PREFACE

The debates and orations contained in this volume are those which won honors in the national contests at the sixth biennial convention of Pi Kappa Delta, the national honorary forensic society. This convention was held in Fort Collins, Greeley, and Estes Park, Colorado, March 29 thru April 1, 1926. It brought together four hundred delegates from over one hundred different educational institutions.

In presenting these examples of winning speeches, it is the desire of Pi Kappa Delta to preserve an enduring record of what has been accomplished and to present to serious students of intercollegiate forensics examples of good form and successful achievement. If the reception accorded this volume indicates there is sufficient demand to justify it, it is the intention of the society to publish an annual volume.

The debates were prepared from stenographic records made during the debate and afterwards corrected by the debaters. The extemporaneous speeches were prepared in the same manner. The orations were printed from the manuscripts presented by the orators.

The thanks of the society are due to the contestants, their coaches, and all others who assisted in preparing this volume.

ALFRED WESTFALL, National President, Pi Kappa Delta National Honorary Forensic Society.
The debate tournaments of the sixth national biennial Pi Kappa Delta Convention were held in Fort Collins, Greeley, and Estes Park, Colorado, March 29 to April 1, 1926. There were sixty-four teams entered in the men's tournament, in a few cases, two of them from one institution.

The question debated was: Resolved: That the constitution of the United States should be amended to give Congress power to regulate child labor.

Each team had to be prepared to debate both sides of the question and an effort was made by those in charge to schedule each team on one side as much as on the other. A team had to be defeated twice to be eliminated. Each debater had a constructive speech of ten minutes and a refutation speech of five. It took ten rounds to carry thru the tournament. The debates were open and contestants were not expected to refrain from listening to the debates of prospective opponents when it was possible for them to attend such debates.

The debate which follows was the final debate of the tournament.
INTRODUCTION.

I. By child labor we mean the working of children at an immature age and under harmful conditions.

II. The question resolves itself into a question not of morals, but of method.
   A. Should congress be empowered with the right to regulate this work?

PROOF.

I. Child labor is a serious problem in our nation today.
   A. During the decade before 1920 when a federal law was in force there was a decrease in child labor.
      1. A marked increase has been noticed since 1920.
         a. In New York 11,000 more children were employed in 1924 than in 1923.
      2. In states where there was a decrease in child labor it was not due to state efficiency.
   B. Contrary to supposition industrialized agricultural labor comes under category of harmful child labor.
      1. Of 7,000 examined in Colorado schools, 20% were physically unfit because of work in beet fields.

II. The states have failed to meet this situation.
   A. Since industrialized agriculture is a seasonable industry, it invites migratory labor which cannot be controlled by any one state.
      1. Although the problem has local aspects, it demands federal solution, if the states are to cope with the interstate competition.

III. The federal government will be effective in eliminating the evil aspects of child labor.
   A. A causal relationship existed between the federal child labor laws and the child labor decrease occurring in the years between 1910 and 1920.
      1. These laws were effective in both the North and the South as is proven by answers to a questionnaire sent out by the American Federation of Labor.
2. The federal government has proved itself effective in actual infliction of penalties upon child labor law violators.
3. Congress has proved effective in carrying out other federal regulations, such as those governing interstate commerce and white slave trade.

NEGATIVE
Federal control of child labor will not be more effective than state control because:
I. Congress cannot raise the standards of laggard states.
   A. According to the standard set by leading nations of Europe, such as Germany, Great Britain and Norway, fourteen years is a wise and practicable child labor age minimum.
   B. A study of the laws of the forty-eight states shows that almost without exception they measure up.
      1. Thirty-two states have a sixteen year minimum, and these states include all the mining states except Michigan, which has a fifteen year minimum.
II. Federal laws would not be more effectively enforced than state laws.
   A. The decrease shown by the affirmative was not due to federal laws, but probably due to industrial depression after the war.
   B. Congress is not at present able to enforce the federal prohibition law.
III. Will Congress create higher child labor standards throughout the United States?
   A. If Congress tries to create higher standards without providing adequate education, it will bring about an enormous problem of unbalanced legislation.
      1. This means that Congress must provide compulsory education laws and more schools.
   B. Many of the children now employed would not care for school training.
powered with the right to regulate this work. The fate of the past two laws shows such control can come only through a Constitutional Amendment.

In the first place it is necessary to review the previous nineteen amendments to see whether we are breaking a precedent or following traditional procedure in advocating this amendment. The first ten amendments, commonly called the Bill of Rights, dealt with a situation which the individual states could not handle, because it was beyond their jurisdiction, hence it was given to Congress to control. The 11th and 12th amendments, dealing with the election of the president and altering our judicial system, gave power to Congress to deal with these matters, which were beyond state control. We find the 13th, 14th and 15th amendments dealt with the situation which had precipitated the Nation into a civil war. Because the states failed in their attempts to solve these problems the federal government was forced to remedy them. If you take the more recent amendments you find the 16th authorizing the income tax was an economic problem which the states could not handle.

Likewise the 17th and 19th, dealing with political problems which the states could not meet, were turned over to the federal government also. Prohibition presented a social situation which the states attempted to remedy for one hundred years, but at their failure this, too, was given to the federal government because it was beyond their power to remedy adequately. We are only following in the steps of precedence already established when we give over another situation to the federal government, because, we maintain the states have proved unable to handle the child labor situation efficiently.

We shall attempt to show three things—first, that child labor is a serious problem in our nation today; second, that the states are failing to meet the need; and third, that the federal government promises a more effective remedy for the situation than the states are providing.

Let us take the first point. When we examine the 1920 census, we find for the first time in history that during this decade there was a decrease of 47% in child labor. At first glance this seems to be negative evidence, but upon further examination, we find that for the first time in history there was a federal law in force. My colleague will show that it was responsible for the decrease which we perceive at this time. However, of the 1,060,-858 children that were employed in 1920, 280,000 children between the ages of ten and fifteen were employed in the mines, factories, mills and other industries. We conclude this labor was harmful, for in West Virginia we find in one county examined, all children between the ages of ten and sixteen years that were employed in similar industries showed upon medical examination physical or mental incapacity—in ninety-seven cases out of one hundred cases—due, the examiners said, to the harmful conditions under which they labored. Increasing state laws had failed to solve their problems.

Had there been a continued decline in child labor since 1920, we would yield our point, but in New York alone 11,000 more children were employed in 1924 than in 1923. Mississippi shows an increase of 1,200 last
year, and the American Federation of Labor in 1925 estimated that there were 2,000,000 children harmfully employed in the United States. Moreover, we find that in states where there was an apparent decrease, this decrease was not due to state efficiency. For example in Rhode Island the state department, in their own words, attributes their decrease to the absence of open saloons—a federal regulation—mark you—not efficiency.

Sixty-one per cent of those employed in 1920 were employed in agriculture and twelve per cent of these, in industrialized agriculture; since this census was taken in January, 1920, imagine, if you will, how many more must have been employed in the summer months. Contrary to supposition, we find industrialized agricultural labor comes under the category of harmful child labor, for a medical examination of 7,000 Colorado children reported twenty per cent physically incapacitated by their work in the beet fields. In Michigan, seventy per cent of the children examined were shown to be deficient mentally and physically due directly to the work they were doing in industrialized agriculture. Our opponents cannot show in a single instance where the states have attempted to meet this situation. The states are powerless to meet a new growing need. A new cycle of child labor has begun that only uniformity of law and enforcement can adequately meet.

Besides industrialized agriculture is confined to seasonal industries. Since it is seasonal it invites migratory labor. In 1925 the Great Western Sugar Company imported from Texas, 18,000 laborers. Of these 18,000, five in each family were found within the ages of harmful child labor. They were scattered throughout the beet fields. The general passenger agent of the Baltimore and Ohio R. R. reports 3,000 child laborers transported over his lines last year; Miss Grace Abbot records 3,000 children left Maryland for the shrimp canneries of the southeast; 1,000 left Pennsylvania for the cranberry bogs of New Jersey. 3,200 children were found in Michigan to be of migratory families, and in Colorado twenty per cent of the 7,000 children examined were of migratory families. It is beyond the power of the state to supply a remedy for situations involving two or more states. They cannot legislate beyond their boundaries. The only solution lies in federal uniformity.

We admit and advocate that child labor is a local as well as a national problem. All industry is centered in various localities. Only three per cent of California’s children were employed in 1920. As high as twenty-four per cent were at work in the south-eastern states. The New York Herald for March, 1924 gives the story of a New England manufacturer who was moving his mills into the south in order to take advantage of cheap child labor, and compete with mills of the north. We have at hand a list of fourteen manufacturers of Massachusetts alone, who since the federal law was declared unconstitutional have built mills in the south to take advantage of the cheap labor. We see then, that instead of infringing upon state rights, federal regulation, in reality, will protect them from inter-state competition. And, since the child labor problem has local aspects, it demands a federal solution.
The decrease in child labor from 1910 to 1920 is causally related to federal regulations. Child labor has increased since 1920. The states have proved powerless to handle migratory labor, the resultant of the new problem of industrialize agriculture. The present status only promotes inter-state competition. Since we are following precedent when we grant the federal government power to regulate problems the states cannot control, the affirmative feels justified in advocating an amendment granting Congress power to control child labor.

FIRST NEGATIVE

Ben Simmons

South Dakota Zeta—Northern State Teachers' College

The gentleman who has just left the floor has endeavored to show that Child Labor is a national problem. He described to you the evils of child labor as he believes them to exist and then said that federal regulation would better remedy the situation than state control.

Since the gentlemen demand Congressional action, we wish to ask them first, what standards do they propose to have Congress enact to remedy this enormous problem which they believe exists; and second, what proof have they that Congress will enact under the proposed amendment the standards which they consider necessary to cope with the great problem to which they refer?

The gentleman also mentioned migratory labor as one of the evils of the present situation which demands fed-
eral control. But ladies and gentlemen, let me point out, that he has established no connection between the fact of migratory labor on the one hand, and the fact of low standards in certain states on the other hand. He has proved no causal relationship between these two sets of facts. That the two are coincident proves nothing. You know that in all states, migrations would occur if the standards of the states were high or low, since they are due to low standards in particular states, as the gentleman has declared, but to seasonal industries demanding laborers at certain times of the year. If, as the gentlemen say, the low standards of certain states are the cause of these migrations, then if Congress does provide a uniform minimum law under the proposed amendment, we would still have migration to those states which have the lower standards, whether it be fourteen, fifteen, or eighteen years. In order to use this argument the gentlemen must establish some causal relation between migrations and low standards in regard to child labor.

Again, the gentlemen are committing a fallacy when they argue that federal control will be more effective than the present state control. In order to prove this they point to the decrease shown in the 1920 census over the 1910 figures upon child labor, as showing the effectiveness of the former two federal laws. But again they have shown no causal relationship between the two facts. Two federal laws were passed, one in 1916, and the other in 1919; in 1920, there was a decrease of forty-seven per cent shown in child labor over 1910, and the gentlemen have assumed that there was a connection between the two, that the former was the cause of the latter, but they have failed to prove this causal relationship. What do I mean by causal relationship? I might say that last year 100 Italian families migrated into South Dakota—later we had a serious epidemic of mumps. The one might relate to the other, but it can establish no connection. They assumed a connection between these other two sets of facts, but did not prove it. The fact is, a great many other factors entered into the situation, besides the two federal laws, which might have caused this enormous decrease. First, the second federal law was in effect only seven months before the census was taken, a period of time hardly sufficient for creating an effective enforcement machinery; secondly, the great industrial depression which succeeded the war brought about a large part of this decrease. Thirdly, the federal government enforced these laws almost entirely through the help of the state inspectors and officials, and if there was a decrease, surely some of the credit should go to the state officials. Finally, the state standards had improved almost one hundred per cent between the years 1912 and 1920. Does it not seem logical that these improved state standards could have brought about this decrease without any help from the federal laws?

Why, ladies and gentlemen, these gentlemen attribute miracles to federal statutes. Think of it! A federal law in force but seven months before the census was taken, and they point to a fifty per cent decrease in ten years, and attribute it to this law. Our experience does not teach us to expect such enormous reforms from any laws, state or federal.
Now, we of the negative are as much opposed to the exploitation of children to their detriment as are the opposition. This debate is not a question of whether or not children should be exploited to their detriment, but rather whether or not the constitution should be amended to give congress the power to regulate child labor. In other words, this debate is not one of condemning the detrimental exploitation of children, but rather one of justifying this proposed solution.

Let us first consider some of the common arguments advanced in favor of the proposed amendment. First, the fact that there are children gainfully employed does not justify the amendment. The affirmative must show us that these children are employed to their detriment, and then they must show us definitely how federal legislation under the proposed amendment would remedy the situation.

Neither can the fact that children are injured in industry be presented as a justification, since this is a problem for safety legislation. Third, the fact that a large number of children are not in school is not a problem for child labor legislation, but rather one for compulsory attendance laws.

Finally, the opposition cannot justify the amendment on the basis of interstate competition and abuses, since the amendment would not remedy the situation. If Congress should merely provide a uniform minimum standard and the states would be permitted to legislate above and beyond this minimum, diversity of standards and interstate abuses would still continue under the proposed amendment.
mines and quarries and night work. Since our opponents demand Congressional action, we feel that they can accept these standards which were endorsed and created by the Congress itself.

Now, when we compare the standards of the forty-eight states with these which have been accepted as wise and workable, we find that almost without exception they measure up to these standards, except in those states which are not confronted with a child labor problem. All except three states forbid work in industry under fourteen years, and one of these, Florida, permits work under fourteen only in stores. The other two states, Utah and Wyoming, are not industrial states and have no child labor problems. In 1920, there were only one hundred eighteen children employed in Wyoming and seven hundred sixteen in Utah, in all industries except agriculture, under the age of fourteen years. On the basis of percentage, according to the 1920 census, there are almost twice as many children working in non-agricultural occupations in the District of Columbia than in either Wyoming or Utah, and let us remember that Congress legislates and enforces all laws for the District of Columbia.

When we investigate the age for working in mines, we find that thirty-two states have a sixteen year minimum and these states include all of the mining states except one, namely Michigan. Michigan has a fifteen year minimum, and as is shown by the 1920 census, Michigan has no child labor problem in her mines, since in the entire state, only seventy-four persons under sixteen were in any way connected with the mining industry. Would it not be the extreme of folly to pass legislation to cope with a problem that does not exist?

Take South Dakota with only two boys under sixteen connected with its mines—do you suppose that South Dakota should clutter its statute books with superfluous legislation to cope with child labor in mines?

In dealing with the problem of night work, again, we find that all the states with a problem come up to the sixteen year minimum set in the federal laws. Only five states do not have a sixteen year minimum for night work. But why should such states as South Dakota, Utah, Nevada and Texas forbid night work when no problem exists in these states? Not one of these states possess industries which would create a problem in night work among children.

The Affirmative are not presenting a wise and constructive plan. They are merely demanding superfluous, needless legislation on child labor in states that have no child labor problem.

The second possible justification for the proposed amendment is that federal laws would be more effectively enforced than state laws. But this is merely a vague assumption without definite proof.

Neither can the Affirmative prove that the decrease shown in the 1920 census was due to the second federal law, since as I have already pointed out, many other factors entered in, and they have not showed a causal relationship between the law and the decrease.

But the strongest substantiation for the contention that federal laws cannot be as effectively enforced as state laws...
laws comes from men prominent in prohibition enforcement. Only within the last few weeks, General Lincoln C. Andrews, head of Federal Prohibition Enforcement, made the startling statement that the United States government had not and would not be able to enforce prohibition, and that the various states would have to pass laws and set up machinery to carry out the 18th amendment. Emery R. Buckner, United States Attorney for the City of New York, supported Andrews in these statements. If the federal government cannot enforce prohibition, why should he believe that it could better enforce child labor laws?

Wherein, then, lies the justification for this unnecessary amendment? In the first place, Congress could not bring up the standards of the so-called laggard states, since all the states with a child labor problem come up to those which the states, the nations, and even Congress, have accepted as wise and workable.

Neither could it be justified on the ground that federal laws are more effectively enforced than state laws, since this is a vague assumption without definite proof.

My colleague will consider the third possible justification—namely, that Congress might raise the present generally accepted standards of all the states.
of such a contention is found in the results of the previous federal laws. In regard to this statement our opponents have endeavored to discount its value by alleging that no causal relationship existed between the previous federal child labor laws and the child labor decrease occurring in the years between 1910 and 1920. But in this regard let us examine the evidence. We find those federal laws were not only effective from the standpoint of penalties inflicted, but from the standpoint that they aroused the antagonism on the part of American citizens against the evil of child labor. We hear this testimony from the state of Alabama, which at the time of the operation of the previous federal laws, had a higher child labor standard than was required in the federal law itself, and yet child labor enforcing officials state that the federal law was of vital assistance to them in the enforcement of their own state laws.

