	253	1164 (21.7%)	232	1528 (15.2%)	103	1977 (5.2%)	18	2522 (0.7%)
Wood Working	12	120 (10.0%)	8	133 (6.0%)	9	251 (3.6%)	33	611 (5.4%)	11	310 (3.5%)
Woolen Manufacturing	736	3696 (19.9%)	699	5221 (13.4%)	679	5217 (13.0%)	386	4076 (9.5%)	192	3181 (6.0%)
TOTALS	4418	56254 (7.9%)	5952	72489 (8.2%)	6088	94409 (6.4%)	2980	84344 (3.5%)	2583	101375 (2.5%)

Before examining the Tables, a brief comment on their construction is in order. Table 3 presents the total numbers and the proportion of child workers in all Ontario industrial establishments surveyed by the Dominion Bureau of Statistics in the census years during the period 1871 to 1911. Thus, it provides an overview of trends in the overall employment of children across all Ontario factories and manufacturies during the years surveyed.

Table 4 presents data revealing trends within selected industrial establishments. Because it is important to establish trends over time, only establishments for which data was available throughout the 1871-1911 period were included. Other criteria pertaining to the selection of the establishments included the following. First, because factors such as the degree of industrialization, the complexity of the machinery, and the physical demands of the work were all important elements in determining the attractiveness of child workers, it was important that industrial establishments with a wide variety of characteristics be represented. Thus, the establishments selected ranged from saw mills and foundry and machine works that relied upon the use of large and heavy industrial machinery through to tobacco working establishments that not only relied upon relatively unskilled labour, but also required small and quick fingers. Second, the size and economic importance of industrial sectors constituted another criterion for consideration. Thus, the sample includes small industrial sectors, for example wood turning and basket making, as well as saw mills and foundries as representative of major employers. Lastly, brewing and distilling establishments were included to determine if establishments of high reform interest exhibited different patterns of employment of child workers.

It is important to note that the data in Tables 3 and 4 represent a highly conservative estimate of the overall employment of children.³¹ They are further limited in that they provide no indication of the ages of child labourers; they are the aggregate figures of all full-time employees under the age of 16 years. Thus, they do not permit comment upon different patterns of em-

³¹Under-representation of child workers occurs for several reasons. Firstly, because most child labourers mixed periods of employment with unemployment and education, a profile of the labour force, at any given time, would exclude a great many child workers who were temporarily unemployed or attending school. Secondly, as indicated by the Commissioners on the Royal Commission on the Relations of Labour and Capital, there was a notable tendency for working children, their parents and their employers, to lie about their ages, with the result that the number of children actually employed was greater than that recorded. This tendency may have increased over time as the notion of child labour became more unpalatable. Thirdly, the census data were collected on full-time salaried factory employees only, thereby eliminating children who worked part-time, or who worked at home on piece work — common practices, for example, in the needle trades.

ployment for different age groups of children.³² Nevertheless, despite their limitations, the data reveal interesting trends which require explanation.

Both Tables 3 and 4 show a continuous increase in the absolute numbers of child labourers from the 1870s until the decade of the 1890s. For the same time period, they show, initially, a relatively constant proportion of child workers, followed by a slight decrease. However, the most significant revelation in the data presented in both tables is a substantial decrease in child factory labour during the decade of the 1890s — a 41.9 per cent decrease in the proportion of child workers in all Ontario factories, and a 51.1 per cent decrease in the absolute numbers of child factory workers.

Tables 5 and 6 deal respectively with the ten industrial sectors employing the greatest number and the greatest proportion of child workers in each census year. These data offer further support for the findings reported in tables 3 and 4. Table 5 deals only with establishments that were major employers of children in each census year. It shows that the employment pattern evident among these establishments was the same as that in the total industrial workforce (Table 3) and in the selected industrial establishments (Table 4). That is to say, the absolute numbers of child workers increased until the mid-1890s, at which time a marked decrease occurred. Table 6 presents data for the ten establishments that employed the greatest proportion of child workers in each census year. Although this table shows a slight increase in the proportion of child workers in the first three decades surveyed, more importantly, it confirms the dramatic decrease in the proportion of child workers during the 1890s.

The finding in Tables 3 to 6 of a substantial decrease in both the absolute numbers and the proportion of child workers during the 1890s defines an interesting problem. Given that factory inspectors acknowledged a lax approach until 1900, it does not seem plausible that the marked decrease in child workers can be explained by reference to the existence and/or the enforcement of the 1884 Ontario Factory Act. The question which arises, therefore, is what does account for the decrease in the numbers of child labourers during the final decade of the nineteenth century?

³²Without detail regarding ages, is it not clear which age groups of children made-up the work-force at any given time. Ian Davey's study "Educational Reform and the Working Class" (286) indicates that industrialization provided limited employment for very young children. Moreover, studies of other countries reveal that younger children were the first to leave the work force; there is no reason to believe it was different in Ontario. (See, for example, Michael Haines, "Industrial Work and the Family Life Cycle, 1889-1890" in Paul Uselding, ed., *Research in Economic History, A Research Annual* 4 (1979), 289-356.) Although the data presented are not clear on the issues of ages, admittedly, there is considerable difference in discussing a child work force composed of 15 and 16 year olds as opposed to children aged five and six.

