

NATIONALISM AND THE WORKINGWOMAN

This is the fifth of the series of editorials by Mr. Roosevelt on the general subject of "Nationalism and Progress."
—THE EDITORS.

Last week I discussed collective action only as shown by the Government or by organized labor. But collective action need not take either form in order to do far-reaching good. Hard-working people who distrust mushy sentimentality as much as they admire a sane and persistent effort to get a square deal for every one, to give every man and woman a fair chance, can accomplish a great deal for the betterment of our industrial conditions. Witness the work done, especially in behalf of workingwomen, by the Consumers' League of New York City, founded under the presidency of Mrs. Josephine Shaw Lowell, and now under the presidency of Mrs. Frederick Nathan; by the National Consumers' League, with Mr. John Graham Brooks as President, and Mrs. Florence Kelley as General Secretary, and by many other State and city leagues of the same type.

In the following statement the Consumers' League enunciates its principles as originally adopted and outlines the progress of the movement:

I. That the interest of the community demands that all workers should receive, not the lowest wage, but fair living wages.

II. That the responsibility for some of the worst evils from which wage-earners suffer rests with the consumers who persist in buying in the cheapest markets regardless of how cheapness is brought about.

III. That it is, therefore, the duty of consumers to find out under what conditions the articles which they purchase are produced, and to insist that these conditions shall be at least decent and consistent with a respectable existence on the part of the workers.

IV. That this duty is especially incumbent upon consumers in relation to the products of women's work, since there is no limit beyond which the wages of women may not be pressed down, unless artificially maintained at a living rate by combinations either of the workers themselves or of consumers.

Recognizing the fact that the majority of employers are virtually helpless to improve conditions as to hours and wages unless sustained by public opinion and by law, and by the action of consumers, the Consumers' League declares its object to be to ameliorate the condition of the women and children employed in New York City by helping to form

a public opinion which will lead consumers to recognize their responsibilities, and by other methods.

The first work of the newly formed League was the drawing up of a list of retail stores to be recommended to its members. Before any house was placed on the "White List" it was tested by "the standard of a fair house," a list of conditions insuring just treatment of employees, drafted by the Workingwomen's Society after consultation with members of certain firms.

This standard was, of course, an elastic one, and has been modified as circumstances directed. In 1908 it stood as follows:

WAGES

A Fair House is one in which equal pay is given for work of equal value, irrespective of sex, and in which no saleswoman who is eighteen years of age or over—and who has had one year's experience as saleswoman—receives less than six dollars per week.

In which wages are paid by the week.

In which the minimum wages of cash-children are three dollars and a half per week, with the same conditions regarding weekly payments.

HOURS

A Fair House is one in which—

The number of working hours constituting a normal working day does not exceed nine.

At least three-quarters of an hour is given for luncheon.

A general half-holiday is given on one day of each week during at least two summer months.

A vacation of not less than one week is given with pay during the summer season.

All overtime is compensated for.

Wages are paid and the premises closed for the seven principal legal holidays, viz., Thanksgiving Day, Christmas and New Year's Day, Washington's Birthday, the Fourth of July, Decoration Day, and Labor Day.

PHYSICAL CONDITIONS

A Fair House is one in which work, lunch and retiring rooms are apart from each other, and conform in all respects to the present Sanitary Laws.

In which the present law regarding the providing of seats for saleswomen is observed, and the use of seats permitted.

A Fair House is one in which humane and considerate behavior toward employees is the rule.

In which fidelity and length of service meet with the consideration which is their due.

In which no children under fourteen years of age are employed.

In which no child under the age of sixteen years works for more than nine hours a day.

In which no such child works unless an employment certificate issued by the Board of Health has been first filed with the employer, and the name, etc., of the child has been entered on a register kept by the employer.

In which the ordinances of the city and

the laws of the State are obeyed in all particulars.

The League recognized from the outset the difficulty of ascertaining which houses came up to its standard, and consequently in recommending the White List firms used the guarded recommendation that, "so far as the Board can learn, the following retail houses deal justly by their employees." Only eight stores in New York were at the beginning considered eligible. In 1908 the list had grown to fifty-one.