That the previous federal laws were effective in the creation of a public opinion antagonistic to child labor is true in the north as well as south. From the state of Maine we receive this testimony, “The action of the supreme court in declaring the first federal law unconstitutional was a decided set-back to the enforcement of Maine's own child labor laws. The two federal laws were of vital assistance in the enforcement of our own state laws.” From the state of South Carolina, we received this testimony, “Although we objected to the two previous federal child labor laws upon the basis that they were an infringement upon state rights, nevertheless we must admit that they were most beneficial to us in the enforce-
the elimination of the migratory phase as well as other aspects of detrimental child labor.

Now in the second place, the federal government has not only proved itself effective in creating a public opinion antagonistic to child labor, but it has demonstrated its practicability from the actual infliction of penalties upon child labor law violators. This is shown from the fact that between 1919 and 1922 more than $26,000 in fines were turned over to the federal treasury as a result of the rigid enforcement of the last national child labor laws.

Moreover the national government has proved effective in legislating upon subjects whose character is similar to that of child labor. We refer, for example, to the federal regulation of inter-state commerce. Now, our opponents hold that we cannot legitimately conclude that the federal government will effectively remedy this child labor evil upon the premise that national control has not efficiently regulated inter-state commerce. They endeavor to uphold this contention by saying that the federal government has proved itself impractical in this field since vital problems still arise within the realm of inter-state commerce. Bear in mind that this method of refutation on their part admits that we may reasonably conclude that the federal government will prove effective in remedying child labor if it can be shown that it has satisfactorily regulated inter-state commerce. With that in mind, let me call your attention to the fact that the system of inter-state commerce, though one of the most complex due to all the factors involved, yet it is perhaps one of the most efficient in the world. The affirmative feel it is but a fair statement to say that according to the consensus of opinion of the American people, the federal regulation of inter-state commerce is one of the supreme achievements of our government. The condition of the debate at this point then is this; the negative have admitted the legitimacy of our analogy, we have shown the truth of the analogy, and hence the negative have virtually admitted that the federal government will prove as effective in the elimination of child labor evils as it has been in its regulation of inter-state commerce.

Now from this point, we proceed to the contention that because the federal government is effectively regulating inter-state commerce, it thereby has a most powerful resource at its disposal for use in the prohibition of the migratory phase of the child labor evil. The significance of this contention is seen when considered from the following point of view—namely, the supreme court under the chief justiceship of John Marshall declared that all passengers on common carriers were inter-state commerce and Congress has full control over that subject. Now if an amendment were granted permitting Congress to legalize child labor it might then forbid child laborers from migrating to conditions of harmful employment.

A second field of effective federal regulation, similar in its social aspects to that of child labor, is white slavery. Congress took over the regulation of this problem, inter-state in character, and at the meeting of the last World Commission on White Slavery at Geneva this decision was given, "White slavery has been virtually eradicated from the United States under national regulation."
The affirmative believe, therefore, that it is only reasonable to conclude that the federal government proving effective in one field of social and economic welfare will prove itself effective in the regulation of problems bearing a similar character.

In concluding this debate for the affirmative, it has been our endeavor to demonstrate that a serious child labor problem exists, that the states cannot remedy the situation, and that the expansion of industry in child labor employing establishments has resulted in a greater demand for child labor and hence the seriousness of the child labor situation is gradually increasing as has been indicated by statistical evidence. As a remedy for this national menace to the youth of our land, we have proposed that the solution of this problem be placed in the hands of Congress. We believe it will be a practical solution because we find the federal government in its limited time of child labor regulation was vitally effective in arousing a public opinion antagonistic to the child labor evil and in actual punishment of child labor law violators, and that in other situations having a character similar to that the child labor problem, the federal government has provided a satisfactory solution. Because of these contentions the affirmative believe the Constitution of the United States should be amended to give Congress power to regulate child labor.

LET us first of all consider some of the arguments presented by our opponents. They contend that Congress should regulate child labor because of the migration of child laborers, which they say exists among the various states. But they only pointed out instances of migratory child labor in agriculture. Congress has passed two child labor laws in the past and neither one touched child labor in agriculture. Congress failed to deal with this problem in the past,—what reason have we to believe that it will regulate the migration of child labor in agriculture in the future?

Our opponents further assume that this migration of child labor is caused by low standards in certain states. But they have failed to show a causal relationship between migratory child labor and low child labor standards. Merely because children migrate from one state to another does not show that this migration is caused by the low child labor standard in some of the states. As a matter of fact, we find migration of labor both among adults and children in every seasonal occupation. Agriculture is a seasonal industry. Children will go out to work on farms in the summer months just as adults migrate to follow the seasonal industries. How could we differentiate between children migrating because of low standards and children migrating in order to follow the seasonal industries?
Our opponents state that Congress would regulate interstate commerce. But Congress already has the power to regulate interstate commerce. If migratory child labor comes in this category why does Congress not regulate the migration of children at the present time? Why amend the Constitution when Congress already has power over migratory child labor?

Our opponents further contend that Congress should be given control over child labor because twelve per cent of the children employed in agriculture are engaged in industrial agriculture, which is very harmful to children. But in neither of the previous federal child labor laws did Congress regulate child labor in agriculture in any form. If it did not include this form of child labor in the laws of 1916, and 1919, what reasons have we to believe that Congress will regulate it at the present time?

The affirmative must justify the proposed amendment on the basis of what Congress will do. They can not merely point out that certain conditions exist and then say that Congress should assume control of the problem because of these conditions. They must show us what Congress will do to improve these conditions, and in order to show this, the affirmative must show us what standards Congress would be likely to pass. Only by creating higher standards could Congress in any way remedy any child labor condition. Our opponents must give us some definite evidence that Congress will create certain standards before they can justify the amendment.

According to Table VI of the Volume on Children in Gainful Occupations of the 14th Census of the United States, there is a greater percentage of child laborers under fourteen years of age employed in non-agricultural industries in the District of Columbia than in any other state in the Union, except Florida. We find one and one-tenth per cent of the children under fourteen years of age in the District of Columbia engaged in non-agricultural industries. Now Congress regulates and enforces all laws for the District of Columbia. But if Congress cannot control the child labor situation in the District of Columbia, what reason have we to believe that it can remedy the conditions in the states? The states have dealt more effectively with the problem in their own territory than Congress has been able to do in the small territory of the District of Columbia.

We have pointed out that the affirmative must justify the proposed amendment on the basis of what Congress will do. Congress might do one of three things. First, it might raise the standards of the states commonly called laggard in child labor legislation. But we pointed out that there are no laggard states on the basis of whether or not they really have a problem. Second, the amendment might be justified on the ground that federal laws would be more effectively enforced than state laws. But we showed that this is merely a vague assumption without definite proof. Finally, Congress might generally create higher child labor standards throughout the United States. But what proof have we that Congress would take such action even if it would be wise and practicable to do so? Both of the previous federal child labor laws set fourteen years as a minimum working age with sixteen years for
certain dangerous occupations. We pointed out that these standards are practically equivalent to those now in effect throughout the United States.

But even if Congress did pass higher child labor standards and leave to the states the responsibility of providing for the poverty stricken, establishing schools, and creating compulsory education laws, it would only bring about an enormous problem of unbalanced legislation on child welfare with its disastrous results.

But let us first come to a clear understanding of what we mean by balanced legislation. We know that when we pass any piece of legislation we must always consider the related problems. For instance, if we pass a compulsory education law, we must balance this with legislation providing schools and educational facilities. If we pass a law requiring normal school training of all teachers, we must balance this legislation by providing normal schools to train those teachers. If we pass a code of criminal laws, we must balance this with legislation providing prisons and penitentiaries. If our city commission passes legislation to pave certain city streets, it must balance this with legislation providing for a sewage and water system in those streets. Several years ago when Congress passed the restrictive immigration law it was forced to balance this law with one providing return transportation for those foreigners who were not admitted to the United States.

Now in dealing with child labor, balanced legislation is even more necessary than in these instances I have cited. First of all, we cannot ignore the problem of poverty relief in connection with child labor. According to the Federal Children's Bureau, over forty percent of the children under sixteen years who are working in Boston went to work because of poverty. Raymond G. Fuller, who was formerly Publicity Director of the National Child Labor Committee, and who is a very strong advocate of the proposed amendment, admits, "—from a quarter to a half of our working children had to go to work for economic reasons."

As Raymond G. Fuller says: "A raising of the child labor standards should be accompanied or preceded by provisions for poverty relief." But how could we even hope to maintain such balanced legislation on this problem if Congress would control child labor, while forty-eight different states would be expected to provide for the poverty stricken as they must do at the present time?

What would you think of a man who ordered an automobile and told the dealer he'd let some of his friends pay for it? Yet the affirmative want Congress to order our boys and girls to stop working. But if we ask who is to support them, the answer can only be, "Let the forty-eight different states do it."

But if Congress raises the child labor standards, besides providing poverty relief, we would also have to provide schools and educational facilities to keep these boys and girls from pure idleness. Joseph Lee, President of the Playground and Recreation Association, and a leader in child welfare work says that, "To exclude a child from work without providing him with a school is to decree that he shall grow up in enforced idleness." But it is
the states and the local governments and not Congress that provide our educational legislation. And what assurance have we that forty-eight states will provide schools and educational facilities at the same time that Congress raises the child labor standards?

But in addition to providing schools, we would also have to provide compulsory education laws, since many boys and girls will not go to school unless they are compelled to do so. According to the Federal Children's Bureau, over twenty per cent of the children under sixteen working in Boston went to work because they were discontented with school. Raymond G. Fuller goes so far as to say that, "More than half of our working children left school because somehow or other they did not like school." As the New York World says, "A government which forbids a child to go to work must at the same time send him to school." We can only maintain a balance between our child labor standards and compulsory education laws by leaving complete control over child labor with the states, since the states must make our compulsory attendance laws.

Let us briefly review the negative's case. We have pointed out that the affirmative must justify the proposed amendment on the basis of what Congress would do. Congress might do one of three things. It might raise the standards of the so-called laggard states. But it cannot do this since there are no laggard states. Our opponents must show that every state which has low standards really has a child labor problem to justify the proposed measure on this basis. Second, the federal govern-

erment might provide better enforced laws. But this is merely a vague assumption without definite proof. Finally, Congress might generally create higher child labor standards. But to justify the proposed amendment on this basis our opponents must face this charge of creating a problem of unbalanced legislation.

FIRST NEGATIVE REBUTTAL

Ben Simmons
South Dakota Zeta—Northern State Teachers' College

The affirmative speakers have repeatedly endeavored to establish a national child labor problem, and they have quoted numerous figures from the 1920 census to bear out their contentions. But in quoting these figures, as I have pointed out previously, they have failed to make their own distinction between children's work and child labor, and have not shown that all of these children are employed to their detriment.

The gentlemen say that this problem exists because the states have failed to control the situation. Therefore, they demand Congressional action. But they have failed to say what standards should be enacted to remedy the situation. Now the negative have to consider the wisdom of the affirmative proposal on the basis of what Congress could do to better the child labor situation. They have not met us on these grounds. They have not shown us what Congress could do to remedy the situation. We have asked them what standards they would have Con-
gress enact and they have said they do not know. Therefore, we are left without any basis for judging the wisdom of their proposal.

The gentlemen have referred again and again to migrations and interstate competition. But they have set no standards to which they would have Congress attain, which they consider necessary to abolish these evils. As we have repeatedly pointed out, and they have failed to deny, all the states with a child labor problem come up to the standards which Congress set in the past two federal laws and would be likely to set again. Therefore, there is at present a practical uniformity of child labor standards, and it is no different than what is likely to exist under congressional action.

The opposition have brought up the problem of children in agriculture and propose that Congress remedy this. They mention the need for educational minimums, physical examinations, etc., for children in industrial work. In fact, the gentlemen propose to have Congress legislate upon the whole child welfare problem in all of its phases. Yet they still have no proof that Congress would enact these provisions under the proposed amendment. As we have pointed out, the standards of the past federal laws are the standards that Congress would be likely to enact again, and these had no provisions for an educational minimum or physical examination. Yet all of the states with a problem, not only attain to these standards, but many go far beyond them, having educational and physical standards as well. The fact remains that in enforcing the past federal laws, the Children’s Bureau found it possible to accept the state working certificates and permits in practically all of the industrial states which shows that even at that time, these states equaled the Federal standards.

The gentlemen have endeavored to establish an increase in child labor since the repeal of the last federal law on the basis of certain statistics gathered by the Children’s Bureau, in certain cities. This is only an isolated bit of evidence,—it is not enough to show a general increase in the child labor problem. Moreover, this survey not only found an increase in certain cities, but it found a decrease in other cities. In general it showed an increase from 1920-23; a decrease 1923-24; and a slight increase again in 1924-25. These figures speak for themselves in saying that they are merely general temporary fluctuations due to numerous factors, industrial and seasonal.

The affirmative in support of their contentions as to the superior effectiveness of federal control, have quoted state labor officials as to the effectiveness of federal control. There are authorities on the other side of the question. Egare Gardner Murphy, organizer and first secretary of the National Child Labor Committee, states that there is no reason for believing that federal laws are more effectively enforced than state laws. The House Committee on the Judiciary minority report on the proposed amendment took the stand that we have no good reason for believing that federal control would be more effective than state control. Finally, Nila Frances Allen, former chief of the Children’s Bureau, who was in direct
charge of the enforcement of the two previous federal laws, has taken a decided stand against the amendment showing that she has no faith in the effectiveness of federal control.

Finally, the opposition have failed to establish a child labor problem in any specific state and have failed to show that any states are laggard in any manner except in regard to statutes which are unneeded. They have failed to show a child labor problem in any state in regard to factory work, mines or night work, or any of the standards which Congress enacted in the previous federal laws. Therefore, they have not established their contention that there is a great national child labor problem.

FIRST AFFIRMATIVE REBUTTAL

Orlo Choguill
Kansas Iota—College of Emporia

Our opponents base their entire argument upon the contention that there is not sufficient need to justify changing our constitution. They maintain, first, that the situation at present is not serious; and, second, that the federal government would fail to remedy it. We must decide at this time what child labor is. They have accepted our definition, still they continually ask us for the standard which the federal government would set in regulation. A standard cannot be set at the present time. History shows that the first child labor laws provided that 10 hours was not too long for a child to work. The states themselves have raised their standard year by year. The question as stated grants Congress the right to regulate child labor Congress has the power to make its own definition and set its own standards. It would legislate as the need arose.

Our opponents say that there is not a sufficient need for any change because Congress could not legislate wisely on the matter. They turn to the District of Columbia for example. Congress does not regulate the affairs of the District of Columbia. Three commissioners directly control the district, and they are not under immediate congressional control. Moreover, the opposition overlooks the fact that the last year the federal law was in effect, there was a decrease in child labor in the District of Columbia of thirty per cent showing that federal laws actually did remedy the situation.

They assert, however, that federal laws are ineffective and will be ineffective for two reasons. First—they argue that laggard states could not be raised to a minimum standard, then they go on to show that there are no laggard states. Their inconsistency here defeats their point. Second—that new problems could not be corrected and that the states can meet any new problem. The problem of industrialized agriculture is a new one, yet the states have not met it. The Labor Commissioner of Wyoming, a state which our opponents maintain needs no child labor law, laments the fact this month that there is now a child labor problem arising in the beet fields and his office is unable to meet it. We are presented with a new and serious situation. We see new problems making
laggard states. Our opponents assert that federal improvement is a vague assumption on our part. We call their attention to last year's U. S. Bulletins which show investigations proving an increase of violations of state laws over the years the federal laws were in effect. Arkansas shows an increase of 118 violations. Last year there were over 4,000 violations in New York. An investigation of the Child Labor Committee shows eighty per cent of the children working illegally in a portion of the state of North Carolina. Time permits no more examples, but we find when we go to the court records in New York City that 9 out of 10 child labor law violators convicted are given suspended sentences. Hence we see that the state laws are not effective, and since violations increase after federal laws were declared unconstitutional we conclude that federal laws were effective.

Our opponents attempt to deny that Congress could have power over industrialized agriculture. In the last session of Congress, a senator introduced a bill to amend the proposition so that agriculture could not be regulated by federal law. The law as it stood was carried by a large majority showing congress intends to include such matters under its jurisdiction.

We maintain this evidence which shows the serious situation at hand, meets the argument of the opposition that an amendment is not justifiable because there is no serious problem.

The last speaker on the affirmative has endeavored to show that federal laws would be more effectively enforced than state laws. In an attempt to prove this contention he has pointed to violations of state child labor laws. But merely because state laws are being violated does not prove that federal laws would be better enforced. Federal laws are also being violated. Glance at the prohibition law. That is a federal law and yet it is flagrantly violated in every section of the country. In fact, there are violations of practically every law. Our opponents cannot merely point to violations of state laws to prove this contention. They must present some evidence to show that federal laws will not be violated as much as state laws.