TABLE 5
The Ten Industrial Sectors Employing the Greatest Numbers of
Children in the Census Years 1871-1911

Industrial sector	Numbers of children employed				
	1871	1881	1891	1901	1911
shinglemaking	415				
tobacco working	245				
boots and shoes	382	291			
men's tailors and clothiers	308	354	475		
brick, tiles and potteries	279	386	529	356	
printing, binding and publishing	413	768	512	371	
saw mills (log products)	754	1012	1373	425	
foundries and machine working	296			125	238
cotton manufacturing	212	622	397	284	332
wool cloth (goods and yarn)	736	699	678	384	191
cabinets, furniture and upholstered goods		304	253	313	238
dressmaking and millinery (custom and factory)		454	834		193
scutching mills		273			
flax mills			426	243	202
fruit and vegetable canning			388	353	268
bread, biscuits and confections				149	266
hoisery and knit goods					196
Totals	4040	4872	5835	3003	2124

IV

Reformers and the Ideology of Childhood

CONVENTIONAL BELIEF WOULD have it that the decrease in child workers noted in Tables 3 to 6 is mainly accounted for by the action of social reformers as part of their struggle to uphold the sanctity of the home and the nation.³³ Consisting largely of members of the Protestant clergy and women from the middle and upper classes, these groups were spurred into action during the

³³Neil Sutherland, *Children in English Canadian Society*; Terrance Morrison, "The Child and Urban Social Reform" and "'Their Proper Sphere': Feminism, the Family, and Child-Centered Social Reform in Ontario, 1875-1900," *Ontario History*, 68, 1 and 2, (1976), 45-74; Linda Kealey, ed., *Not an Unreasonable Claim: Women and Reform in Canada, 1880s - 1920s* (Toronto 1979).

TABLE 6
The Ten Industrial Sectors Employing the Greatest Proportion of
Child Workers in the Census Years 1871-1911

Industrial sector*	Proportion of child workers				
	1871	1881	1891	1901	1911
shingle making	26.9				
tobacco working	34.6				
trunk and box making	33.3				
rope and twine making	43.5				
button manufacturing	38.2			22.1	11.8
scutching mills	25.4	27.9			
basket making	27.1	36.4		19.7	
cotton manufacturing	42.8	37.0			14.4
glass works	29.6	23.4	32.1		10.3
match factories	31.7	68.5	69.2		
cuttlery manufacturing		25.4			
nail and tack manufacturing		35.0			
pickle making		26.9			
window shade factories		25.8			
preserved food (canned fruit and vegetables)		28.3	21.6		
bolt and nut works			35.1		
glue factories			38.0		
lace factories			42.9		
native Indian wares			35.6		
sorghum and syrup making			21.9		
wall paper making			35.3		
flax mills			30.1	24.4	22.1
fringes, cords and tassels				16.8	
hammocks				19.4	
leather goods				17.1	
musical instrument materials				13.3	
optical goods				18.3	
pulleys				19.1	
refrigerators				16.3	
chewing gum					17.2
feather goods					15.5
furs, dressed					11.1
mats and rugs					13.0
soap making					16.3
washing compounds					11.1
Averages	33.3	33.5	36.2	18.7	14.3

*For purposes of this table, only industrial sectors having 25 or more employees were included.

latter half of the century with the appearance of the worst effects of industrialization and urbanization and, allegedly, by the new ideology of childhood. A review of the events preceding the enactment of the 1884 Ontario Factory Act reveals problems with this assumption. The available evidence suggests that reformers were not prevalent amongst the earliest groups seeking to curtail child labour. Amidst the dozens of petitions to the federal government in favor of protective child labour legislation in the 1880s, there was only one from reformers — from the Society for the Protection of Women and Children.³⁴ Throughout the lively debates and struggles surrounding enactment of the legislation in the 1880s neither this group nor other social reform groups appears to have played an active public role.

Concerns to enforce the Factory Act, or to secure additional protective legislation for children during the periods of the 1890s also did not appear to be a priority of reformers. Although reform activity pertaining to labour appears to have increased during the 1890s, this interest seems to have reflected a more general 'maternal' interest in social reform than a special interest in the working child. For example, in 1895 Ontario affiliates of the National Council of Women supported the Trades and Labour Congress in petitioning the provincial government to amend the Shops Act to give increased protection to women and children employed in business and commerce. However, outright condemnation of child labour did not materialize. Moreover, when discussing the problems of women and children factory workers, Lady Aberdeen, president of the National Council of Women, clearly reflected the biases of members when she warned a member against the dangers of "taking up the sweating system" (notorious for its exploitation of women and children) because it would "arouse the wrath of some trades-people and we ought to walk warily to begin with."³⁵ In addition, the Council showed itself to be more interested in the working conditions of women than of children. In a two year debate on whether or not to advocate limiting the length of the work day of women and children to nine hours, Council members' concerns focussed on the effect such a measure would have on the competitive position of women. Unable to agree upon the resolution, members dropped it without ever referring to the working conditions of children.³⁶ The Council's activities in relation to children were largely restricted to the support of compulsory education, curfews, control of reading material, smoking and gambling, parental neglect and abuse — issues of morality, not economics.

Even reformers who were primarily interested in child welfare failed to take up the cause of the working child. Beginning to organize in the late 1880s,

³⁴ *Journals of the House of Commons* (1884). No information could be located to shed light on the membership, activities and locale of this organization.

³⁵ Quoted in Veronica Strong-Boag, "The Parliament of Women: The National Council of Women of Canada 1893-1929," unpublished Ph.D. thesis, University of Toronto, 1975, 199.

³⁶ National Council of Women, *Annual Year Books* (1985-86).