In view of the oft-repeated assertions that the size of the wage and the length of working time are settled by "economic laws" over which people can exercise no control, it is interesting to observe that these are among the very matters with which the different Consumers' Leagues have dealt, often successfully. But they have done much more. They have grappled with many different problems: overtime work, seats for women workers, laws regulating and providing for official supervision over the employment of women and children in mercantile establishments, early closing (especially at Christmas), the abolition of sweat-shops and of child labor in the tenements.

The effort to regulate the hours of work for women has been only partly successful, and not only all wage-workers but all public-spirited and far-sighted patriots should realize sharply the attitude on this matter taken by some of our public servants.

Both the New York Legislature and the New York municipal authorities have at times shown a disposition to thwart the work of the Consumers' League in behalf of women and children by refusing to appropriate the necessary funds to enable Government inspectors to supervise conditions in stores and shops. If a law is not to be a dead letter, provision must be made for its enforcement; and a particularly discreditable legislative trick is to put a law on the statute-books with a flourish of trumpets, and then make no provision for its effective application. Unless a law against overtime is enforced it is certain that manufacturers and shopkeepers will continue to work their employees extra hours and after six o'clock in the evening. In 1897 the appropriation for special inspectors to enforce the Mercantile Law was abolished, and for the next dozen years women working in stores

enjoyed much less protection than those employed in factories and workshops, where the execution of the law was under Government supervision. There is a peculiar baseness in failing to provide for the execution of this particular law, because those affected are women and children, who are much less able to protect themselves than are full-grown men. At last, only two years ago, the New York Legislature did pass a law to remedy the evil, and at present the measure of enforcement of the law is better than ever before. Yet even during this period the utmost effort has been necessary to prevent legislation to legalize a working week of sixty-six hours for women and girls over eighteen years old. We sometimes hear from very respectable people the statement that there is a tendency to do too much in the line of labor legislation. Unquestionably as regards this legislation there is constant need to be on the watch against demagoguery. But the experience here recited shows that there is at least equal need for active and vigilant work to counteract the selfishness and shortsightedness of those employers who object to legislative action in the interests of employees.

More serious in its effects even than legislative indifference has been the action of certain State courts in nullifying legislation designed to prevent women from working at night. I do not for a moment question the motives with which the decisions were made; and each particular case may have been clumsily presented, or the particular law drawn in slovenly form; but the net result was the affirmation of an outworn and harmful theory of government economics. The courts in Illinois, Colorado, and New York have all taken action, denying that the working hours of an adult woman engaged in manufacture could be restricted by statute. These decisions are, fortunately, flatly contradicted by the so-called Oregon case decision of the Supreme Court of the United States, which emphatically and clearly lays down the law that the Legislature has the right to limit hours of labor as regards women—the decision being of such admirable character as to make a landmark in the legislative efforts of those who seek to better the conditions as regards women and children. In Illinois the State Court has reversed its

former action, a result not only greatly to the credit of the Court, but greatly to the credit of the men and women—Mr. Brandeis, Miss Josephine Goldmark, and others—who secured the reversal.

The proposition that the United States and the several States, alone among civilized commonwealths, are not competent to secure the welfare of future generations by protecting the women and children in this generation is simply intolerable. No other civilized nation would permit a judicial declaration forbidding the Government to act in this matter. It is out of the question that the hands of a free people, bent upon doing justice, can be tied in such manner. If the rights to life, liberty, and the pursuit of happiness do not include the right to preserve the real liberty and the health and the happiness of the women and the children of the Nation, the enunciation of these rights in the Declaration of Independence, annually read everywhere in this country on the Fourth of July, is farcical. A matter like this cannot be settled aright unless it is accepted as a matter of course that the Legislature has entire power over it: that is, that the representatives of the people are able to respond to the wishes of the people, for the matter dealt with is one vitally affecting their interests and well-being.

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