We pointed out that the affirmative must justify the proposed amendment on the basis of what Congress would do. They must show us that Congress will remedy the situation that they say exists. The only way we could tell what Congressional action on child labor would do is by having some idea of the laws Congress would be likely to pass. But the affirmative admit that we do not know what Congress will do. They merely desire to leave it to the discretion of Congress to take care of the problem as it saw fit. We might just as logically assume that the states will care for this problem in the future as to as-
sume that Congress will do it, unless our opponents can show us what standards Congress would be likely to pass.

The affirmative endeavored to show first of all that there was a serious child labor problem in our nation today. They admitted that there was a decrease in child labor between 1910 and 1920, but they believed this was due to the federal law which was in effect in 1920. We have already pointed out that they failed to show a causal relationship between this decrease and the fact that the federal law was in effect at the time. As a matter of fact, there were other causes for this decrease, as we pointed out. At that time there was a business depression which decreased the amount of employment. The state standards had made enormous progress between 1910 and 1920, and several other factors contributed to this decrease as we have already indicated.

The affirmative further pointed to the large number of children employed in the United States. They contend that over a million children were gainfully employed and 280,000 of these were employed in mines, factories, etc. But these figures include children up to sixteen years of age. Congress in the two previous federal laws only regulated child labor up to fourteen years, except in certain dangerous occupations. To justify an amendment on these figures our opponents will have to show that Congress will set sixteen years as the minimum working age. It did not do it in 1916 and 1919. Why should we believe that Congress would take such action now?

The affirmative pointed to an increase of child labor in Mississippi and New York. They assumed that merely because there was an increase in these two states that this situation was prevalent throughout the entire country. They must show us on what figures this increase is based so we can determine whether or not it is valuable material which can be accepted in support of such argument.

The affirmative wish to justify the amendment because of the number of children engaged in industrial agriculture. We have already pointed out that Congress has never regulated child labor in any form of agriculture. It did not do it in 1916 and 1919. What reasons have we to believe that Congress will do it now?

Our opponents present the inter-state migration of children as an argument for the proposed amendment. But they merely give instances of migration in agriculture, and as we have repeatedly indicated, Congress has never regulated child labor in agriculture. Furthermore, they did not show us that this migration was not due to seasonal migration, which exists in all forms of labor. But even if such migration of child workers does exist, it would still continue under federal control, since Congress would merely provide a minimum standard, and the states could go above this standard. There would still be a difference in standards to cause such migration.

Our opponents contend that unfair competition from states with low standards prevents the states from passing adequate child labor laws. Yet in spite of any unfair competition that may exist, we have showed that all the states with a child labor problem come up to the standards of the previous federal laws, and many go beyond.
The last speaker on the affirmative has stated that the District of Columbia is not directly controlled by Congress, but is governed by a commission appointed by the President. Nevertheless, the District of Columbia is under the supervision of Congress. Congress is ultimately responsible for the passage and the enforcement of its laws, and it has failed to deal with child labor as well as any of the states, except Florida.

Our opponents must justify the proposed amendment on the basis of what Congress would do. It could not raise the so-called laggard states, since there are no laggard states in fact. The contention that federal laws would be more effectively enforced than state laws is merely a vague assumption without definite proof. Finally, if Congress would generally create higher child labor standards, our opponents must face this problem of unbalanced legislation.

SECOND AFFIRMATIVE REBUTTAL

John M. Brewster
Kansas Iota—College of Emporia

At this point of debate three major contentions of the opposition are worthy of discussion. First, it has been a major argument of the negative that in order to justify the proposed amendment, the affirmative must indicate what specific laws Congress will enact in carrying out the trust implied in the amendment. But the weakness of this contention lies in the fact that such a requirement is contrary to every single precedent set up by the previous nineteen amendments. For never have the proponents of an amendment found it necessary to point out what specific forms of legislation, what laws Congress will pass as a remedy of the situation involved. Rather to justify their plea for an amendment before the bar of the American public, it has only been necessary for them to show that a problem existed beyond the power of state solution, and that on the other hand, Congress itself possessed the resources to remedy the evil at issue, and was possessed of the desire to solve the problem were it only granted that privilege by the American people. Therefore in the light of precedent the affirmative do not believe they have to fulfill the requirements of the negative, but rather to show that Congress has the ability to correct the child labor evil and has the desire to perform that service. In taking this position the affirmative is supported by nine years of precedent and opposed only by the good judgment of the opposition.

The second major contention of the negative is that if Congress were granted power to regulate child labor, the situation would result in detrimental destruction of the balance of legislation. They advance the proposition that child labor is correlated with other phases of childhood welfare and the federal government in order to regulate child labor must regulate these other phases, but for this necessity the proposed amendment makes no provision. Let us consider their argument at this point in detail. First, they maintain that poverty is the cause of child labor and that an effective solution of the child labor
situation would involve the elimination of poverty and this the federal government would fail to accomplish. But in this regard we must bear in mind that during the period of the operation of the two previous federal laws poverty decreased on an average of ten per cent throughout the entire nation, which fact would seem to show that federal regulation of child labor not only reduced the numbers of child laborers, but was also accompanied by a significant decrease of poverty. Again, they have endeavored to show that education and child labor are related and that child labor cannot be regulated without the corresponding regulation of education on the part of the national government. In regard to this contention the affirmative concur, but let us see the argument from this point of view— from 1910 to 1920 the states increased their educational facilities over 100% with the corresponding increase of enrollment. So the proposition of balanced legislation presents this perspective. The educational welfare of the child is being adequately cared for by the state. And so far as poverty is concerned we find that that situation tends to decrease concurrently with the federal regulation and furthermore, the states are caring for the poverty situation of childhood by their general care of the poor and the enactment of Mothers' Pension laws. Various phases of child welfare are being exceedingly well supervised by the state with one exception, and that exception is the working of children under harmful conditions. This situation, the affirmative has endeavored to show, is beyond the control of states and could and would be remedied by the federal government were it given the permission.

Therefore, this is our reply to the argument of balanced legislation, that whereas all phases of child welfare related to the work of the child are being remedied by the state, the child would receive all desired conditions for wholesome development if only one more thing were done, and that is, permit federal regulation of child labor.

The third contention of the opposition is that in order to justify an amendment the affirmative must show that federal laws when enacted will be enforced. In reply to this demand, we call to your attention that the previous federal laws when in operation were highly effective from the standpoint of various state testimonies, and the actual infliction of penalties. The excellent showing of these laws indicates that the federal government can and would enforce its child labor enactments.

In conclusion, may I add one word relative to the problem of need. We have shown that a serious child labor problem today exists in various industries, but particularly this is true of child labor in industrialized agriculture. The evil is here—making enormous increases annually. The 1920 census indicated that 72,000 were engaged in this kind of work, and in 1925 this amount according to the American Federation of Labor has increased to approximately 2,000,000. Not a single state regulates child labor in this field. A crisis is at hand. The states are failing. The federal government, judged by the evidence submitted, will remedy the situation, avoid the crisis at hand by protecting the future manhood and womanhood of our nation.
DEBATES

WOMEN
The debate tournaments of the sixth national biennial Pi Kappa Delta Convention were held in Fort Collins, Greeley, and Estes Park, Colorado, March 29 to April 1, 1926. There were twenty-five teams representing twenty-two institutions from nine different states in the women's tournament. This was the first national women's debating tournament ever held.

The question debated was: 

Resolved: That the constitution of the United States should be amended to give Congress power to regulate child labor.

Each team had to be prepared to debate both sides of the question and an effort was made by those in charge to schedule each team on one side as much as on the other. A team had to be defeated twice to be eliminated. Each debater had a constructive speech of ten minutes and a refutation speech of five. It took nine rounds to carry thru the tournament. The debates were open and contestants were not expected to refrain from listening to the debates of prospective opponents when it was possible for them to attend such debates.

The debate which follows was the final debate of the tournament.
The winning teams engaged in the following debates in reaching the finals:

**Southwestern College:**
- Affirmative vs. Colorado Agricultural College—Won
- Negative vs. Morningside College—Won
- Affirmative vs. Oklahoma Women's College—Lost
- Negative vs. Western State College of Colorado—Won
- Negative vs. Colorado State Teachers College—Won
- Affirmative vs. Baylor College for Women—Won
- Affirmative vs. College of the Pacific—Won

**Baylor College for Women:**
- Affirmative vs. Kansas State Teachers College of Emporia—Won
- Negative vs. Tulsa University—Won
- Affirmative vs. Colorado State Teachers College (No. 1)—Won
- Affirmative vs. College of Pacific—Won
- Negative vs. Colorado State Teachers College (No. 2)—Won
- Negative vs. Northern State Teachers of South Dakota—Won
- Negative vs. Southwestern College—Lost

In the finals Baylor College for Women, debating the affirmative, won a two to one decision over Southwestern College.

**WINNING DEBATES**

**BRIEF AFFIRMATIVE**

**Introduction:**
The contention of the affirmative is that the problem of child labor cannot be solved unless Congress has the constitutional right to fix certain uniform minimum age limits for the same kinds of employment.

**Proof:**
1. Conditions as they exist today under state laws demand a change.
   A. The 1920 census shows that over a million children are gainfully employed.
   B. The state laws are not only inadequate, but there is a lax enforcement of existing laws.
   C. Child laborers are handicapped in body, mind and soul.
2. The states acting individually cannot solve the question of child labor.
   A. Without a uniform nation-wide minimum age-limit, there will always be phases of the question that the states will be unable to solve.
   1. The children in a state that has strict laws are finishing products that are being sold in other states where the laws are not so strict.
   2. The children migrate from one state to another to avoid strict laws.
3. Federal regulation will remedy the situation.
   A. The proposal is not that Congress be given a new and untried power, but that it be given the constitutional right to enact laws similar to those of 1916 and 1918.
   B. The federal laws when in force met with no conflict of authority.
   1. The testimony is that there was an almost complete cooperation between state and federal officers in enforcing the law.
   C. The supreme test of federal enforcement was met in the decrease of child laborers.
NEGATIVE

I. Federal control of child labor is unnecessary because:
   A. The amount of child labor is small, but greatly exaggerated.
      1. Only one per cent of the 12,000,000 children in the United States are laborers.
   B. The amendment should be rejected because the states are effectively dealing with this problem.
      1. Letters from the state labor departments of each of the forty-eight states in the union show that all regulate child labor, while fifteen years ago few states had any laws regulating child labor.

II. The child labor law is not only unnecessary, but it is impracticable because:
   A. The amendment cannot be enforced.
      1. If the national government cannot enforce the prohibition amendment and other amendments, how can it expect to enforce the child labor law.
   B. It would block the only means by which the problem can be solved.
      1. Only the states can deal with intimate local conditions which are the cause of child labor.
      2. The states are apt to fold their hands and let the federal government work out the solution of its law by itself.
         a. The most sensible plan is to educate our local communities to face their own problems.

FIRST AFFIRMATIVE

Martha Hardy
Texas Episcopal—Baylor College for Women

There is no problem confronting any nation of more vital importance than the welfare of its children. After almost fifty years of attempts at regulation by the states, child labor came to be recognized as a national problem. Congress, therefore, passed two laws—one in 1916, and the other in 1918, both of which were declared unconstitutional by the Supreme Court. These decisions were based purely on the technical question of constitutionality. The Supreme Court did not deny either the need of such legislation, or the justice of the proposed laws.

What we are proposing now is, that the constitution should be so amended as to give Congress the power to regulate child labor; that is, to enact laws with provisions similar to those of the former Federal laws. Now we are not claiming that these laws were perfect or sufficient, but we do contend that the problem cannot be solved unless Congress has the constitutional right to fix certain uniform minimum age limits for the same kinds of employment.

Our discussion will center around three main questions:

1. Do conditions as they exist today under state laws demand a change?
2. Can the states acting individually solve the question of Child Labor?
3. Would federal regulation afford a more satisfactory solution?

I shall quote facts and describe conditions as they exist today, after more than sixty years of attempt at regulation by the states, and leave it to your judgment as to whether or not these conditions demand a change. The 1920 census showed over a million children gainfully employed. This means that one child out of every twelve is working. Of these child workers, over one-third were between the ages of ten and thirteen.

We do not wonder at these conditions, however, when we consider the standards as they exist in the different states.

Two states do not regulate in any way the daily hours of the labor of children; nine states have no law prohibiting children under fourteen from working in factories; nineteen states do not make physical fitness a condition for employment, and thirty-seven states allow children to go to work without a common school education. Can the problem of child labor be solved as long as such low standards exist?

Not only are the state laws in many instances woefully inadequate, but there is lax enforcement of existing laws, and numerous exemptions are permitted. Thirty-three states, with fourteen-year minimum age limit, have weakened their laws by permitting exemptions under which children, not yet fourteen, may work. An editorial in the New York World for February twenty-fourth, 1924 says: "In addition to inadequate laws there is lax enforcement. For example, Pennsylvania permits boys
of fourteen and fifteen to work in the coal breakers, where they breathe into their lungs the clouds of powdered black fuel. And in Mississippi there is but one inspector who must cover the entire state.” According to the Monthly Labor Review for February, 1924: In North Dakota eight per cent of the children under fourteen years of age reported their principal employment to be occupations specifically prohibited. A number of other violations were listed, including serious cases of night work.

These are the conditions of child labor as they exist today under state control. And what are the effects of this employment of children? The evil is confined to no one state or section of the country; it is nation-wide in its extent, and it demands a remedy nation-wide in its application.

The child laborer is handicapped in body, mind and soul. Investigations of the Colorado beet fields have shown an amazing extent of stooped shoulders from the constant bending. In New Jersey, they work in tenement sweatshops, which are dark and unsanitary, and where disease rages. Even tubercular children were found employed in this work. In Louisiana, children under twelve years of age have their hands lacerated by work in oyster and shrimp canneries, where they labor from six in the morning to ten at night. Statistics of the various states show that there are thousands of children employed in the cotton mills of the south. With a few exceptions they labor for a minimum of ten hours each day. If the eight hour day were in effect, as provided by the invalidated federal laws, a total of 20,000-

000 hours of play would be added to the lives of these children. But as it is now, the boys and girls are kept bending over the spinning frames until after darkness has ended all opportunity for out-door sports. These long hours deprive them of the exercise that is so essential for their proper physical development. Such conditions as these produce men and women who are stunted in body, and unable to become normal, healthy citizens.

Another result of child labor is that it prevents the children from receiving an education. They are thus seriously handicapped in their battle for existence. A map would show that the area of the greatest number of child laborers is almost identical with the highest percentages of illiteracy. Ten of the states having the highest percentage of illiterates, in the age group of ten to fifteen, are included in the twelve states having the highest percentage of child laborers of the same age.

Investigations of school records in New York show that during the rush seasons the children are kept at home on the slightest excuses—and that few boys and girls ever reach the fifth grade. Mr. Lytton R. Taylor, an El Paso attorney, says that the Texas cotton patch is the greatest curse of childhood. In order to pick a few pounds of cotton, children are forced to grow up in ignorance. In many rural districts they average only sixty days per year in school; and they are deprived of even an elementary education.

By allowing these children to work, we are helping to fill our reformatories and jails. Harold Cray, a special investigator for Colliers Weekly says, in the issue of
January 24, 1924, "Working children contribute four times their share to juvenile delinquency." Child labor and delinquency, especially in street occupations, are closely associated. According to the federal report on "The Conditions of Women and Child Wage-Earners in the United States," child laborers were shown to have been responsible for sixty-two per cent of the total offences recorded. One of the important factors in producing the excessive amount of delinquency is the bad character of the men with whom the children are associated. In one city, out of twenty-three supply men employed on two newspapers, extensive criminal records were found for thirteen.

The curse of labor descends upon the child in the critical, formative period of his life, and denies him the privilege of normal development—not only physical and mental, but also spiritual.

These are the conditions, Honorable Judges, as they exist today. State laws are inadequate and are poorly enforced. Again we insist, if the states are not solving the problem, the federal government must. If we are our brother's keeper, why not the keeper of our brother's children? If the nation is to regulate the traffic in liquor, why not the traffic in children?

We have expressed our belief in the conservation of forests, fisheries, and all our natural resources. Only with regard to the most precious asset of all—our children—do we appear to be indifferent. Shall the American people squander the most priceless treasure of our nation? The children of today are the republic of to-

morrow. Ten years hence all of those who are eligible for "working permits" will be citizens. Above all other interests, all other concerns, all other duties, rises the obligation of the American people to cherish its children. The future of our nation depends upon the decision of this question. Our civilization will survive or perish according to the treatment of our children.

**FIRST NEGATIVE**

**Lucile Wright**

*Kansas Delta—Southwestern College*

We, too, favor the abolition of child labor—not once will we defend child labor or any of its consequences. The point upon which we do not agree is the method by which child labor should be abolished. We take it that the question means—Should Congress have power to help solve this problem, or should the states deal with this alone?