Young boys employed by Greening Wire Company of Hamilton Ontario joining in a company photograph, c. 1900 (Photo courtesy of Labour Studies Department, McMaster University, Hamilton Ontario)

child welfare activists were primarily interested in preventing parental mistreatment and removing environmental influences which threatened the morality of children.³⁷ Although there was concern that many work environments endangered children's morals by exposing them to unsanitary conditions and coarse adult workers, there was even more concern that, with non-existent or ineffective truancy laws, children were apt to be exposed to even more corruption through idleness and loafing about on the streets. For many reformers, therefore, work in the factories was preferable for the children involved and for society in general. Even J. J. Kelso, dean of Canadian child-savers, held this view. As late as 1903, Kelso spoke against iron-clad truancy laws for older children in Ontario, noting "... very often a stirring boy of twelve or thirteen can learn just as much in some useful occupation as he can in the school. There are lads who cannot be induced to go to school and if we had a children's agent who would endeavor to get that boy into a situation it would be a good thing."³⁸ Thus the linking of work and virtue con-

³⁷ Andrew Jones and Leonard Rutman, *In the Children's Aid: J.J. Kelso and Child Welfare in Ontario*; Terrance Morrison, "The Child and Urban Social Reform."

³⁸ Proceedings of the Sixth Annual Canadian Conference of Charities and Corrections (1903), 21.

tinued into the twentieth century to preclude the outright condemnation of child labour, even among the strongest advocates of children's welfare and rights.

To understand the perspective of the reform groups, that the conditions under which children laboured were the problem rather than child labour *per se*, it is important to consider their socio-economic backgrounds and religious views as well as their views on childhood. Firstly, the great majority of female reformers, the foundation of the reform movement, were daughters or wives of men who were relatively successful in manufacturing and business enterprises. Accordingly, employers' vested interests in maintaining the benefits of child labour were shared (or at least unchallenged) by the women who were dependent upon them, a phenomenon clearly illustrated by the actions of the National Council of Women.

Secondly, the strong Protestant religious orientation of most reformers actually sanctioned child labour, though perhaps less rigorously than would have been the case in the pre-Confederation era. Although some Calvinist doctrines had lost their potency, the relationship between work and virtue remained throughout the latter half of nineteenth century.³⁹ Thus while churches may have condemned the conditions under which some children laboured, they continued to exalt the industrious child. Stories of children working to support ailing or widowed parents were common in religious newspapers until the end of the century. So, too, were advertisements announcing to "farmers and other employers" the arrival of British immigrant children "just suited for farm and other work."⁴⁰ Such actions could be justified by reference to the Calvinist doctrine of predestination. Believing that God had willed that there would be a humble class whose members would toil laboriously, many believers could accept that child labour was inevitable and appropriate. The concern, therefore, was not to free the child from labour, but to assure that labour was not morally debilitating. Moreover, for most of the last half of the nineteenth century, most Protestant churches were sufficiently preoccupied with the salvation of individual souls that they tended not to get involved in social issues unless moral issues — notably prohibition and sabbatarianism — were at stake. Not until the closing years of the century did this inward-looking focus show evidence of change and churches begin to adopt an active interest in social and environmental reform.⁴¹

For reformers more apt to turn to the developing sciences as opposed

³⁹Max Weber, *The Protestant Ethic and the Spirit of Capitalism* (London 1976); Ernst Troeltsch, *Protestantism and Progress*, translated by W. Montgomery (London 1912).

⁴⁰Surveys of the *Christian Guardian*, 1884-86 and 1897-99 revealed several such articles and advertisements. Passages quoted are from 19 March and 28 April 1884 editions.

⁴¹Richard Allen, *The Social Passion: Religion and Social Reform in Canada 1914-28* (Toronto 1973), ch.1.

to religion as the basis of their thought, the theories of social Darwinism could prevent serious questioning of child labour.⁴² Positing that the social and economic advantages of the affluent were explained by superior intellect and personality, traits which were genetically determined and which resulted from the process of evolution, social Darwinists were able to countenance the notion of child labour. Children of the poor and labouring classes were believed to inherit their parents lesser capabilities and foibles, thereby being, in all likelihood, incapable of elevation to a level much higher than that of their parents. Moreover, by disrupting the process of natural selection, even well intended interference might actually be harmful to the human species by facilitating the reproduction of individuals with 'defective' characters. This philosophy, which ran through much of social thinking in the latter half of the century, effectively tempered humanitarian impulses.

Lastly, even the 'new' concept of childhood did not call for the abolition of child factory labour. Based upon the ideas of Rousseau and developed by European educationists such as Johann Heinrich Pestalozzi and Friedrich Froebel, the 'new' concept posited that the child was innately good, though fragile — "an immortal bud just commencing to unfold its spotless leaves ... a beautiful flower opening to sunshine."⁴³ For such a child to reach its potential, a nurturing and protective environment was required. Clearly, within such a philosophy, it was difficult to reconcile the notions of the factory labour of children with new notions of their developmental needs. This 'new' philosophy, however, does not appear to have begun to gain acceptance in Ontario, even among the more educated and affluent citizenry, until the final years of the nineteenth century.⁴⁴

Earlier views, from which the 'new' concept of childhood evolved and upon which the restrictive legislation was based, stressed the importance of environment, but they did not reject outright the labour of children. Rejecting the Calvinist belief in 'infant depravity', the philosophy of child raising which held sway over most of the last half of the century borrowed John Locke's concept of 'tabula rasa', postulating that the child had no innate character. Children were considered to be infinitely malleable, capable of being molded into "the ornament or disgrace, the benefactors of the plagues, the blessings or curse of their race."⁴⁵ This meant that the child's environment was seen as the critical factor in determining whether it would develop into a moral, hard-working, and productive adult, as most people preferred,

⁴²Ramsay Cook, *The Regenerators: Social Criticism in Late Victorian English Canada* (Toronto 1985).

⁴³Robert Sunley, "Early Nineteenth Century American Literature on Child Rearing" in Margaret Mead and Martha Wolfenstein, eds., *Childhood in Contemporary Cultures* (Chicago 1955).

⁴⁴Terrance Morrison, "The Child and Urban Social Reform;" Neil Sutherland, *Children in English Canadian Society*.

