

University of Notre Dame
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The Child Labor Amendment.

A correspondent has asked for further light on the Child Labor Amendment. His letter was occasioned by a Bulletin of a few weeks ago, which quoted an editorial from the Indianapolis Star, which was referred to as a "fine piece of junkerism." The writer quotes eminent Catholic names on both sides of the fight for the Child Labor Amendment.

The proposed Amendment, voted by Congress in 1924, with no limiting date for ratification, reads as follows:

Section 1 - The Congress shall have power to limit, regulate, and prohibit the labor of persons under sixteen years of age.

Section 2 - The power of the several States is unimpaired by this article except that the operation of State laws shall be suspended to the extent necessary to give effect to legislation enacted by the Congress.

Catholic opponents of this Amendment, so far as we can learn base their argument on the fact that it gives the Federal Government control over the child up to the age of 18. Such control was rejected by the Supreme Court of the United States in the decision which declared unconstitutional the Oregon School Law. The expression used in the decision (and later quoted by the Holy Father in his Encyclical on Christian Education) was: "The child is not the creature of the State." Russia, Mussolini, and now Hitler, have been the main proponents of such subjection in modern times.

Against this danger there is the clear need of wiping out, once and for all, the crying evil of child labor. State laws for this purpose have been passed in many places, but in others they have been rejected. The evil is nothing new - it is as old as the factory system. The textile mills of the South agreed to abolish child labor - they have been the principal offenders in recent years - when they signed the textile code, in July, 1933. The blanket code of the N.R.A. also provides for the abolition of child labor.

The N.R.A., however, is only a temporary measure. It has not succeeded in abolishing child labor as it stands, and its force will, in all likelihood, soon be spent. Will the passing of its regulations mean a return to the former evils? It is unthinkable that we should go back to the former conditions.

Centralization of power in the Federal Government has gone on progressively, more since the Civil War than before, and much more in the past two decades of our history. The feeling against this surrender of States' Rights is much more than tradition and sentiment or party feeling; there is much to be said for the contention that local problems can best be settled locally. However, as the kidnapping evil was not effectively handled until the Federal Government stepped into it, so many other problems will continue to grow until a wider scope of power is invoked.

We are in favor of this surrender of State power to the Federal Government. If the States have shown themselves inept, indifferent, or powerless to wipe out this evil, then a higher power should be invoked. If this power should in turn become ruthless, and be used for purposes far beyond the good end sought by the present backers of the Amendment, there will be plenty of time to curb such abuse of power.

This is, of course, the private opinion of the editor; it is given only because it is asked.

CATHOLIC HOUR - Leave your contribution with Father Cavanaugh at 117 Dillon Hall.