We desire to answer one or two of the arguments of the speaker who has just left the floor. Our opponents declare that Mississippi has had very poor child labor laws. But, Honorable Judges, she is able to report a decrease in child labor. If Mississippi has such a low standard of child labor laws, why is it that she is able to report a decrease?

Federal control of the child labor situation is unnecessary for the following three reasons:

1. The amount of child labor is small;
2. The states are effectively dealing with this problem;
3. The states are making such progress as to give every promise that soon child labor will be oblitered.

Take the first question. The amount of child labor is small, but is greatly exaggerated. Advocates of this amendment have been so anxious to help the children that they have permitted their zeal to over-ride their reasoning powers and to overlook the facts. Says Raymond Fuller, Secretary of the Massachusetts Child Labor Committee, "Nine out of ten think of child labor in terms of bygone conditions; nine out of ten think of it in spectacular terms," but such thoughts do not fit the present situation.

Let us examine facts. In 1920 there were 1,060,858 child laborers in the United States between the ages of ten and fifteen years. Of this number, more than three-fourths were employed in agriculture. Of this number, eighty-eight per cent worked on their own fathers' farms. This work was not injurious, for it was under the guidance and protection of the parents. This leaves 77,000 working outside of home farms. In non-agricultural pursuits there were 413,000, but of this number, 364,000 were legally employed under the Federal Act of 1919 at that time in force, leaving but 49,000 child laborers in nonagricultural industries. Adding 77,000, the number employed in agriculture outside of home farms to 49,000, the number employed in non-agricultural pursuits makes a total of 126,000 child laborers in the United States in 1920. This is one per cent of the 12,000,000 children in the United States; it is one-fourth of one per cent of the laborers in the United States; it is one-tenth of one per cent of the total population in the United States. Yet it is for this small number that our opponents would seek a grant of power from Congress; it is for this number that the affirmative would change the fundamental law of the land to solve this minor problem. Thus we see the amount has been greatly exaggerated, for in reality the amount of child labor is small.

Second—the amendment should be rejected because the states are effectively dealing with this problem. When we say state control, we include the government of every county, township and city in the state. They all receive power from, and work in conjunction with the state administration. Today forty-eight states prohibit children under fourteen years of age from working in factories; thirty-three states prohibit them from working in mines—nine states do not have mines, and so we would not expect them to pass laws concerning this; today forty-eight states
prohibit children under sixteen years of age from being employed in dangerous occupations; all but four states prohibit children under sixteen years of age from working at night. Do not these figures reveal the fact that the states are effectively solving this problem? Considering the enforcement of these laws, we wrote to the State Labor Departments of each of the forty-eight states, and their replies were unanimous that the labor laws were being enforced. We could read to you many of these letters—time permits only a few. Says the Labor Committee of Wisconsin, "Every community in the state is strongly committed to stand for the enforcement of child labor laws." The Labor Committee of Tennessee says, "There are few violations of our child labor laws." Nevada reports, "Violations have been reduced from 1920 until there are practically none." Many others state that there are very few violations of child labor laws. Considering the high standards of our present state laws, and the strict enforcement of these laws, do we not see that such an amendment is absolutely unnecessary because the states are effectively dealing with this problem.

Third—The states are making such progress as to get every promise that child labor will soon be completely obliterated. Let us consider the progress which our states are making at the present time. Today forty-eight states in the union regulate child labor; fifteen years ago few states had any laws regulating child labor, but today every state regulates the labor of its children. Georgia was the last state to improve the standards of her laws, but Georgia has improved her laws and now ranks with the most progressive states in the Union. Under the Federal Child Labor Tax Law, there was formal acceptance of the working employment certificates of thirty-six states in the Union. Now the state laws were not precisely the same as the federal laws, but we would not expect a state that had no mines to regulate laws governing mines; a state that had no cotton fields to regulate laws in cotton fields, but for all practical working purposes, the laws of thirty-six states so closely approximated or excelled federal standards that the working certificates were accepted by the federal government. In 1923, half of the legislatures that met improved their child labor laws. In 1925, twenty-three states improved their child labor laws. Are we to disregard all the improvements which the states are making at the present time? Are we to seek federal aid when the states are so effectively solving the problem? The undeniable fact that the states are improving their old laws, passing new ones, raising their standards, successfully enforcing their requirements so rapidly and so universally as to give every promise that soon child labor will be completely obliterated, proves conclusively that an amendment to our constitution is absolutely unnecessary. It is unnecessary for the following three reasons I have established:

1. The amount of child labor is small;
2. The states are effectively dealing with this problem;
3. The states are making such progress as to give every promise that soon child labor will be completely obliterated.
SECOND AFFIRMATIVE

CORA WHITLEY
Texas Eullion—Baylor College for Women

My colleague has described to you the conditions of child labor which have resulted from state control. I shall attempt to show that the states cannot solve the problem, and that federal regulation would be effective.

There are conditions which make it impossible for the states to deal satisfactorily with child labor. So long as there is no uniform nation-wide age-limit, there will always be phases of the question which the states cannot solve. For example, goods may be sent from a state with strict laws into a state with poor laws. The work is done by children of the latter state, and the finished product sent back to the state prohibiting child labor. The employers are in one state, the children in another. Neither can be reached by the laws of the adjoining state, and there is no way to remedy the evil.

Testimony before the Woman's Committee for the child labor amendment showed that more than one thousand children were found in Jersey City doing sweat shop work in their homes, under dangerously unsanitary conditions. New York manufacturers were sending work to Jersey City to escape the New York regulation against tenement home work; and because the employers were in New York, they could not be reached by the Jersey laws.

Let us consider just how much the nation is concerned in this question. Not only is the welfare of future citizens at stake, but the economic interests of the country are seriously affected. From a purely economic standpoint, we cannot afford to leave the problem to state legislation.

The good laws of one state are nullified by the poor laws of another. A manufacturer in a state having high standards must have his goods placed on the market in competition with the products of children in an adjoining state, which have been produced at low cost, and can therefore be sold at low prices. If his business is not to suffer, there are only two courses open to him. He can either resort to dishonesty and protect his prices by sending work into an adjoining state where it can be done by children beyond the reach of strict regulations; or, he can move his factory to the state with lax regulations. Thus the progressive state, the one with adequate child labor laws, must either countenance dishonesty or lose the invested capital. And the opposition to federal legislation comes from manufacturers in the states having low standards, who are getting rich on the products of cheap child labor.

State laws are also nullified when children are sent from one state to another. The problem of migratory child labor is one of the most serious evils of this question. In 1924, the president of the B. & O. railroad reported that from Baltimore alone, three thousand children were carried to work in the southern canneries. And last year the president of the American Sugar Beet Co., stated that eighteen thousand laborers were imported
from the Southwest to work in the beet fields, with an average of five children to each family. How can this problem of the employment of children in industrialized agriculture ever be solved without a uniform federal law?

' 'A national evil demands a national remedy. Will our opponents oppose such an amendment on the grounds of states rights? Federal laws already supersede states rights in dealing with prohibition and pure foods. Do our opponents favor the repeal of these? We have a Federal quarantine law which tells any state that if it does not quarantine a hog, the federal government will do so, because the hog can be shipped in interstate commerce. Why should we be more careful about our hogs than about our children?

The negative may tell us that children must be allowed to work in order to help support their parents. And they usually do work; having no education, they reach maturity so incapable that they in turn require the assistance of their children. Thus poverty recreates itself. It would be an economic saving to keep a generation of children out of work, educate them, and equip them to make a normal contribution to the state, instead of depending on the state for support. Child labor does not relieve poverty; it only produces it. And it would be cheaper, in the long run, for the states to support the parents, rather than continue this vicious circle of ignorance and poverty.

We have pointed out to you the evils of child labor as they exist today under state control, and explained the conditions which make it impossible for the states alone to handle the problem. Let us consider, finally, whether federal regulation would remedy the situation.

We wish to make clear what is meant by federal regulation. We do not urge that the federal government should be given exclusive powers. Both the first and second federal child labor laws sought only a fixed minimum age limit for the same kinds of employment. Federal regulation does not present a choice between alternatives of state and national action, but offers a possibility of cooperating between state and federal governments to protect the children, who belong both to the state and the nation. And in advocating federal control, we do not claim that it will afford a perfect solution. But we do contend that the federal government is better able to deal with child labor, than are the states alone.

We are not asking that Congress be given a new and untried power. We are proposing that they shall have the constitutional right to enact laws similar to those of 1916 and 1918. By studying their operation we may judge of the effectiveness of federal regulation.

One result was to stimulate state legislation. During the period covered by these laws, a number of states passed compulsory school attendance laws; others passed and strengthened minimum wage laws. Nine states adopted an eight-hour day for children under sixteen, and twenty-one states put a thirteen year age minimum of employment of children in mines and quarries.

And what were the administrative problems created? There was no conflict of authority. State officials, at their own request, were commissioned to assist in the en-
forcemnt of the federal law. They testify that it increased the respect for the state laws. At the conference in Washington in May, 1924, one after another of the child labor officials, from Wisconsin, New Jersey, Pennsylvania, Louisiana and other states, testified to the splendid cooperation between state and federal officers in enforcing the law.

But the supreme test of the effectiveness of federal laws was met in the decrease of child laborers. State laws in the South do not protect children in textile mills. While the federal law was in force, the owners obeyed it, to the great advantage of the children. In fruit and vegetable canneries the change for the better was revolutionary. In New York, colonies of young children with their mothers had long been camped in bunk-houses in rural districts, working unlimited hours. Not one penalty had been enforced under the state law. When the federal law took effect, it was immediately respected. Mothers worked only the hours specified, and children below the age limit were no longer employed.

And what happened when the federal law was declared unconstitutional? Reports from thirty-four cities show that the number of fourteen and fifteen year old children receiving first regular employment was 14,061 more in 1923 than in 1922. With the removal of the federal restriction, child labor in many parts of the country has increased at an alarming rate.

We have pointed out to you that the states have not solved the child labor problem; that they can never solve the inter-state phase of it without a uniform nation-wide law; and that federal laws were effective in 1922. Why should we not give Congress the constitutional right to pass such laws again? What conditions exist now that did not exist then? And what reason have we to believe that federal regulation would not greatly improve conditions now?

The righteousness of a cause may be judged by its friends. We challenge the negative to read to you a list of organizations and authorities who oppose a federal amendment, as compared with those who favor it. The opposition is due primarily to misinformation and misrepresentation, encouraged by the selfish greed of those manufacturers who are profiteering on the lives of our children; while the friends of the movement comprise a vast majority of the intelligent public sentiment of the country. The vital need of a federal amendment was summarized by President Coolidge in his speech of acceptance in August, 1924:

"Our states have different standards for child labor, or no standards at all. Congress should have authority to provide a uniform law, applicable to the whole nation, which will protect childhood. Our country cannot afford to let anyone live off the earnings of its youth. Their places are not in a factory, but in school, that the men and women of tomorrow may reach a higher state of existence, and the nation a higher standard of citizenship."
THE Federal Child Labor Amendment is not only unnecessary as my colleague has showed, but it is impracticable because, first, the amendment cannot be enforced. One of the illustrations foremost in American thought today is that of the non-enforcement of the prohibition amendment. The conviction is constantly growing that the federal government has failed and is bound to fail in its attempt at enforcing the 18th amendment. Even many of our most ardent advocates of prohibition have been driven to the conclusion that the enforcement of the Volstead act is essentially a local matter. Now you may say “Ah, but that has been tried but for six years.” Then listen to one of the most glaring examples of enforcement which our history affords, that of the 15th amendment intended to give negroes the right to vote. Ever since that amendment has been enacted, since 1865, localities unfavorable to it, by intimidation, by educational qualifications, by grandfather clauses, and various other devices, have violated, evaded, voided it—an amendment to our constitution. The federal government never did enforce the 15th amendment! Public opinion is merciless and when it is unfavorable to a proposal, the law even to the highest and most sacred law of our land, suffers and remains unenforced. The federal government, strong and powerful as it is, in such a case as this, is powerless.

The same fate awaits the federal child labor amendment. Local enforcement officials would be powerless, held at the mercy of the verdict rendered by the various localities. No doubt, Congress could pass a very good child labor law, applicable to the varying conditions of all the states.

We do not doubt that, but how could Congress enforce such a law? In districts with high child labor standards, perhaps he could; but there it is not needed. In districts with low child labor standards, enforcement is impossible; but there is where the problem lies. The proposal of the affirmative is impracticable for a federal child labor amendment cannot be enforced.

Then it is impracticable for second, it would block the only means by which the problem can be solved. It is a recognized fact that it is the states that deal with those intimate local conditions which are the causes of child labor. Child labor, as we know, is but a part of that larger problem of child welfare; inextricably woven in
the problem of child labor are the problems of compulsory school attendance, scientific poor relief, suitable work and play, justice to farmers, fair living wages for adults—all of which the states alone can deal with. And today the states are dealing with these basic considerations. They are launching a program to improve the public schools, and thus draw children to them, not drive them away—this factor, unattractive schools, according to a recent publication entitled, "Employment of Young Persons in the United States," is responsible for from sixty to seventy per cent of the child labor now within our country. And it is the states, and the states alone, which can deal with this factor. Another means by which the states are dealing with the causes of child labor, is the Mother's Pension Law, which by use of public funds given to the mother, makes it unnecessary for the child to work. This factor, poverty, according to that same publication is responsible for the remainder of the child labor in our country, or from thirty to forty per cent of it; and it is the states and the states alone who can deal with this basic factor. Other state agencies dealing with the causes of child labor are play ground associations, children's clubs, children's code commissions, child welfare boards, juvenile courts—these various state agencies are crumbling the foundation upon which child labor is based.

We of the negative wish to delve beneath the external manifestations of inner maladjustments; we wish to get such a hold on these inner maladjustments, the causes of child labor, as to make the employment of children impossible.

Now theoretically, it would be an ideal plan to have the federal government set up a minimum standard and then have the states by their punitive and constructive legislation, come up to that standard, but it is theory and only theory; facts do not bear it out—it is impracticable!

Here is the danger of the federal child labor amendment. The states would then say, "Ah, we have a law—a federal law; our problem is solved." They would sit down, fold their hands, and ignore the fundamental causes of the problem. No better illustration of this can be found than that depicted by our 18th amendment. Before the amendment was passed, ten states were on the verge of passing prohibition laws. After it was enacted, not one of them passed a single law; and New York repealed some of the laws she already had. Today, practically all the effort is spent upon enforcing the prohibitory phases of the Volstead Act, and thus the fundamental causes are being neglected.

Should a federal child labor amendment be enacted, this great constructive work which the states are now carrying on to eliminate the economic, social, educational causes of child labor, would be blocked by the idea that "now our problem is solved, for we have an amendment on the subject."

Moreover a federal child labor amendment would block the only solution of the child labor problem, for it would give fresh impetus to the tendency that the states now have to turn their affairs to the federal government. When a problem becomes distasteful for them to solve; when it becomes complicated, presents real difficulties,
they call loudly for the federal government. In behalf of such proposals, it has been said, “it is a national problem, and the power of the states stops at the state line,” but too often this has been used as a mere excuse to turn matters over to the federal government. As a result, today the federal courts are clogged with cases which are essentially of local interest; and the federal enforcement system has broken down beneath the tremendous burden. Take the Mann Act; the regulation of white slavery became very distasteful to the various states, and so under the guise that it was a national problem, they turned the regulation of morals, essentially a local matter, over to the federal government. Take the Dyer Act; it was an attempt on the part of the states to saddle on to the federal government the solution of the auto theft problem, whenever the thief made the fatal mistake of driving the car he had stolen over the state line. The prohibition amendment is another illustration of the point. Should a federal child labor amendment be enacted, the states would be given fresh courage to indulge in this disastrous practice; and another matter essentially local, which the states alone can solve, would be relinquished and turned over to the federal government.

Now, fortunately, the great American Public is beginning to see that this tendency has gone far enough. This feeling has expressed itself in some states by refusal to accept federal cooperation in road building. This feeling expressed itself in the rejection of the child labor amendment. Forty-one states rejected the amendment; only 4 ratified it; 3 did not even vote upon it. Why?

Not because our people want child labor; not because of false propaganda, we are not that easily misled; but because the people are beginning to see that they must rise and check this tendency to “let Washington do it.” After all, this old American principle of local government is a vital one.

We must beware of reformers who constantly turn to the federal government because they have not enough patience and perseverance to educate public opinion. A federal amendment in such a case, is merely an ineffective short cut to reform. Our local communities cannot turn over all their problems to the federal government and thus avoid solving them by the local agencies. Child labor is a local matter. It absolutely requires the cooperation of the child, parent, home, school, church, local employee, local official, local newspaper; it’s a local matter. We must educate our local communities to face their own problems and solve them. Says President Coolidge, “Federal coercion never can and never will be a satisfactory substitute for the persuasion of neighborhood opinion.” A federal child labor amendment is impracticable because, first, it cannot be enforced, and second, it would block the only means by which the problem can be solved.
FIRST NEGATIVE REBUTTAL

Lucile Wright
Kansas Delta—Southwestern College

The arguments as presented by our opponents are:
1. Conditions demand a change because of the evil effects; and
2. That the States have not solved the problem and child labor is increasing.