⁴⁵Allison Prentice, *The School Promoters* quoting Egerton Ryerson in 1848, 32.

or into an immoral, viscous, idle adult, as most people feared. To produce the morally uprighteous child, it was seen as necessary to provide the child with "a satisfactory, though preferably Spartan physical environment - wholesome food, sufficient but often uncomfortable clothing, and basis shelter."⁴⁶ Of even more concern than the physical environment, however, was the inculcation in children of sound morals and good work habits. Within this view, it is clear that child labour could be countenanced. Even the factory environment, as long as it was free from agents of immorality and excessive physical hardships, could actually be construed as contributing to the desired development of children. It was from within this more stringent, Lockean inspired notion of childhood that Ontario's reform movement developed.

In general, therefore, there was little in the backgrounds and/or in the thinking of most social reform groups which would assign a high priority to the abolition of child factory labour. Although the various groups differed in the amount of consideration that they gave to the issue of child labour, *in general they sought to have children exposed to the civilizing and progressive influences of education for only part of the time.* They were content, indeed pleased, when children were not in school, that they were learning the habits of industry through gainful employment. The efforts of even the more ardent school promoters were tempered in order to enable poor parents and employers to benefit from the labours of children, and to allow children who were not interested in school to learn the habits of industry and citizenship in the work setting. The new, sentimental notion of childhood which has been accorded reformers by the turn of the century, was not extended in any great measure to children who were required to work in factories. Reformers' concern for such children was not so much that they be protected and nurtured in their 'tender years' but that their work not subject them to undue physical hardships or immoralities which would interfere with the development of habits of industry and civility.

The available evidence indicates, therefore, that the actions of social reform groups, motivated by a "new" concept of childhood, cannot account for the decrease in child labour during the 1890s. A more fruitful explanation would appear to lie in an ecological theory based upon changes in the demand for and supply of child labour.

V

Changes in the Demand For and the Supply of Child Labour

MANY OF THE TRENDS apparent in Tables 3 to 6 can be understood in relation to the "demand side" of the labour market — that is, as functions of

⁴⁶Neil Sutherland, *Children in English Canadian Society*, 11.

the desire for cheap labour and the availability of relatively non-demanding job opportunities.

As indicated in Table 4, 5 and 6 from the earliest years of the census records, there was considerable variation amongst industries in regard to both the absolute numbers and the proportion of children employed. Some industries were much more prone than were others to rely upon proportionately large numbers of child workers. Among other factors, this would seem to be related to the nature of the work and the degree of mechanization in the industry. For example, trades such as carriage making which had undergone little industrialization,⁴⁷ relied upon skilled craftsmen almost to the exclusion of young workers. Manufactories which had industrialized but which involved the use of complex or heavy industrial equipment — e.g. foundry and machine works, flour, grist and saw mills — also relied on relatively few child workers. Yet other industries such as clothing manufacturing involved much outwork or subcontracting with home operators, with the result that while there were reports of high numbers of child workers in these industries, these children were not enumerated among those employed in the factories themselves. Industries which employed proportionately higher numbers of children — e.g. basket making, broom and brush making, book binding, cotton and woolen manufacturing, glass works — offered many positions which involved relatively light work and/or required little use of heavy and complex industrial machinery. Thus the nature of the industry and the degree of modernization were factors influencing whether or not an industry was apt to make extensive use of child labour.

In addition to differences in child employment across industries, Tables 3 to 6 clearly indicate differences over time. Table 3, presenting aggregate data for the all industrial establishments included in the census, indicates a continual, though not consistent, decline in the percentage of children in the full time industrial workforce — 6.2 per cent in the 1870s (from 8.1 per cent to 7.6 per cent); 18.4 per cent in the 1880s (from 7.6 per cent to 6.2 per cent); 41.9 per cent in the 1890s (from 6.2 per cent to 3.6 per cent); and 33.3 per cent in the first decade of the 1900s (from 3.6 per cent to 2.4 per cent). This consistent downward trend does not hold, however, when consideration is given to the absolute number of children in the work force. Instead of a constant decline in the number of employed children, the figures reveal an increase until the 1890s (+27.0 per cent in the 1870s, +14.8 per cent in the 1880s), a sharp decline (-51.1 per cent) during the 1890s, followed by a general leveling out in the early 1900s (+2.2 per cent). It is apparent, therefore, that as the size of the workforce continued to increase throughout the 1870s and 1880s, the numbers of children employed also increased,

⁴⁷Gregory S. Kealey, "Toronto's Industrial Revolution, 1850-1892," in Michael Cross and Gregory Kealey, eds., *Canada's Age of Industry, 1849-1896* (Toronto 1982), 20-61.

despite complaints from Labour and the existence of restrictive legislation. Though fewer numbers of children were hired in relation to adults, the employment of children indicated that they continued to be viewed by many employers as a viable source of cheap labour.

Despite differing patterns of decline in the absolute as opposed to proportionate representation of working children, it is clear from all Tables that the 1890s constituted a benchmark in the reduction of child labourers. As previously noted, during this decade the proportion of child workers dropped by 41.9 per cent (compared with an 18.4 per cent decrease in the previous decade); in addition, for the first time, the absolute numbers of child workers declined — by a remarkable 51.1 per cent.

In seeking to explain the causes for the decline in child factory labour in the 1890s, there are several plausible hypotheses. It may be that factory inspectors became more stringent in their enforcement of regulations; their own records, however, do not indicate changes of this nature until almost 1900. It may be, too, that as the Factory Act became more widely known, and as the new concept of childhood developed in influence, both parents and employers became more reluctant to allow children to work; alternatively, they may have become more adept at lying about children's ages, with the result that the records showed fewer numbers of working children. A third possible explanation is that many child workers were replaced by adults, substantial numbers of whom migrated to industrial areas from rural regions of the country during this time.⁴⁸ An additional, more complete explanation, however, is revealed in an examination of changes in the technological and economic circumstances of industry.