Our opponents say that conditions demand a change because of the evil effects. We grant that child labor has evil effects, but the question at issue is—How are we to get rid of it, by state or federal control?

We have shown that child labor is rapidly decreasing—at the present time, it represents one per cent of the children in the United States; one-fourth of one per cent of the laborers in the United States; and one-tenth of one per cent of the population of the United States. We have shown that even this small number will be reduced to nothing because of the progress which the states are making at the present time. The worse the effects of child labor the more imperative it becomes to continue with the only remedy that will ever solve the problem. To gain a false and superficial victory now by an amendment to our constitution would only be to prevent state adjustment of this matter. Our opponents declared the states have not solved the problem, yet under the Federal Child Labor Tax law there was acceptance of working employment certificates of thirty-six states. If it is an accepted fact that thirty-six states come up to the federal standards,
First Affirmative Rebuttal

Martha Hardy
Texas Epsilon—Baylor College for Women

Both my opponents have quoted Mr. Raymond G. Fuller as an authority; they would have you believe that Mr. Fuller is opposed to federal regulation. On page 247 of his book "Child Labor and the Constitution," he says, "The two federal laws were enacted in response to public demand for federal action against child labor. Reason for that demand still exists in the slowness and inadequacy of state action; in its tragic failure in some instances; in the fact that child labor is a national evil."

The first speaker of the negative has pointed out that federal regulation is unnecessary for three reasons:
1. The amount of child labor is small.
2. The states are effectively dealing with this problem.
3. The states are making such progress as to give every promise that soon child labor will be eliminated.

Let us examine these contentions and see if they will hold. She spent her entire time trying to minimize con-

Second Negative Rebuttal

Edith Stewart
Kansas Delta—Southwestern College

Our opponents have said that the states cannot solve the child labor problem because of the factor of unfair competition as to the laws of economics—one of which is that cheap labor is the dearest labor. In a review of a recent publication, published by the National Industrial Conference Board, an organization of business executives, we read: "The authors are under no illusions as to the value of child labor; but they insist that because of the inefficiency of children and their greater susceptibility to work accidents, that it does not pay the employer to use them." Particularly interesting is the statement, "that
small manufacturer who mistakes wage rates for cost of production may think he sees an economic advantage in child labor, but a clear understanding of the case shows him to be in error.” Another big factor overlooked is that the factors affecting production and location of industries are not few, but many; child labor is but one and a small one at that. Other factors involved are efficiency and skill of workmen, nearness to fuel, water supply, accessibility to markets, facilities for transportation and many others. Felix Brockman, head of the New England Mills, says “If all the child labor laws of all other states were abolished the effect on the New England Mills would hardly be noticeable. The very fact that New York, New Jersey, Ohio, Indiana, Wisconsin, Alabama—all have high child labor standards, and yet have not lost their rank as industrial states of the union, shows us that the factor of child labor as relates to unfair competition, is practically negligible.”

Then they mention that cooperation is their proposal. We agree that the question implies that; but we are opposed to cooperation in the child labor matter, for as we have shown, federal interference, even attempted cooperation, would render impossible the solution of the child labor problem, for it would give the states a sense of false satisfaction that their problem was solved since they had an amendment and it would give fresh impetus to the tendency which the states now have to turn their affairs over to the federal government.

Our opponents have based their whole case as to the practicability of a federal child amendment upon the previous child labor laws of 1916 and 1919. Let us note first of all that these laws were in effect for thirty-five months—thirty-five months from which to draw such conclusions; thirty-five months’ experience upon which to base a whole argument. Furthermore we venture the assertion that those laws would not have been in effect thirty-five months had it not taken that long for a case coming under the law to be settled in the federal courts. Moreover that thirty-five months’ period was a period of economic depression, which is always manifest in post-war times, and of course child labor would be decreased at that time. How can they point to this period of depression and say this shows that a federal child labor amendment would work and would decrease child labor? Furthermore, we find that there was little actual improvement during that period. In personal letters sent to the various states, we asked this question, “what improvement was there in your child labor laws while the second federal law was in effect?” Only five mentioned any improvement at all, but listen to those who said none: Indiana, none; Mississippi, none; Iowa, none; Rhode Island, none; Connecticut, none; Colorado, none; Idaho, none; Kentucky, none; Alabama, none, etc. And finally we would point out that it was in the year 1913, several years before the federal laws were passed that the greatest improvement in child labor laws was made. We ask our opponents to point out specifically the improvements in child labor laws that occurred during the time the federal laws were in force. Ladies and gentlemen, we wish you to see clearly that our opponents are
basing their entire argument as to the practicability of the federal child amendment upon a thirty-five months' period of economic depression, permeated with post-war influences, and with practically no improvement of state laws during the period.

Now, ladies and gentlemen, our opponents have not denied the fact that thirty-six states measure up to the federal standards; if thirty-six states measure up to the federal standards already, why have a federal amendment, we would ask our opponents?

They have attempted to show the increase of child labor in localities, but we demand that they show it to be a nation-wide increase.

SECOND AFFIRMATIVE REBUTTAL

CORA WHITNEY

Texas Epsilon—Baylor College for Women

The negative are still contending that conditions do not demand a change. Now if you have any doubts as to conditions, let me read to you from a pamphlet by H. M. Pringle, sent out by the New York World in 1924. The World was opposed to a federal amendment; but he says, after a six thousand mile trip from Michigan to Louisiana and from Colorado to Maryland, that he found boys and girls five, six and seven years old working. "I haven't much faith in the states. They are not entitled to their rights when they fail to exercise them. Since the federal laws were annulled, state enforcement has sunk in many parts of the country to the status of a joke."

The first speaker of the negative declared that federal control would result in bureaucracy. But we already have a Federal Child Labor Bureau; and the large number of officials to which they referred, which would be necessary to enforce the law, under the first federal law was only seventeen. She also claimed that federal control would result in centralization. That is the same objection that was made to prohibition, woman's suffrage, and other progressive measures. Has the country suffered from centralization in any of these?

One of our opponents' chief contentions has been that a federal law would be impracticable, because it could not be enforced and it would block the means by which the states could solve the problem. This objection is only theoretical. They have not shown you why the laws could not be enforced. We have pointed out that the number of children laboring was decreased under the former federal laws, and that it increased after these laws were annulled; and they have not attempted to deny it.

As an example of the failure of federal regulation, the negative has cited the Volstead Act. But has no good come from this law? How many states can our opponents name where there has not been less drinking under the federal law than under state laws? Or would they advocate the repeal of national prohibition laws? They are not perfect, neither would a federal child labor law be perfect, but it would greatly improve conditions. Our opponents contend that state compulsory school attendance laws would solve the problem. They admit that there is a problem. But we have here a Department
of Labor pamphlet, which gives the number of states requiring compulsory and part-time school attendance. Eighteen states do not require even part-time attendance.

The negative base their case on the contention that the states can solve the problem. We ask our opponents, how the states can handle the problem, when twenty-seven states do not even register the births of their children? They do not even know whether they have any children! State laws are not being enforced, and the federal laws were enforced. Royal Meeker, of the Pennsylvania Department of Labor, admits that, “It is virtually impossible to enforce the state child labor laws.” We have similar statements from Wisconsin, Louisiana, Rhode Island and other states. We are told that the states are raising their standards. Yet last year, Connecticut, Massachusetts and Louisiana refused to raise their educational standards; seven states refused to adopt the eight-hour day; and Rhode Island actually lowered its standards. Massachusetts has now before its legislature a bill to raise the hours of labor for children from forty-eight to fifty-four hours a week, and this is being backed by the manufacturers.

We challenged our opponents to read you a list of those opposed to such an amendment, as compared with those who favored it. They have failed to do so. Opposing the amendment are the National Association of Manufacturers; the American Mining Congress; the Southern Textile Association; the Association of Glass Manufacturers, and so on, every one of whom are making money on cheap child labor. On the other hand, favoring it are all the leading welfare organizations, and outstanding college and university professors. As Prof. C. A. Elwood, president of the American Sociological Society, has said: “Only ignorance, misunderstanding and selfishness can give rise to the opposition to the proposed amendment. I do not know of a single economist or sociologist of note who is opposed to it. Socially intelligent people, from President Coolidge down, acknowledge the need of such a measure.”

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WOMEN'S ORATORICAL CONTEST

Eighteen orators, each representing a different college, entered the women's oratorical contest. The orations consisted of original productions of not more than fifteen hundred words without restriction as to subject matter. There were three preliminary contests.
A. MILNE says in one of his very modern plays, "If I were God I should be very proud of man." And I fell to wondering. Is God very proud of man? Can he be proud of the 1926 collegian leading his life of complexity? The modern college is a maelstrom of activities.

As a certain professor suggests, college life is like driving a car fifty miles an hour for one month without stopping. From the time we enter college we are busy doing nothing. The men covet athletic stardom; the girls are equally anxious about social distinction; personal glorification written in terms of three Greek letters, the badge of the superior. College as many of us have experienced it is a matter of very small

FRANCES GOODHUE,
Nebraska Wesleyan
trifles. The days come and go each one absorbed somehow with the little things we enjoy and give time to; finally the months and years pass. We just skim the outside, have a good time, we "get-by" as easily and as pleasantly as we can. Then at the end of it all we grab the square hat with the tassel, pat ourselves on the back with hearty ejaculation—we have graduated!

Then why go to college at all? Well, we are told that college is the home of opportunity. In America, at least, as many of you can testify, there is no more tiresome topic than that of the opportunities bound up in a college education. Lecturers tell us that there is enough latent power in a group of college students to move the world if it were only harnessed correctly. Religious leaders tell us that if the world is to be Christianized it must be done through education. Social reformers proclaim that the ultimate hope for world peace and brotherhood can be realized only through the cooperation of enlightened youth. Not long ago J. Stitt Wilson epitomized the thinking of this entire group, when he said that the center of gravity of the world's influence had moved to the college campus.

Strong vigorous thinkers admonish us to prepare ourselves for leadership. Older, wiser men, who have made that "light-hearted, heavy-hearted journey into the land of experience," tell us that it is just as truly a part of wisdom to know how to follow as to know how to lead. But they all agree that the world must look to the collegian to solve its problems.

And what is our response to all this? Yours and mine!

First let us look at the scholastic opportunities. What joy do we find in the opportunity for intellectual attainment? In most walks of life people strive to see how much they can get for their money; but in college we pay our tuition, and then strive to see how much we can avoid getting. The Phi Beta Kappa student is a common object for ridicule. How many of you have experienced going to class and finding no professor there? Have you ever taken down the remarks made between the students? Incidentally, these are actual quotations taken from this year's experience! Little things like—"I'd like to see the 'prof' cut once; I never did." "Just two more minutes and the ten minutes will be up." "Aw, come on, he ain't going to come." And often when we do go to class we go because we haven't any more cuts. We pay as little attention as possible, not caring to grasp the significance of the lecture. We only know that this is the class; the hour; he is the instructor, therefore he talks. This is only illustrative of the attitude of indifference prevailing among the college populace. And this trifling with scholastic opportunity is negligence almost unforgivable. So wise an educator as Dr. Meiklejohn believes that this is one of the gravest needs of modern college education.

Nor are opportunities confined within the walls of scholastic attainment. There are social opportunities, opportunities to meet, mingle with, and serve our fellow students. These we ignore because of a fraternity sys-
time to stop and think! We are dragged on at such a pace by the pull and haul of daily trifles. But we should stop, and we should think. We should take the time to decide what we will do with our lives; to evaluate our activities. For opportunity can not be ignored today and accepted tomorrow; responsibility cannot be shunned today and assumed tomorrow. Ours is the glorious opportunity of womanhood. We dare not ignore it. Listen to the echoed tragedy of lost opportunity as it sounds in Herman Hagerdorn’s poem “Doors”. He tells of an eager child who runs to his mother’s door and finds it shut. The poem says:

“With troubled face” he
“Calls, and through sobbing, calls, and o’er and o’er
Calling, storms at the panel—So before a door that Will not open, sick and numb I listen for a word that Will not come, and know, at last I may not enter more

Silence! and through the silence and the dark
By that closed door, the distant sob of tears
- - - and through the sobbing—Hark!
Down the fair-chambered corridor of years
The quiet shutting, one by one, of doors.

Now, we the college women of America, have the chance to prepare ourselves for service that we alone can render. We have the opportunity to take our place beside the young men of the earth who are looking toward an universal peace. We have the opportunity to be worthy sisters to her who gave the world salvation through a
little child. Let us keep the doors of our lives open and say with Drinkwater:

"Grant us the purpose ribbed and edged with steel
To strike the blow.
Knowledge we ask not, knowledge thou hast lent.
But, God, the will—there lies our bitter need.
Give us to build above the deep intent
The deed, the deed."
THE products of our American colleges and universities of today are essentially of two types; the educated man and the informed fool. In just what proportion these types occur it would be very difficult to determine, but it is universally conceded that there are all too many of the latter type and all too few of the former. In order that we may understand perfectly just what is meant by this type classification, I wish to describe first, the educated man and second, the informed fool.

Henry Van Dyke says there are four things a man must learn to do if he is to be genuinely educated:

“To think without confusion clearly,
To love his fellow men sincerely,
To act from honest motives purely,
To trust in God and Heaven securely.”

In order to think clearly, the educated man must have first of all, a passionate desire to know the truth and must be untiring in his search after it, keeping in mind always that clear thinking is not merely the re-arranging of prejudices. Although it is necessary to acquire factual knowledge in order to think and think clearly much of what a man learns in schools and colleges is of comparatively little value. A great deal of the remainder he forgets, but if he has learned right habits of thinking, if he has a passionate desire to know the truth about life and its activities regardless of his personal opinions and preconceived notions of these things; if he is willing to lay aside the convictions of a life-time, the traditions and beliefs of history, the customs of his social class in order to face squarely the presence of a new fact—he may then call himself at least partially educated.

Secondly, the educated man loves his fellow men—he loves them regardless of their race, social position, and economic status. He loves them as Christ loved humanity,—even unto death. If he is able to love his fellow men sincerely his attitude toward the world of knowledge will not be how much poise and power he is going to gain from it, but how much joy and well-being he will be able to give back out of his knowledge to his fellow men.

Thirdly, the educated man is a man of action. He lives in the present and future, not in the dead world of yesterday. When we consider that the ultimate task of Jesus Christ upon this earth was to quicken men to action and then when we look about us to see the self-complacency which manifests itself on every side we wonder and justly so, just whose duty it is to harness the idealism of youth, to awaken the dormant, self-complacent spirit of
modern society and infuse into it the spirit of progress and inquiry.

Lastly, he trusts in God and Heaven securely. Someone has said that “Education is not merely filling the mind with knowledge, but turning the eye of the soul towards the light,” and after all, faith in the ruler of the universe is the pivotal point around which all our knowledge revolves. This alone gives life its meaning and makes it worth while for men and women to make education the chief business of their lives. This alone enables the educated man to feel that life is neither a comedy nor a tragedy, but an opportunity.

The second and other type of person we find in our colleges of today I have chosen to call the informed fool. This type of student enters college with no other desire than that of becoming merely a “college tourist.” A “college tourist” is one who because of wealth, social position and love of amusement has entered college with no earnest purpose and with little power to perceive and enter into the real life of the college, or he is that type of student who out of a craving for mere factual knowledge becomes a mere “knowledge grasper.”

With sincere apologies to Henry Van Dyke the purpose of this type of student may be summarized as follows:

To be a “college tourist” merely,
To love to date and dance quite dearly,
To “get-by” with the profs securely,
To make a “frat” to get in purely.

W. T. Duncan, student philosopher of Drake Uni-

versity, has recently given out his ideas concerning the life of a portion of the students of the Middle West’s larger universities. He criticized their institutions and practices severely directing his criticism mainly against fraternities and athletics. He also censures students whose only aim is social life, and parents who allow their children to go to college with such aims. The fraternity system, he says, has created a form of aristocracy on our American campuses that would shame the court of Louis XIV.

Whether or not there are those on our university campuses that deserve such criticism I will leave you to decide, but certainly there is a group known as “college tourists” which university authorities recognize as dangerous to the institution. They, therefore, endeavor to make the sojourn of these “tourists” as brief as possible if they cannot awaken in them a desire to possess the land, to become truly college citizens.

Secondly, these students place undue emphasis on exciting, expensive, and undesirable amusements, instead of developing their individual resources. A good time to them must necessarily be a gay time.

Thirdly, too many of the students on our university campuses possess much of the “get-by” spirit. They are intellectually, as well as physically lazy. They possess, not the “spirit of the second mile,” but the “give as little and grab as much as you can” spirit. They are also very careless in their attitude toward the conservation of time and money, and the majority of them have not as yet
learned the secret of economy by budgeting of their time and allowance.