The decade of the 1890s witnessed a major transition in Canadian industrial development. This period has been identified as marking the end of Canada's industrial revolution and/or the beginning of its "take-off" into the age of modern industry.⁴⁹ During the years of the "industrial revolution," circumstances were such that children were a viable, and for some industries

⁴⁸Adam Shortt, and Arthur Doughty, *Canada and its Provinces*, vol. 9, (Toronto 1914). "The Dominion: Industrial Expansion," 189.

⁴⁹Michael Cross and Gregory Kealey, eds., *Canada's Age of Industry, 1849-1896*; Adam Shortt and Arthur Doughty, *Canada and its Provinces*, vol. 9, 10; G.W. Bertram, "Economic Growth in Canadian Industry, 1870-1915: The Staple Model," in William T. Easterbrook and Melville H. Watkins, eds., *Approaches to Canadian Economic History* (Toronto 1967), 74-98; Kenneth Buckley, *Capital Formation in Canada, 1896-1914* (Toronto 1955); O. J. Firestone, *Canada's Economic Development, 1867-1953: With Special Reference to Changes in the Country's National Product and National Wealth* (London 1958); A.G. Kenwood and A.L. Lougheed, *Technological Diffusion and Industrialization Before 1914* (London 1982); W.A. Mackintosh, *The Economic Background of Dominion-Provincial Relations* (a study prepared for the Royal Commission on Dominion-Provincial Relations) (Ottawa 1939); Russel C. McIvor, *Canadian Monetary, Banking and Fiscal Development* (Toronto 1958); Walter W. Rostow, *The World Economy: History and Prospect* (Austin 1978).

even necessary, component of the work force. The years of the mid 1870s to mid 1890s were characterized by world wide depression which undercut Canadian industries and limited their market to domestic consumption. At the same time, however, national tariff policies stimulated Canadian industries by protecting the domestic market. The net result was the creation of a small but fiercely competitive local market. For many small businesses, this meant bankruptcy. For larger or more competitive industries, failure was not uncommon but was often avoided through continued modernization as well as through business mergers and cartels or combinations.³⁰ Clearly, in such an environment, particularly for smaller, less productive industries, poorly paid child labour was one means of reducing production costs.

The emergence of successful industries from the struggles of the 1880s resulted in the centralization and concentration of industrial capital, a phenomenon which Kenwood and Loughheed argue, is fundamental to the modernization of industry.³¹ That is, as industries accumulate capital and expand production, they introduce new productive techniques in their search for economies of production. This process of modernization, characterized by increasing specialization into highly skilled and well paid industries, combined with the tendency toward enlarged and highly mechanized production units, restricted job opportunities for children. In addition, mergers, cartels and combinations, clearly evident by the late 1880s and early 1890s in such fields as cottons, farm implements, stove and foundry wares, oatmeal millers, and coffin and undertakers supplies,³² served to stabilize market prices, thereby reducing the need to limit wages through the hiring of children. Thus, by the mid 1890s, as Canada entered the age of modern industry, the circumstances which had been conducive to the employment of large numbers of children in factory labour had undergone significant change. Child workers were ceasing to be of practical advantage in many industrial settings.

Tables 3 to 6 reveal that the phenomenal expansion of Canadian industry which followed the 1890s and continued until the 1920s, was accompanied by reductions in the child labour force. The opening of international markets at the end of the world wide depression, the resurgence of world wheat prices, the opening of the Canadian west, and the influx of foreign investment capital ignited both the capacity and the desire for the expansion

³⁰Gregory Kealey, "Toronto's Industrial Revolution, 1850-1892;" Adam Shortt and Arthur Doughty, *Canada and its Provinces* 9, 10; Russel C. McIvor, *Canadian Monetary, Banking and Fiscal Development*.

³¹A.G. Kenwood and A.L. Loughheed, *Technological Diffusion and Industrialization Before 1914*, 61.

³²Adam Shortt and Arthur Doughty, *Canada and its Provinces*, vol. 9, 190.

of Ontario's industries.³³ With the expanded market came the inducement for continued modernization in the methods of production. As noted by Kenwood and Lougheed, "...unless the demand exists, there is little incentive to increase production, and therefore little need to introduce more productive techniques, or to search for new products or new methods of production."³⁴ But it was foreign immigrants, not children, who swelled the ranks of the work force needed to meet the needs of industrial expansion. The men and women "in sheepskin coats," encouraged and abetted by federal immigration policies, provided the labour to fuel the expansion of factories following the turn of the century.³⁵ Clearly, the rapid and significant expansion and modernizing of industries, seeking to be competitive in a world market could not be accomplished through reliance on the work of children. In Canada's age of modern industry, an era characterized by the use of complex machinery, specialized and more highly paid labour, the accumulation and centralization of capital, and competition in a world market, employers no longer found the employment of children a necessary pre-condition for success. In many cases, it was undoubtedly a liability.

The supply side — the situation of the working class family

IN ORDER TO UNDERSTAND why children were in the work force, it is necessary to understand not only the demand side of the ledger, but also the supply side — the willingness or the reluctance of working class families to have their children engage in factory labour. To gain a perspective on this aspect, it is necessary to enquire into both the material circumstances of working class families and their attitudes toward the relationship of childhood and labour.

³³Adam Shortt and Arthur Doughty, *Canada and its Provinces*; G.W. Bertram, "Economic Growth in Canadian Industry, 1870-1915;" O.J. Firestone, *Canada's Economic Development, 1867-1953*; A.G. Kenwood and A.L. Lougheed, *Technological Diffusion and Industrialization Before 1914*; Russel C. McIvor, *Canadian Monetary, Banking and Fiscal Development*; Walter W. Rostow, *The World Economy: History and Prospect*.