Lastly, it is amazing to find how little the great mass of college students know about the things that go on in the world outside: how little they know about the vital, challenging questions of world-wide significance and what percentage of them are uninterested in such matters.

Granting that the criticisms stated thus far are justifiable we ask ourselves—what is the fundamental trouble with our modern college students? Cannot this question be answered in one word, self-complacency? They lack the spirit of inquiry which is so essential in the process of true education; they accept things as they are given without evaluating or doing any real creative thinking. A certain body of traditions and habitual methods of thinking becomes the heritage of every freshman upon entering college. He soon learns that freshman caps, fraternities, class elections, football victories and weekend parties are things to be prized above all others in life. He begins very early to conform to the standards and with several thousand others becomes a mere cog in the machinery of campus activities. Having accepted these standards he becomes impervious to the wholesome influences of new ideas.

The remedy for this situation must be administered not by the educators, not by the government, not by individual saviours or prophets, but by the small groups of students on our college campuses who are independent thinkers, for there is, thank God, on every college campus in addition to the usual run of college satellites a small group of independent thinkers. It must necessarily be an evolutionary process rather than a revolutionary one. Through the dynamic influence and personalities of these thinkers the questioning spirit must be infused into the minds of students everywhere. Was it not our Christ who chose twelve disciples to aid him in the dissemination of the gospel story throughout the earth? As Christianity has spread idealism throughout all lands so must true education be spread to the uttermost parts of the earth.

The discussion group, the outgrowth of the student conferences that are being held all over our land, is a step in the right direction and through this discussion group the work can be started. The work of our group must be somewhat as follows:

We must select definite problems to work with, and then, after taking a careful view of the facts as a whole, we must find from all possible valid sources all the things for and against the issue and place them in definite form side by side. After this is done we must make careful observations and draw up a definite set of conclusions.

Then, the problem remains to prove to the satisfaction of all that these conclusions are correct. All this we must do with careful thought and deliberation. After the solutions have been reached, they must be popularized and proved successful; they must be actually and uncompromisingly applied.

The task is a tremendously difficult one, and at first there are apt to be some disheartening experiences as well as discouraging failures. Humanity has always laughed at its saviours and stoned its prophets. The task demands
intensity, world-wide outreach, cooperation of groups of students, everlasting patience, unconquerable optimism, and a conviction that true education will win in the end.

There is nothing impossible if we combine our forces and that is our task and we must know how to do it. We must follow in every way the principles that Christ left us and we must see that we use the right method. We must not discount wisdom; we must not discount experience, but let us who have this greatest heritage in the world, youth, grasp our opportunity to do this task. We do not expect an easy triumph. In the pursuit of our ideal we may be driven to the wall; we may be compelled to relinquish our most cherished possessions and ambitions, but what more could we expect in the present condition of civilization, for we live in strenuous times.

THE SPIRIT OF "I"
(Third)

HILDRED STRUCK
Colorado Beta, Colorado Teachers College

LOOK where you will, it is the spirit of I, Myself, which is paramount. Life exists for Me; all the dim aeons behind have toiled to produce Me; this brief day is only opportunity for My pleasure and My ease: I care not a jot for the ages ahead and the sons of men who shall inhabit the earth when I am dust beneath their feet. Give Me My Rights. I want and I will have." It is the spirit of I reigning supreme!

Of what nation or people was such an overwhelming condemnation as this made? It was not of the so-called heathen nations, nor of the western world during the dark ages, but of our own western civi-
lization and was uttered about us in the year before the outbreak of the last great war. Yet we cannot reject it as a falsehood and exaggeration. An examination of our system of industry and the basic principle underlying our laws of private property proves that we cannot deny the charge. Our whole system of competitive enterprise is one in which he is the most successful who uses the forces to his own ends with the greatest degree of skill and cunning. Man's whole energy is centered in the struggle to compete! Not only in a natural competition with the forces of nature, but in an artificial competition with his brother men. His thought is always on how to gain advantage! Fairly or unfairly, the fact remains that he must compete. The best man is forced to compete with the most unscrupulous. As long as he remains within the law, or, overstepping it, is clever enough to conceal his guilt, we term him efficient and a successful man of the world. If he is heartless in his dealings, we excuse it under the name of business and with the comment that "business is business and must be practical." And, indeed, this practical element is based only on an efficiency measured by individual profits, rather than on the good of the people as a whole. In the very nature of the scheme, man must be more or less heartless to compete with the world and maintain his rights. The spirit of "I" drives out the passion calling for service, for sacrifice and renunciation, and leaves only the grasping self the master of the man.

Co-operation exists, it is true, but this co-operation is of the corporation type; existing to monopolize, rather than to solve the problems of competition. Such evils have arisen from this form of co-operation that the people have cried out for the control and even for the abolition of the corporation with a greater protection for the individual. But the corporation with all its evils represents one of the chief factors which has made our industrial progress the most rapid the world has ever known. But in its advancing progress, the corporation "I" has tasted its power. As a result, it has enthroned itself in the seat of privilege and defies opposition, and well may it be defiant in the face of present attempts to control it. Men are still trying to regulate the institution which is the natural product of the system to which they so tenaciously hold and fear to attack, a system which is constituted to promote the very organization they wish to control.

Many are caught up in this system quite against their own will. How often have we noted a man who is in his business relationships forced to be another man, using the whip hand to maintain that family at the expense of another. Christianity to such a man becomes almost a farce, for how can he sincerely worship a Christ who taught "love one another" and be forced through the social and industrial order in which he finds himself to maintain his position and that of his family by means which are anything but Christian!

The great waste of social energy and resources which is inevitable as a by-product of our system is appalling. We have flooded the air with natural gas, covered our land with the ashes of burned forests and robbed our virgin acres of so much of their fertility that in many of the regions, farming has become almost obsolete.
A single Sunday edition of the New York Times consumes in wood pulp about fourteen acres of forest land. Seventy-five per cent of this same paper is advertising, which is admittedly non-productive. It is only an example of an unavoidable, necessary part of our scheme of trade which is pure social waste. No man can justify it. Yet neither can it be eliminated under the present system which rests on this egocentric philosophy.

But our waste of natural resources is not the only or the greatest waste of our system. We are wasting our children's very souls in the great effort to compete by using more than a million of them in harmful labor. At the same time, we are wasting our man power in unemployment. It is not an uncommon occurrence to find that the controller of the market has bought up large supplies of fruit, potatoes, or other foods only to allow them to decay in order that a high price may be maintained. Pevation, poverty, sickness, and ignorance are the products of such waste. Class hatred must necessarily follow in their wake. Goldsmith said, "Woe to that nation in which wealth accumulates while men decay." Our resources are greater than those of any other land, it is true, but if they continue to be abused, wealth will continue to accumulate and men will necessarily decay.

Such a condition need not exist in America, a nation unbound by traditional ideas, caste or governmental suppression. The war, though it was in itself the essence of waste, taught us one lesson. With the strongest one-third of our workers in the army or engaged in producing munitions, the remainder produced enough to supply the army, the munition workers, and themselves with the necessities of life and maintained probably the highest standard of well-being ever enjoyed. It was done through the complete utilization of all the resources, both of material and labor. The elimination of waste through channels of luxury and non-essentials was accomplished. Practically every man and woman worked for the good of the people as a people. There were, of course, those few who were even then unscrupulous enough to utilize the chance for big business and took a lion's share of the profits of war. But on the whole, men forgot the spirit of I and threw aside personal gain for the vain-glory of national honor. But our lesson was learned—namely, that given enough incentive, it was perfectly possible for human intelligence to rise to the height of organizing and controlling a vast industrial system to a perfectly tangible end. If war with its killing of millions could be so great an incentive, surely a vastly stronger one is present in the development of a more wholesome and equitable social order.

It is time that we reach the underlying causes of the evils of our industrial and social problems. Our few vain attempts at charity and benevolence are but food thrown to the dogs or a sop thrown to our social conscience unless we follow them up with a constructive policy of reorganization of the system responsible for such poverty and hardship. Every resource and every ounce of strength is needed in productive industry. We have used our powers of mind and of organization in controlling materials and making machinery with which to amass great
fortunes. Is the control of the forces of our social order more difficult or less worth while? We must become conscious of the horrors of the injustice of our system and set our minds to the task of solving the problem with the same energy and devotion which we have shown toward our private enterprises. We must forget the spirit of I long enough to gain a vision, the vision which will make clear the way in which we may secure a profitable life for all. Industry must be reorganized on a basis of service rather than self. Private profit must be justified only when it represents honest and just value delivered with no accompanying suffering to those less fortunate. Unless we, as Christian people are to fail utterly, we must prove to the world that love of others can rule even in our business world.

Maude Royden says, "This is the spiritual debt which you owe to the world, to keep alive here in the United States that spirit of love which is comparatively easy to you. To keep alive here in America not only hope but that on which hope is built—achievement! You dare not rest content with any of your problems unsolved."

The problems inherent to the acquisitive society exist. The challenge is clearly present to every man who dares to exercise his intelligence. May we, in the name of human brotherhood, not be blinded by the spirit of "I", Myself. Rather may we remember our social obligation to those about us and those who follow. May we, in this our society, make the spirit of "love one another," a reality.
MEN'S ORATORICAL CONTEST

Thirty-nine orators, each representing a different college, entered the men's oratorical contest. The orations consisted of original productions of not more than fifteen hundred words without restriction as to subject matter. There were six preliminary and two semi-final contests.

WHEELS WITHOUT SOULS

(Preliminary)

ROGER WALSH
California Alpha, University of Redlands

PROBABLY you have all heard it expressed in one way or another that “the sense of national honor beats high in the American heart, and that its every pulse vibrates at the mere suspicion of a stain upon its character.” And for myself, may I say tonight that I believe there are times when the most cynical of us must recognize the deep honor that manifests itself in our nationalism. Those times perhaps when its true depths are touched by the distress of a people; or when it is awakened from the apathy of indifference by a desperate appeal from humanity, such as the call of 1917.

ROGER WALSH
Redlands
We can all vividly recall tonight, some of us perhaps with a thrill, some of us with a pathos carved upon our very souls,—the splendid response of our nation to the aid of humanity which suddenly found itself in the clutches of a war-maddened monarch.

It can truly be said that then the sense of national honor beats high in the American heart; it is then that we glimpse the deep sympathy that lies hidden in the American soul. We go abroad and fight for humanity with all the courage that moral faith can endow. Yes! but here is the irony of it all, here is where the soul of America sleeps today! We go abroad and fight for humanity—while at home the curtain of our own industrial prosperity hides from us a scene of human suffering; and we are blinded to the tragedy of industrial slavery that stalks within our very gates; and in this blindness we stand complacently by and let the spirit of IRON rule our social life.

The spirit of IRON! Have you seen it? I have, and it's hard—cold—cruel, uncompromising with nature, unheeding of human misery; fiercely it consumes all that is virgin in both man and nature—crushing it into a molten mass of metal and then rolling it out into the wheels of industry; ceaselessly rolling, wheels without souls.

What is this spirit of iron? you ask. Go with me until we can see like gigantic hives twin cities jutting out over the banks of the Ohio; they are cities of peaks, of domes, belching forth fire and smoke like the wrathful monsters that they are. Their huge shadows overcast the yellow river that almost painfully stretches out between them. And over the whole is cast the gloom of thick fog, dispiriting and oppressive. This is Pittsburgh, the heart of American industry, the stronghold of the captains of our industrial life.——The iron city whose spirit moulds the life of our great nation. Cold as steel it stands—hard as iron, its products. True it stands for economic strength and national wealth. All about us are its benefits. But—look again. Look beneath that screen of smoke that hangs low over the city hiding from us its wanton toll of—human life.

At the base of these belching monsters, ceaselessly flow the streams of human ants, meeting and diverging through a thousand winding passages. Every nationality, every type, every age; men, women, children; tired, emaciated, bent with the burdens that they must bear, with no laugh but the painful twist of a child's mouth over a passing dream of trees, grass and sparkling water.

Toiling—toiling for a bare existence to keep body and soul together. Only to end a short life with their hopes shattered—their happiness crushed—their bodies broken—broken upon the wheels of uncompromising industry.

THIS is the spirit of iron, that I mean. THIS is how it rules and ruins. To these peoples America's torch of liberty means only a furnace fire, destroying their happiness—consuming their hopes—a furnace fire in which their very bodies are cast into bessemer steel and rolled out to make America the world's industrial power.

And here is where America's soul lies asleep, here in these pots of industry. Some even doubt if she has a soul;
though she has and we must prove it to them by carrying
democracy into industry. This is our task.

Yes, in time of war we see our duty clearly and our
hearts respond to the challenge of national honor, but in
time of peace we often fail to meet that duty squarely
though it is then that the greatest problem must be faced;
the struggle for industrial democracy. But it is then that
we are apt to become indifferent and turn a deaf ear to
the cry of the masses. In time of peace the soul of Amer-
ica fails to keep pace with our industrial advance.

Is it because in time of war the leadership of our
people is in the hands of the soldier and the statesman;—
while in time of peace we must intrust ourselves to the
captains of industry? Perhaps, but if it were so, it were
a grievous fault and grievously are we paying for it today.
Pittsburgh is not an obscure example, my friends—the
spirit of that iron city characterizes the industrial centers
all over our broad land. And yet, curiously enough, we
rejoice in its greatness, but turn away from its misery.

We, who are quick to resent a foreign thrust at our
national honor, are blind to this livid stain upon our char-
acter as a humanitarian power. That is why I say, in all
earnestness of conviction, that the soul of America in
times of peace, fails to keep pace with the industrial ad-
vance.

But this is not all. Out of these centers of industry
our cynics, anarchists, and criminals are born. We are
only too familiar with depreciation against a society upon
which they place the blame for what they are. We can-
not sanction their acts, but aren't we forced to recognize
that the apathy of society is largely to blame?

One of these men, a slave of the system, a man whose
mind and body have become warped behind the wheels of
a planing mill became my friend. He knew no happiness,
no rest,—only heartache and suffering. He became a
cynical enemy of society, and in his mania committed a
crime against his employer. With short dispatch he was
behind the bars of the state penitentiary, branded forever
as an enemy of society. He feels that he has been a
martyr to the cause of his fellow laborers; he feels that
he is justified in attacking a system that all his life has
exploited him. But how tiresome it all is to us. How
easily it slips from our minds—how soon we forget the
misery that forced him to desperation. While in his con-
finement he broods against us—cursing a society that ig-
nores the needs of his people.

In his despair he asked me: "Oh, where is the soul
of America today—Doesn't she see that this industrial
tragedy is the greatest of all stains upon her national
honor—How long will she as a people ignore her indus-
trial slaves, and exalt her industrial monarchs?"

Was I right when I answered "The same heart that
beat high with national honor in 1917 is today warmed
with generous impulses and noble emotions if we could
only moderate its lust for power, only appeal to it in
the name of the highest aspirations that animate the hu-
man heart. If our people are once awakened to the true
realization of this internal condition, they would respond
as before, and a sympathetic society would replace in-
dustrial slavery and misery, with industrial democracy."

My friends, today we are 120 millions of peoples en-
dowed with the wealth of the earth, with a tradition of national honor the envy of the nations of Europe. We are a country marked by the finger of God for a people of giants—and we must be such or nothing.

And yet today throughout our broad land, blinded into indifference by our prosperity, we are developing a race of pigmies; men deprived of the higher opportunities of life, and just because—a few rule our land with the spirit of iron, and the rest of society looks on indifferent to their plight. Our task is before us! Let us answer the challenge of industry. And may we not rest while there is yet danger of us becoming a race of pigmies, a nation of wheels without souls!

Some have caught a vision of a day when the old spirit of iron shall give way to a new spirit tempered with human sympathy—a spirit born out of the hearts of men. But even though a few employers remedy conditions in their own factories; and even though a few social leaders are working in their own communities; even though these things help; the larger problem will never be solved; industry will never see the light of democracy until the American people as a WHOLE are awakened from the apathy of their indifference—until the spark of sympathy and understanding in the American heart is fanned into action. And it is to this heart of America that I appeal tonight—the heart that answered the challenge of 1917—the heart that once roused will not rest until Democracy is carried into industry, and the whole system is animated with a human soul. Then, perhaps, may we fulfill our destiny and become A PEOPLE OF GIANTS.
being crammed with a lot of facts that they may spring at random on some individual who has not had the chance that they have had. However, there are a few students for whom education has a much larger meaning than any of these. To them, education means the creation in the student of an understanding and appreciation of those principles upon which must be founded that society and that civilization for which the clear in mind and the pure in heart are continually striving. They further realize that all that a school can or need do to accomplish this, as far as the minds of the students are concerned, is to develop their capacity to think. The fact that there are people with such ideas in our colleges and universities shows that the spirit of learning is not yet dead. However, to the great mass of students, the term 'creative thinking' (for it is this type of thought that I would have you consider with me) has little or no meaning. The existence of such a condition does not bode well for the success of our educational system.

Just what do we mean by creative thinking? Professor Dewey, in his book entitled, "Education and Democracy," defines creative thinking as the accurate instituting of connections between what is done and its consequences. This is the logical connections between cause and result, which very few students of today are capable of making.

There are several reasons for this state of mental lethargy to which most of our students have succumbed; the first of which I shall call the commercialization of education. In most colleges we seem to have the idea that we can buy knowledge, much as we buy hardware. We lay down so much money on the counter, and during one semester, or term, so much knowledge is delivered to us for our consumption. This goes on semester after semester, term after term, until at the end of four years we are presented with a diploma to certify that the college or university has delivered the goods, and that the same have been duly received and paid for by us. The contract has been fulfilled. The deal has been put through.

Now what is the effect of this attitude on creative thinking? The student is treated as a customer, and not as a seeker after knowledge. As long as a certain amount of instruction is given it seems to make little or no difference to most colleges whether the student makes any use of the knowledge he has gained in a creative way. If he can pass the examination at the end of the term, the duty of the college has been fulfilled, regardless of whether his brain is an encyclopedia or a creative faculty. In this way the student becomes mentally lazy. He gathers together a heterogeneous mass of facts and details, but neglects to organize them so that he may use them in a constructive way.

The second reason for the lack of creative thinking is closely allied to the first, but is found only in our larger universities. Let us call it mass production. Every year our universities take in thousands of Freshmen. This year the enrollment at the University of Illinois of first year students alone exceeds 4,500; and Illinois is by no means our largest university. Every year at the end of the first term, hundreds of these students are expelled because of failure to keep up in their studies. The rest
go on through their undergraduate course like so many pieces of wood thrust into a machine which at the end of four years turns them out finished products. With attention thus given to quantity production, is it any wonder that the quality of the article is neglected?

This system cannot but have a decided effect upon the individual student. He finds himself one of a mass. He receives little if any encouragement from his instructors, whom he hardly knows. To them he is only one of thousands of students whom they meet every week. This tends to make the student one of a type instead of developing his personality. It reduces him to a mere member of a class and robs him of his individuality to a dangerous extent. With such a system prevailing, is it any wonder that creative thinking is stifled?

Undoubtedly one of the greatest obstacles to the development of creative thinking in American colleges and universities is our universal condemnation of the thinker. This attitude is peculiarly characteristic of Americans. We pride ourselves on our individuality. We say that the United States is the one country in the world where a man can say what he thinks without fear of repression. Yet it seems to be our ultimate aim to make all Americans in the same mold. There is no better illustration of this than the existence of an organization in this country which aims to convert all of its inhabitants into 100% Americans. The fact that the Ku Klux Klan has gathered such a large following shows us our tendency to standardize religion, education and morals. The very term '100% American' infers a standardization of indi-

viduality which is bound to kill initiative. We make it a point to attend colleges, join clubs, associate with churches that come the nearest to conforming with our prejudices.

But the crowning crime of all is that our colleges and universities, the very places where freedom of thought should in no way be interfered with, are falling into the same rut. Think of your own campus! Do you not find it full of small cliques all aiming at the same type of smug conservatism and all ostracizing the man who is truly different? We have forgotten that the friends who are always the most stimulating to us are those who most completely disagree with us. Many of you have heard J. Stitt Wilson, one of the greatest thinkers in America, and are acquainted with his famous remark that "The college student who is not a radical must be an abomination unto God." The term "radical" as he uses it, however, does not mean a Bolshevist. It means one who thinks through to the root of a problem, and using the word in this sense he has retained its original meaning.

The existence of such radicals is a sure sign of creative thinking. It shows that there are people in the world who see the ignorance, injustice, greed, hatred, hypocrisy, and vice of mankind. It shows that there are a few idealists left, and ideals can only come through a process of creative thinking.

Dr. Glen Frank, of the University of Wisconsin, brings a serious accusation against our educational system when he says that "American colleges and universi-
ties have become charnel houses in which creative thinking lies buried.” Yet we go on commercializing education, aiming for mass production, and squelching the thinker. We are thus neglecting the crying need of the country for men and women who will not follow, but who will lead. A leader must be a thinker; a thinker who sees far into the future and builds up a more perfect civilization on the ruins of our failures.

“Ah, God, for a man with heart, head, hand,
Like some of the simple great ones gone
For ever and ever by
One still strong man, in a blatant land,
Whatever they call him—what care I?—
Aristocrat, democrat, autocrat—one
Who can rule, and dares not lie.”

Thus did Tennyson some eighty years ago express the need of the world for creative thinkers. The colleges must fulfill this need and a large part of the responsibility for this falls upon us as students. We have a sacred obligation by reason of the very fact that we are here in college to create the ideals which will become the dynamic forces of our individual, social, and national life. We must break open the tomb of conservatism and prejudice in order that creative thinkers may come forth, without which, intellectual and spiritual progress is impossible. We as students should each hold up as our ideal those lines by the great English poet which are the prayer of the true thinker.

“And, ah, for a man to arise in me,
That the man I am may cease to be.”
and three men stepped out. One snatched a bag containing $16,000 from the bank-bound duo and jumped into the car; the other two shot down in cold blood the police escort and the paymaster, then jumped into the machine as it roared off on its dash for safety.

Only three weeks have passed since a gentleman in a western city settled down to spend a quiet evening at home. About eight o'clock he went to the door to answer the bell. The muzzles of two revolvers and a command to put up his hands greeted him. When he attempted to resist the attack, the two bandits emptied the contents of their weapons into his body. The sound of fleeing footsteps was lost amid the dying moans of the murdered victim.

These tragic scenes are not selected from sensational story magazines; they are not chosen from melodramas of the stage; nor are they parts of fantastic motion pictures. They are scenes that have been enacted on life's real stage. They are facts from crime records of the last few weeks in the United States. These tragedies took place in St. Paul, in Baltimore, and in Kansas City. In every instance human life was crushed out intentionally and without regret.

Such atrocities are both typical and frequent. Every city, every countryside, is face to face with its problem of violence and crime. The headlines of every newspaper herald the warning of the growing crime wave which sweeps the land. The annual losses due to larceny in our country amount to three billion dollars—practically equivalent to all the expenditures of the American Government.

In the last ten years we have suffered in the United States over 85,000 criminal homicides. Think of it! More than the great World War killed for us in our ranks overseas. Thousands of times in one short year has violence manifested itself—has human blood been poured upon the ground. Robbery, vice, daytime holdups, theft, rioting, murder. These have become our daily companions. And day by day the situation becomes worse. Violations of law, instead of decreasing, become increasingly frequent.

Just at this time I want to make frank recognition that this problem of enforcing the criminal law is as old as the law itself. But, inasmuch as our generation is witnessing a climax of crime and disrespect for law, I believe it is high time that we revive our interest in law enforcement.

Our present day condition is intolerable. Flagrant disregard of law must be stopped. But how may this be accomplished? What must be done?

Before we can successfully answer this question, we must note the history of the typical criminal case of today. In two of the three events which have been portrayed, the criminals were never brought into court; indeed they were never even apprehended. In the other, the only sentence placed upon the killer was five years in the penitentiary. Three hideous crimes in three widely separated sections of the country, and for these crimes not a single sentence befitting a murderer.

This does not happen to be the history of these cases alone. It is the usual outcome. In one year in the city of New York there were 679 homicides. The District
Attorney investigated and found that of this total, just one was convicted of murder in the first degree. It is a well known fact that a murderer within our boundaries has a three to one chance of escaping arrest, a twelve to one chance of escaping conviction and a hundred to one chance of escaping the death penalty. Let us turn our attention for a moment, for the purpose of contrast, to Great Britain.

In 1923 there were two hundred criminal homicides in Great Britain. During the same year there were ten thousand criminal homicides in the United States. Fifty times as many crimes in a country with twice the population. Let us see how Britain deals with crime by a typical homicide case. On May first, one of the attendants in the left luggage office of Waterloo Station, London, noticed blood on a handbag. Had he been an American he would probably have notified the newspapers; being a Britisher, he notified Scotland Yard. Detectives watched the office. The following day a man claimed the bag. He was arrested. The bag was searched and found to contain torn bits of a woman’s clothing. The detectives retraced the steps of the suspected man and found that he had come to London from a bungalow near Eastbourne. In this bungalow they found the hacked and mutilated body of a woman. Her clothing matched the torn bits found in the prisoner’s bag. The criminal was promptly brought before the magistrates of that locality and committed to trial. Soon after, before the Sussex Assizes, he was tried for his life. On September third, only four months after his arrest, the bungalow murderer,

Mahon, was hanged. England’s procedure is rapid and effective.

In the facetious language of the English jurist, “English judges in ermine and barristers in gowns give men and women to understand that murder is something they cannot get away with.” England is determined that wilful homicide shall be no joke.

But what of America’s attitude? A certain Kansas City business man, for three years was under indictment for murder. All the evidence showed, and the man admitted that he killed his father. By manipulating every imaginable technicality of the law, his attorneys have repeatedly delayed court action. Except for an occasional feeble protest, Kansas City and the United States seem willing to let the matter drop. Meanwhile the self-confessed killer may be found at his office every day, conducting his business as before. Need we search further to find the reason why, during the year 1923, the United States had ten thousand criminal homicides while England had only two hundred? America, as a result of her leniency and sluggish court procedure, is becoming the rendezvous of the world’s underworld. Criminals roam at large, free and unpunished; they laugh at the courts and sneer at justice. They are mingling in our very midst.

What is the inevitable consequence of this failure of our government to punish those who break its laws? Disrespect, disregard of law, indifference to every principle of right and justice. No man can be expected to possess a wholesome respect for law when that law fails to pun-
ish those who violate it. Destroy respect and you invite disobedience. Of the failure of our courts to punish, and of lax enforcement, is born the monster, Crime, which threatens to overwhelm us. "Our criminal laws—the statutes themselves—are about as good as corresponding foreign statutes." Our trouble lies not in inefficient or insufficient laws, but in inefficient administration of the laws we now have.

And now the answer to the question, "How may the crime wave be checked," is plain. America must demand a wholehearted respect for law. In order to accomplish this, we must have officers who will enforce the laws and promptly bring offenders before the courts; we must have juries which will invariably bring in a verdict against a guilty person; we must have judges who will administer punishment proportionate to the crime. We must teach men to respect authority; to appreciate our determination to stamp out crime.

Let me make it perfectly clear that I fully recognize and appreciate the splendid work done by trained penologists and psychologists. But, if the evil doer be certified insane, let him be sequestrated in an institution. We, with England, recognize insanity as a valid defense when the insanity is genuine, but not when it is assumed as a pretext to be pleaded for the rich on terms which are beyond the reach of the poor. That is unfair to society. I am thoroughly convinced, however, that it is even more detrimental to society to release a criminal simply because he is pronounced insane; release him to repeat his crime or to commit others his abnormal mind may conceive.

We must have strict and rigid enforcement; we must have speedy arrest, public trial, rapid procedure, and above all, certain punishment. Let the law-breaker realize that every crime means punishment, swift, sure, and severe. With the criminal conscious of impending punishment for every infraction, he will be unwilling to bring this punishment upon himself, and crime will rapidly decrease. The criminal, through fear of an outraged public, will be more willing to obey the law, and the abnormal crime wave which menaces us today will become a thing of the past.

Of course we shall not have reached the millenium. But through rigid enforcement of the law, we can relieve America from this crime-hysteria. We can erase the lurid headlines of crime from the newspapers. We can nurture American youth in an atmosphere pure and wholesome; an atmosphere that teaches obedience in the home, respect for the law, and loyalty to the nation.
EXTemporaneous
SPEAKING - WOMEN
WOMEN'S EXTEMPORANEOUS SPEAKING CONTEST

Fifteen contestants entered the women's extemporaneous speaking contest. One hour before the contest each speaker drew a topic dealing with some phase of a general topic which had been selected some months before. She spoke for eight minutes in developing her topic. There were three preliminary contests.

"Marriage and Divorce" was the general topic for discussion in the women's contest.
INFLUENCE OF THE MOVIES ON MARRIAGE AND DIVORCE

NO DOUBT already this evening you have heard of the many factors that have influenced the marriage and divorce problem. My topic is the influence of the movies on Marriage and Divorce. I think we shall all be particularly interested in this topic because we have all been to the movies—at least once—within the past year. Movies are the greatest molder of public opinion today—and why? Because we all go. Everyone goes to the movies. The farmer, after his work is done, drives to town and goes in the evening. In the large cities we have made special provision for every class of people. The laborers who work all day can go at night—and those who work all night can go in the morning, even before breakfast if necessary. In the average American home today everyone goes, from Grandpa and Sister
down to Baby Jane. We are almost brot up on the movies. Surely, then, the movies must have a tremendous influence upon the problem of marriage and divorce.

Let us consider for a moment the average type of movie which we see. Such pictures as Elinor Glyn’s “Six Days,” “Three Weeks,” “His Hour,” and other movies such as “Flaming Youth” are examples of what we see at our theatres today. As a rule when we go to the movies we do not know what we are going to see. We go merely to enjoy ourselves. No doubt this type of movie doesn’t hurt us particularly, but nevertheless there is a large group of young people who are getting the wrong interpretation of married life from the movies. The movies portray the instability of married life. We usually sit thru reel after reel watching breathlessly to see if the villain will be able to entice the wife from her happy home, to flee with him; or we watch with interest to see when the husband will run away with the flippant flapper.

Our actions are influenced by the pictures we see. Young John for example goes to the movies and watches Rudolph Valentino make love. The next night when he takes out his Eliza he tries the same method with the result that he wins his lady love. When she doesn’t quite come up to his expectations, and he finds that his dream girl has some imperfections, he goes to the movies again to see what Rudy would do under the circumstances; and learns that if the first one doesn’t prove satisfactory, try again. The movies give us the wrong conception of our standard of living. Most of us have found that we don’t get very far in this world without hard work, but the

movies would have us believe that it is only a question of time when some strange young millionaire will appear and whirl us off to palaces beyond description where we will be provided with limousines, servants, clothes, and everything that is most desirable to a woman; or, perhaps, to a place like Estes Park, with its beautiful mountains, ski tournaments, and magnificent hotels, where we would be able to enjoy ourselves leisurely the rest of our lives. It is not surprising, then, that working girls are often misled by promises of strange men, and believe that this is their opportunity to enjoy some of the pleasures illustrated in the movies. It is a great disappointment when they find none of the expected joys. Then, not only the pictures, but the actors themselves influence people. You all know that in high school and sometimes even in college girls and boys have pictures of their favorite actors pinned up on the walls, with the words, “Lovingly, Doug,” or “Forever Yours, Norma,” written across them in a flourishing hand. It makes no difference to them whether or not they have been married or divorced five or six times—they are their heroes, and to a certain extent influence their ideals of marriage.

If the movies are such a powerful influence, have we not the right to expect that they may be the channel thru which we may get the solution for the problem of marriage and divorce? Just what can the movies do today? Educational movies are a good example of what we may expect. Now, in our schools, we not only hear, but see what people are doing in other countries. The same could be true in the marriage and divorce situation. Will
Hays, director of the movies, says that the movie men are willing to give the people any kind of picture they want. Not until there is a demand for the proper kind of movies can we expect the theatres to produce them. And after all the great majority of the American people today realize that the home is the fundamental unit of our civilization and will before long demand that our pictures portray the desired type of married life. The movies could do much to impress on all people the fundamental principles of a happy home; the joys to be had in married life thru self-sacrifice and service for the loved ones; and to show that the greatest happiness in the world comes to those who have a home with fine children to love. Pictures of such homes would stir every heart and kindle the idealism in everyone. In the future, then, we have much to expect from the movies in bringing about the proper attitude of the American people toward marriage and divorce.

FEDERAL VS. STATE CONTROL OF MARRIAGE AND DIVORCE
(Second)

VIRGINIA V. SHAW
California Epsilon, University of California, Southern Branch

WHEN we look over the records of time, we discover that marriage and divorce has always engaged the attention of men. Back in the third century Justinian and Theodosius, great Roman law givers, attempted to regulate this problem. During the middle ages, kings and parliaments sought to bring marriage nearer the law of Christ. Thus we emerged into the modern era with its solution still unaccomplished. But modern generations have not dealt wisely with the problem. Divorce has steadily increased. This condition of affairs was first brought to the attention of the States in 1899. The census of that year showed that divorce had increased fifty per cent during the previous ten years.

As a result of this fact, a national congress on uniform
marriage and divorce laws was convened at the request of the Governor of Pennsylvania. But this conference bore no fruits, for the states were unable to agree upon any cooperative means of dealing with the problem.

Therefore, in 1911, California, finally convinced of the inadequacy of state regulation, adopted a joint resolution advocating an amendment to the National Constitution which would give Congress the power to control marriage and divorce.