³⁴A.G. Kenwood and A.L. Lougheed, *Technological Diffusion and Industrialization Before 1914*, 52.

³⁵For the story of European immigrant workers, see for example, Donald Avery, 'Dangerous Foreigners': *European Immigrant Workers and Labour Radicalism in Canada, 1896-1932* (Toronto 1979) and Robert Harney and Harold Troper, *Immigrants: A Portrait of the Urban Experience, 1890-1930* (Toronto 1975). To illustrate the magnitude of growth in industrial production following 1900, Shortt and Doughty, for example, note a jump in the total value of products from Canadian (largely Ontario) factories employing five or more hands from \$368 million in 1890 to \$481 million (30.7 per cent) in 1900 to \$1,165 million (142 per cent) in 1910. Production of pig iron increased from 50 thousand tons in 1896 to 917 thousand tons in 1911 and the production of steel increased from 30 thousand tons to 876 thousand tons in the same years. *Canada and its Provinces*, vol. 9, 252-3 and 256.

The patterns of child factory labour, when viewed alongside changes in the financial circumstances of working class families, provide interesting insights. It is a matter of debate if the poor and the unskilled did less well in the early stages of industrialism, but historians generally agree that the position of skilled labourers deteriorated significantly.⁵⁶ Displaced by machinery, skilled craftsmen saw their wages and their social positions decline to a point where they were more similar to those of the unskilled than to those of the more affluent classes. Only with the expansion and modernization of industry did their positions improve. Firestone's estimates of an increase of approximately two-thirds in the purchasing power of the average Canadian factory worker during the 1870 - 1900 period,⁵⁷ indicate general improvements in workers' standards of living; however, they do not reveal differences in the economic gains made by various social and occupational groups over the decades. More recent studies by Darroch of inequality in the assessed wealth of Torontonians at the turn of the century provide more detail in this regard. Agreeing with Firestone and others⁵⁸ that the final three decades of the 19th century saw improvements in the lot of all workers, Darroch estimates that it was not until the 1890s that the lower ranks of Torontonians improved their economic position relative to the more affluent classes.⁵⁹ This would suggest that until at least the 1890s, for many of the "deposed" skilled workers as well as the unskilled not only did their social status remain depressed, but also it is likely, as Marr and Paterson observed, that "...saving was impossible and that all of their income was spent on the most rudimentary basic requirements."⁶⁰ For the least skilled labourers, left behind when others improved their lot, financial security continued to be elusive and supplementation of wages by other family members continued to be necessary well into the twentieth century. Palmer suggests,

⁵⁶See, for example, Gregory Kealey and Peter Warrian, eds., *Essays in Canadian Working Class History* (Toronto 1982); Bryan Palmer, *Working-Class Experience and A Culture in Conflict: Skilled Workers and Industrial Capitalism in Hamilton, Ontario, 1860-1914* (Montreal 1979); Michael Katz, *The People of Hamilton*; Ian Davey, "Educational Reform and the Working Class."

⁵⁷To estimate changes in purchasing power, Firestone converted the wages of the average manufacturing worker \$293 in 1870 and \$421 in 1900 (in current dollars) to \$436 and \$726 (in 1935-39 dollars) respectively. The figures for 1870 pertained to average earnings of all persons in manufacturing whereas the figures for 1900 included only factory wage earners. *Canada's Economic Development 1867-1953*, 207.

⁵⁸Bryan Palmer, *Working Class Experience*; Gregory Kealey and Peter Warrian, eds., *Essays in Canadian Working Class History*; Gregory Kealey, *Hogtown: Working Class Toronto at the Turn of the Century* (Toronto 1975).

⁵⁹A. Gordon Darroch, "Early Industrialization and Inequality in Toronto, 1861-1899," *Labour/Le Travailleur*, 11 (1983), 31-61, 45-57.

⁶⁰William L. Marr and Donald G. Paterson, *Canada: An Economic History* (Toronto 1980), 200.

in fact, that it was not until the late 1920s that the average male factory worker could raise a family on his wages alone.⁶¹

These changes in family living circumstances appear to parallel the changes in child labour patterns. While the standard of living for most working class families slowly improved during the 1870s and 1880s, the proportion of children employed in full-time factory wage labour slowly decreased — 25 per cent over the two decades (from 8.1 per cent to 6.2 per cent). The absolute number of child workers, however, continued to increase, paralleling increases in the size of labour force population. Thus, it would seem possible that though many families continued to require the financial contributions of child workers, the gains in the standard of living might have been sufficient to allow other families to withdraw children from the full-time labour force. The more rapid gains in the standards of living during the 1890s were accompanied by a more rapid withdrawal of children from the labour force — a drop of slightly more than 40 per cent over the decade (from 6.2 per cent to 3.6 per cent) or more than 60 per cent over the next two decades (from 6.2 per cent to 2.4 per cent). Under improved conditions, therefore, it may have been possible for even greater numbers of families to choose the options of part-time labour or school attendance for children as opposed to full time factory work. (See Table 2 re. increases in school attendance during this period).

The assertion that parents chose to enroll their children in school as opposed to sending them to work presumes a parental desire to create a different future for children and/or a realization that increased education of children would contribute to the integrity of the family unit. Thus, to further understand the actions of working class parents in withdrawing their children from factory labour, it is important to consider the place of child labour in relation to parental attitudes concerning child-raising, family integrity and family destiny — that is, at goals concentrating not only on survival but also on upward social mobility.⁶²

Because parents were also workers, it is not surprising that the views expressed by representatives of their unions and associations contained predictable elements of worker self-interest as well as paternalistic elements of concern for the well-being of children. Clearly, there were concerns to preserve the character of skilled labour and to limit the size of the work force.⁶³ In this regard, complaints were routinely expressed that: 1) children competing in the labour market caused unemployment among adults; 2) the employment of children (always at a lower wage) tended to depress wages for all

⁶¹Bryan Palmer, *Working-Class Experience*, 192.

⁶²"Family destiny" is a phrase used by Jean Heywood to portray a sense of traditionalizing and enhancing the family's social and economic position in the community. Jean S. Heywood, *Childhood and Society 100 Years Ago* (London 1969).

⁶³Bryan Palmer, *Working Class Experience*, ch.1.

workers; and 3) young children, often inattentive or careless, were responsible for serious accidents to adult workers.⁶⁴ In another vein, however, adult workers also complained that the factory environment was unhealthy and unsafe for children of 'tender years'. Although this argument might be construed as a noble rationalization of workers' self interests, it can also be seen as a reflection of their desire to emulate the life-styles of the more affluent. Part of the lifestyles to be emulated and the views to be adopted pertained to the treatment of children, the nature of parent-child relations and the notion of family destiny. Stone in his study of family life in England, noted that by this time the middle and upper class notions of the family entailed an increased parental sense of commitment to children.⁶⁵ While Hann and Kealey noted not too long ago that Canadian historical investigation, relying largely upon quantitative data, "says nothing of the strengths that bound members of the working class family together," a perusal of Labour newspapers in the 1870s and 1880s reveals numerous articles giving advice on raising children and increasing domestic happiness.⁶⁶ Parents were admonished to become familiar with the stages of childhood growth, to put their children to bed lovingly, to correct them "kindly and patiently," to "educate and elevate" them to promote their social acceptability — in sum, to "bind their families together by strong cords of love."⁶⁷

Consistent with the desire to emulate upper class patterns and to provide a good life for their children, skilled craftsmen were, by mid century, raising their children in a manner which showed patterns of adolescent dependency and school attendance similar to those of the more affluent business classes. It was only when the economic circumstances of skilled workmen deteriorated in the early phases of industrialism that the childhood of their children changed to resemble that of the children of the poor and unskilled.⁶⁸ Even then, though few tradesmen could afford to send their children to school regularly, they endeavored to send them part-time based upon the belief that "to provide their children with an education was to provide

⁶⁴These explanations and that of 'tender years' were routinely articulated at labour conventions, in labour publications, and to the Royal Commission on the Relations of Labour and Capital, 1889.

⁶⁵Lawrence Stone, *The Family, Sex and Marriage in England 1500-1800* (London 1977).

⁶⁶Russell Hann and Gregory Kealey, "Documenting Working Class History: North American Traditions and New Approaches," *Archivaria* 4 (1977), 92-114.

⁶⁷See, for example, *Ontario Workman*, 25 July 1872; "How to Put Children to Bed," 21 November 1872; "Domestic Happiness," 28 November 1872; "A Cheerful Home," 18 December 1872; "Hints to Parents," 2 January 1873; "What Home Is" and "Childhood," 8 January 1873; "Cultivate Patience," 13 February 1873, "Making Baby Rude;" *Palladium of Labour*, December 8, 1883; "The Ideal Home" and "The Perfect Wife." See also the plaintive poem about a childless couple in *Labour Advocate*, 20 March 1891; "Shif'less Peleg Jones' Wife," 125.

⁶⁸Michael Katz, *The People of Hamilton*; Michael Katz and Paul Mattingly, eds., *Education and Social Change*; Ian Davey, "Educational Reform and the Working Class."

them with a chance for a better life."⁶⁹ Hence though organized labour was unclear regarding the desired balance of academic and trades training, in the 1870s and 1880s it sought actively to restrict child labour and to secure free compulsory education, in part, from the desire of skilled labourers to enhance their families' and their children's futures through longer periods of school attendance.⁷⁰

Education, a costly alternative in the early years of industrialization, gradually became more desirable. With the increasing modernization of factories during the latter years of the century, the opportunity costs of schooling and child labour began to reverse themselves. Not only were unskilled children unable to work the more complex machinery, but their early presence in the factories meant that they forfeited their potential as adult workers by excluding themselves from the long term advantages of formal training in either academic or trades schools. Hence, longer and more regular attendance at school was in both the children's and the families' long term financial interests. The figures provided earlier regarding school attendance and factory employment do not indicate the age shifts in the increasing numbers of students or in the decreasing numbers of child workers towards the end of the century. However, Phillips' early studies of Canadian schooling indicate that, prior to 1900, the student population was largely composed of young children. He notes, in fact, that in 1900 fewer than 5 per cent of Ontario's students were enrolled in secondary grades.⁷¹ This figure increased steadily to 30 per cent over the next half century. Following 1900, therefore, Ontario children were kept in school and out of the factories for longer periods of time. This would suggest that in Ontario, as elsewhere, it was largely older children (i.e. 12 years and up) who were employed in factory labour after the turn of the century.⁷²

During most of the last half of the century, therefore, workmen were confronted with a paradox. Working children contributed to lowered wages and depressed financial conditions, yet depressed financial circumstances required that they send their children to work. Hence, while workers called for abolition of child labour, in their own interests as well as those of their children, many of them could not afford it. Despite concern for their children's 'tender years', the maintenance of the family required that many working class families continued to send their children to work. Only in the 1890s, when the purchasing power of the average factory wage had increased by

⁶⁹Ian Davey, "Educational Reform and the Working Class," 315.

⁷⁰See, for example, *Ontario Workman*, 18 April 1872; "The Nine Hours Movement" and "Our Mission," 2 May 1872; "Mechanical Education" and "The Education of Women," *Palladium of Labour*, 1 December 1883; "No More University Grants," *Labour Advocate*, 12 December 1890; "Free School Books," 9 January and 13 March 1891 "Labours' Legislature."

⁷¹Charles E. Phillips, *The Development of Education in Canada* (Toronto 1957), 183-4.

⁷²Michael Haines, "Industrial Work and the Family Life Cycle, 1889-1890."

two-thirds, factory-work opportunities for children had decreased in number, and the advantages of formal education were becoming more apparent, did significant numbers of families withdraw children from the industrial labour force. The futures of not only the children, but also their families, were brightened by the prospect of increased regularity and duration of school attendance.

VI

Conclusion

THROUGHOUT THE LAST DECADES of the nineteenth century and into the early decades of the twentieth, factory labour continued to be the fate of many children. The "needs" of developing industries and of impoverished families meant that, despite restrictive legislation, children would continue to work. Not until the mid 1890s, by which time Ontario industries had centralized, expanded and begun to modernize, and the end of the world wide depression opened international markets to Ontario industries, was there a significant decline in the industrial demand for child labour. It was not until that time, too, that increases in the purchasing power of the average industrial wage afforded many working class families the 'luxury' or the opportunity of withholding their children from the labour force. However, even with the decline in child labour in the 1890s, census records indicate that in 1900 almost 4 out of every 100 full-time salaried workers in Ontario's factories employing 5 or more workers was a child under the age of 16 years. By 1910 this figure stood at approximately 2.5 of every 100 workers. Untold additional numbers worked part time, in piece work, or in smaller factories. Moreover, as is indicated in the item reported from the *Labour Gazette*, the conditions under which many laboured were neither healthy nor safe.

The forces which drew children to the factories and which led them away were largely economic. This is not to say that the changing ideology of childhood was meaningless. Indeed, it was an important part of the social fabric, exposing employers of children to public criticism and making the families of child workers desirous of protecting them in their 'tender years'. Thus, it was a force which, when economic circumstances were 'right', sanctioned the exclusion of children from factory labour. On its own, however, the new concept of childhood was not enough to close factory doors to children.

The assertion that the primary forces of change were economic, and not mainly ideological or humanitarian, is supported by review of the activities of social reformers in relation to child labour. Although many developed vaunted notions of childhood, they could not translate them into meaningful actions on behalf of working children. Firstly, there were few other op-

tions for poor families which relied on the pecuniary benefits of children's labour. Secondly most of the reformers, themselves, were an integral part of the system which benefited from the exploitation of working children. Lastly, the social and religious thinking of many reformers accepted the notion that it was proper, indeed virtuous, for some children to work. Their concerns, therefore, were to eliminate the worst physical and moral evils of environments in which children worked, not to eliminate the practice of child labour itself.

Even compulsory education, seen by many as the solution to ending child labour, did not prevent it. Rather, it accompanied it in order that poor children may be better socialized and, from their parents perspective, have a chance for an improved life while yet contributing to the family wage economy. In theory, the school competed with the factory for the child during part of the day; in practice, attendance was poorly enforced and provisions were made to facilitate work outside school hours and the school term. Not until the modernization of industry did the value of education clearly begin to overcome the benefits of child labour. Even then, many children continued to work and school truancy remained a major problem.

Protective legislation, therefore, was not, as Desmond Morton has described it, "a community response to the appalling toll of life and limb, often of young children."⁷³ Legislation was enacted only after many years of urging by organized Labour, and then, only when Labour had sufficient political clout to influence the actions of governing political parties. Responding primarily to self interests — employment, wages, and safety — workingmen became the most vocal opponents of child labour. They also responded, however, to the hegemony of the more affluent classes. Aspiring to, and in some cases attaining middle class life styles, skilled labourers adopted the family-life values, including such notions as the 'special years of childhood' and 'family destiny', and sought to secure these values through protective legislation.

There was irony, however, in Labour's achievement of the legislation restricting the factory employment of children. Workers had struggled for, and won, a reform of which few could afford to take advantage. For most workers, the only periods of relative comfort came when all family members, including children, contributed earnings or unpaid labour towards the upkeep of the family. In most cases, this meant that despite restrictive legislation and workers' concerns for children's 'tender years', it was inevitable that children would have to work. Only with improvements in their own financial situations were increased numbers of workers able to forgo their children's earnings and withhold them from the labour force for longer periods. Thus, both the achievement of legislation and the decline of child labour

⁷³Desmond Morton, *Working People*, 84.

owed more to the interests and actions of workers, the modernization of industry, and improvements in general economic conditions than to general humanitarian concerns.

The investigation of child labour and the achievement of protective child labour legislation provides scope for closing comment regarding the processes of policy-making in the late Victorian era. In general, humanitarian impulses appeared to be in short supply when fundamental economic issues were at stake. The legislative process reflected not humanitarian concerns, but the active struggles of the interest group process. The role of the state was essentially that of arbiter, though the efforts of both levels of government to resist, or at least to delay, change which threatened the position of the powerful and advantaged suggested that their position was not one of neutrality. In addition, it is clear that enactment and proclamation of restrictive legislation did not mean that the battle for change had been won. Loop-holes in wording and ineffective enforcement were means through which the illusion of change could be presented while the reality of change was forestalled.

Lastly, the ineffectiveness of the legislation illustrated the problems with governments' tendencies to opt for restrictive as opposed to enabling legislation. It is clear that most working families were willing to withhold their children from the labour market if their financial needs could otherwise be met. Hence, elimination of child labour may have been more readily accomplished had positive measures of family support accompanied, or indeed, replaced legislation restricting the practice of child labour.

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