Then in 1912, the states, realizing the necessity of uniformity in marriage and divorce laws made a desperate attempt to bring about cooperative action. There was convoked in Washington, D. C., a National Conference of State Commissioners. This conference succeeded in drafting an act for uniform legislation in all the States. But up until the present time, New Jersey, Delaware, and Wisconsin are the only states which have taken any action on the recommendation of their commissioners.

Let us now review state regulation and attempt to determine what it has accomplished. For thirty-three years the states have had exclusive jurisdiction over the problem of marriage and divorce. And what have they done? Very little indeed! There is absolutely no uniformity in state regulations. In one state you can marry without the parents’ consent at fourteen years of age, in another at sixteen, in another at eighteen, and in still another at twenty-one. The same chaos exists as regards divorce. In California one may be divorced upon the grounds of desertion and the court will not inquire as to whether there has been collusion or not. In New York, a divorce can only be secured upon the grounds of infidelity, and South Carolina does not recognize divorces granted in other states. This is what the states have done in the way of regulating marriage and divorce. They have failed to deal adequately with the problem either through legislative action or otherwise. But one thing has been demonstrated, namely, that the solution of this problem lies not in the direction of separate state action. There is but one alternative, federal regulation.

The proposed federal amendment, giving Congress power to control marriage and divorce was introduced into the national legislature in 1923 by Senator Capper of Kansas and Representative Fairchild of Indiana and is now under consideration by the Judiciary Committee of the House of Representatives.

There are three things which a federal law can accomplish. First, it can provide for more strict rules for marriageable age, notice of intention, license, publicity and the like. Second, it can provide a uniform code both for marriage and divorce which will tend to do away with frivolous and hasty marriages and the subsequent quick divorces. Third, it can abolish divorce mills, such as exist in Nevada and Washington, by defining the specific causes for which an absolute divorce may be granted.

Our next consideration is: How will the Federal government enforce such a law? Through concurrent federal and state administration of the law as has been the plan pursued regarding prohibition, the interstate commerce commission and other cases of a like nature.

I believe that I have pointed out to you that federal
regulation is our only means of successfully coping with existing conditions. The states have been given ample time to bring about a satisfactory solution. After thirty-three years of state control, divorce is on the increase. That the present state of affairs cannot continue is quite obvious. Marriage is the cornerstone upon which we have built a civilization. If we allow its sacredness to be desecrated, we will in time destroy also the sanctity of the home, the perpetuation of the race, and finally bring about the downfall of our civilization.

OUGHT DIVORCES EVER BE GRANTED? (Third)

L. DOROTHY GREEN
Iowa Kappa, Buena Vista College

WHAT a ghastly prison is marriage! It is a thing as hostile to the free human spirit as an iron ball and chain.” May I repeat it? “What a ghastly prison is marriage! It is a thing as hostile to the free human spirit as an iron ball and chain.”

This statement was made by an American after observing American families in American homes. What a deplorable situation is this. This will answer in part the question which we should consider, ought divorces ever be granted? There probably was a time in Rome, Greece, Athens, and in our own American colonies when we should have more seriously considered whether or not divorces should be granted, because we didn’t have all the difficulties arising that we have today. But let us hurry on to some of the causes of today for the necessity of looking upon marriage as a prison house. These are mainly economic, social and religious differences that arise between husband and wife. We all know in this day of independent woman that it is easy for her to get to a place where luxuries become a necessity, and when she takes her place with the man of her choice and she can’t have the things she wants, then the husband says, “My wife doesn’t appreciate what I do,” and there is discontent there. There may be religious differences. It may be Catholic and Protestant. It may be that the husband is not the clean man that she thought him to be. And then the greatest cause is the misguided, or youth not guided at all, who hears the call of youth and answers, knowing
nothing whatever of what marriage means, but who care-
lessly and thoughtlessly marries.

Now we are told sex instruction should be given to
young people to stir emotions and stiffen the will. What
instruction has been given our youth has been intellectual,
but it has failed to stir emotion and stiffen the will. He
listens to it as a biology lesson and takes it in the wrong
way, because it is given to him in the wrong light, and he
is ignorant of what is expected of him, and so we find the
boy and girl a disillusioned pair of children realizing that
they have taken a fatal step. Because of these differences
that come, what are we going to do? Are we going to
force those children to live on together? Anyway, why
deal with the result, why not deal with the cause of the
thing, and that is what we must consider tonight. For
our next generation, we can correct the marriage laws,
but the things we have to deal with today are the mis-
takes that have been made and whether the man and
woman should pay the price of their hastiness.

In considering whether or not there should be di-
vorces granted, let us think of the purpose. When we
think of our own lives, happiness is always the thing
which we are seeking, and after all it is the thing that
guides our law makers. So I would consider, first the
man and wife, whether or not they are living happily,
but more especially the home. Statistics show that 80%
of the children that come before juvenile courts come
from families where the parents are divorced. That
proves there has been disharmony in the home and that
bad children have been a result. Can a home where
there has been disunion breed into the hearts of chil-
dren love and respect for the home? We are trying to
solve a problem of the age, but it is well for us to con-
sider the fact that we cannot solve this individually. It
may be all right to say to the educated people, "If you
are not happy, and if you have just cause, govern yourself
accordingly," but we cannot turn that doctrine over to
the masses because they are guided by outside move-
ments and not by their own thoughts.

We have to discuss the general causes and specific
causes on which divorce may be given. First, social dis-
ases. Should divorce be granted because of social dis-
ease on the part of husband or wife? I believe most of
you will say yes. Would you have a man and woman
living together rearing a family where there is such a
chance for the child to be anything but properly born and
cared for? Can you look into the sightless eyes of a lit-
tle child and say—we can't have divorce?

Then again, infidelity. If the husband or wife is
not faithful, don't you think something should be granted
to save the home? We might better save that and have
the children live with the one who is not the guilty party,
rather than have them go on together.

Last, is adultery. All agree on that, because even
the Bible teaches us that divorce should be granted for
that.

If we are going to grant divorces, and I believe we
think there are just grounds, we will take care of the
present situation, but in the future I believe that we will
see there will be a reorganization of these forces and that
in the place of a harnessing spirit we will find it a glorification of the love that God has put within us; a love for the mate and a love for the child that God will surely give to those who dream of those things.

EXTEMPORANEOUS

SPEAKING — MEN
MEN'S EXTTEMPORANEOUS SPEAKING CONTEST

Thirty-one speakers, representing as many different institutions, were entered in the extemporaneous speaking contest. Two months before the contest a general subject had been selected. An hour before the contest, each speaker drew a topic dealing with some aspect of this general topic. He was allowed eight minutes to present this subject. There were four preliminary and two semi-final contests.

"The Present Crime Situation" was the general subject for discussion in the men's contest.

THE AMERICAN HIGH STANDARD OF LIVING AS A CAUSE FOR CRIME
(First)
R. E. Hedberg,
Kansas Gamma, Kansas State Agricultural College

I EXPECT that you people who have listened to these talks for the last three days have made up your minds that the Crime Wave has reached its crest in Fort Collins and Estes Park. The fact that the transportation company has failed to deliver the baggage that we checked in Fort Collins this morning has more than once today, caused some of us to have criminal meditations.

We are all ready to admit that there is no one underlying cause for crime. Many factors combine to create the present violation of and disrespect for law. We might discuss any one of these factors for hours, but tonight I wish to concern myself with the...
American high standard of living and its relation to the crime wave.

Three characteristics are noticeable in our social and economic order. The first, is the economic fact that prices and wages have not remained proportional. During the war period the price of foodstuffs increased 200%, the price of clothing 150% and luxuries 175%; making an average increase in the price of luxuries and necessities of 175%. But the price of wages did not increase with the cost of living. While prices were rising 175%, wages increased but 80%. In the last six years the cost of living has been lowered, but only to 80% above the pre-war level. Wages on the other hand have decreased until they are only 32% above the level of 1914. Obviously the cost of living is out of proportion to the scale of wages.

The second characteristic that we may notice is the tendency towards luxury and extravagance. Two generations ago our grandparents lived on twelve dollars a month. Today people in the same circumstances require from two hundred to four hundred dollars a month. Fifty years ago young people had a very enjoyable evening at a church social for thirty-five cents apiece—tonight in the New York supper clubs one hundred dollars will pay for only an ordinary evening's entertainment for two. Luxury and extravagance are noticeable in every city and town. We must have better clothes, fine cars and expensive entertainment.

Now when we think of this tendency towards luxury in connection with the overbalanced price and wage standards, it is only a step to our third characteristic of the present day; that a great many people are living outside their incomes. Young men and women clerks must wear expensive clothes and enjoy the best theaters that the city affords regardless of the fact that they receive but eighteen dollars a week. Men with regular incomes feel that they must give their families the best of homes and the finest of cars. When their salaries are insufficient, debt is inevitable. The average college student is spending far more than he can actually afford to spend.

I have no doubt but that few of you are living within your income. Very few people are living within their actual income.

It logically follows, then, that since prices and wages are out of proportion, causing people to spend more than they earn, that the American high standard of living may be considered as a probable cause for crime.

In the first place, a great many people engage in crime for self betterment. In the last five years more than five thousand young girls have been found guilty every year of petty thievery in stores. In 1925, there were 5,720 clerks apprehended taking money from cash registers because they wanted finer clothes and more spending money. There are a great many clerks in moderate circumstances engaged in petty thievery which eventually leads to crime.

There is also a great class of people, usually of low intellectual type, who believe they are entitled to a portion of the wealth of the fabulously rich. Last year in New York City there were 720 burglaries committed by people who were trying to obtain the portion of wealth they believed was theirs. One writer says that a definite organized
underworld movement has been started in Chicago against the moneyed class. Thousands of people are engaging in crime with the deluded idea that by theft and burglary they can readjust the social order.

Lastly, men in responsible positions misuse the funds entrusted to them. In the last two years in Wisconsin, ninety banks failed because presidents, cashiers and officials misappropriated funds. During the last three years in Oklahoma one hundred and twenty banks have failed for similar reasons. Last week in Denver, Frank and Will Bishop were sent to prison after being convicted on eight different counts of an indictment charging misappropriation of funds in the Globe National Bank. It was after a long and sensational trial, in the quiet of a prison cell, that Frank, the father, said to his son Will, "Son, I have made a miserable mess of your life—but I wanted to give you the best."

It is useless to ask for a social and economic readjustment. It is a waste of energy to appeal for better law enforcement. We had better strive for simple right-minded living, for a return of plain ideals and right thinking. When we have so readjusted ourselves, we will be in a better situation to cope with this great cause of crime—the American high standard of living.

OUR COMPLICATED LEGAL SYSTEM AND ITS RELATION TO CRIME
(Second)

HAROLD ROBERTS,
Missouri Delta—William Jewell College

The chairman has announced the subject which engages our present attention. We have in the United States certain people who believe that every social evil, no matter how deep-rooted, may be remedied by the passing of a law. These altruistic folks, well meaning as they are, having the thought that the mere passage of a law will remedy the situation. That their efforts have borne fruit is attested by innumerable laws upon our statute books and by our complicated legal system in the maze of which Justice walks bewildered.

There is another group interested in putting certain laws upon our statute books. It is made up of certain criminal lawyers who have found that to complicate further our legal system has meant to secure additional loopholes through which they may promote their nefarious schemes, and through which Justice herself may be thwarted.

According to Professor Sutherland of the Department of Sociology in the University of Illinois, in his book on criminology, there are fifteen ways by which a criminal may escape the law, varying from want of prosecution to pardon. What is to be done? We have loopholes in our laws and endless technicalities. Criminals have criminal lawyers and professional bondsmen to protect them, and when released on bail, they continue to exploit society. Our complicated legal system has tended
to prevent our taking care of the crime situation because we have so many legal technicalities that obscure justice.

I have been interested in this field of study and think I might cite certain cases. The first case is that of “Loophole Eddy” of Chicago. Eddy was a notorious thief. Time and again he committed thievery only to escape the law through the ability of criminal lawyers who made black look white. The particular case I mention was robbery of a store to which Eddy confessed. With a known and admitted guilt upon him yet Eddy was released by the Supreme Court because there was no mention in the jury’s verdict of the amount of goods he had stolen.

The famous “the” case in my home state aptly illustrates my claim of justice thwarted through legal technicalities. A man was found guilty of a charge. The case was appealed to the Supreme Court. The Court decided that, though in all likelihood the man was guilty, he must be released because in the last line of the indictment there was an omission of the simple word “the.”

In Pennsylvania an Italian laborer with a name difficult to pronounce had been given the name Wilson by his fellow laborers. He was murdered. His murderer was convicted. The murderer’s lawyer appealed the case on the ground that the slain man’s right name had not been given. A re-trial was ordered. You and I know how time cools the ardor of an aroused justice. The re-trial found a drowsy interest and scattered witnesses. As a result the murderer escaped because sufficient evidence was lacking to convict.

Another case involved a man in Illinois who was arraigned before the court and found guilty. His lawyers maintained that he could be released on bail in spite of the Court’s decision. The judge was amazed at such a claim and said he had never heard of such. But upon examination of the statute of Illinois he discovered that a man found guilty could be released on bail because at the last meeting of the state legislature skilled criminal lawyers had exercised their influence and had caused this law to be placed on the statute books of the commonwealth of Illinois.

Endless technicalities have tended to prevent our treating adequately the crime situation, and we have today appeals and appeals and delays and delays until it is almost impossible to deal with this situation. What are we going to do about it? Far be it from me to presume to solve so great a problem. I can but give you what our leading thinkers are contending.

“There should be a simplification of our legal system”—an elimination of deadening and extraneous technicalities. New York took a commendable step when it declared that the court was to give substantial rights precedence over technicalities.

“There should be emancipation of our judges from iron-clad technicalities.” We might well look toward England in this regard. The English judge is permitted to advise the jury—is permitted to check hasty conclusions arrived at by a jury swayed by a passionate appeal of a skilled criminal lawyer with his power to make black seem white. Why not free our judges from present re-
strictions and remedy, to a degree at least, an obvious and costly defect in our jury system.

"There should be a new and fresh code of ethics among our lawyers." We commend the American Bar Association for its stand in going on record in favor of better ethics among its members. The legal profession is a great profession, and much can be done toward the solution of the problem of which I have been speaking if within that profession there is a demand for honest, clean endeavor. I should like to see enough lawyers frown upon the unethical practices of their colleagues to sound the death-knell to shady practices.

"There should be assurance of speedy and sure punishment of offenders." I do not say that punishment should be based on barbarous vengeance expressed in the demand of an eye for an eye and a tooth for a tooth. Perhaps the indeterminate sentence will be used. The real need, however, is assurance of a speedy and sure punishment of offenders. Let us establish this assurance in the mind of honest people and we shall find them willing to cooperate heartily with our agencies of justice. Let us make this fact outstanding in the minds of our criminals and crime will be lessened.

Ladies and gentlemen, this is a problem hard of solution, but certainly worth it. The best minds are at work upon its solution. The mere fact that we are discussing it in our convention is proof that an American public is taking it seriously. I do feel, then, that we need not be pessimistic about its ultimate solution.

THE ATTITUDE OF THE AMERICAN PEOPLE

RICHARD HOILAND

Minnesota Alpha—Macalester College

BY THIS time, I feel sure that the crime situation in America has become a very important thing to all of us. Regardless of how this comes out tonight, I feel sure crime will have left its indelible mark upon my life.

In the last two days we have described practically every phase of the crime situation in America, not even leaving out the flapper and her influence. We haven't discovered the real cause for crime, we haven't been unanimous as to how to solve the crime situation, but we are agreed that America today is the most lawless nation in the world. We stand in a class by ourselves. We break every law without blinking an eye, and today we lead all countries in the world in the matter of crime.

RICHARD HOILAND

Macalester
What is the relation between this condition and the attitude of American people toward law? I am sure we all agree that no law can have any hope for enforcement unless public opinion is behind it. Nothing in American life today can succeed unless the great body of men and women are willing to back it up and push it to a success. We all realize public opinion has something to do with the fact that we are the most lawless nation today. Statistics prove this—there is no need to repeat them here, but the fact is we are getting the law enforcement we want and the crime rate we deserve. What is the reason for this attitude of the American public toward crime today? There are several, but we will discuss only two or three reasons why the American public today has this strange attitude toward law enforcement.

First, what is our attitude toward that body of men and those institutions existing in order to make laws and to see that they are enforced? Take the legislature. Think of our attitude toward our congressmen who have the responsibility for making laws for us today. Most of them are considered with contempt, suspicion, and disgust. We don’t have the respect for these men that we had for our previous great statesmen in America. This lack of respect arises in part at least because some of our legislators have been willing to sell even their birth-right for a little money. Selfish interests have frequently triumphed and now we find that every novel written about the law-making bodies in America is telling us of their inefficiency. We find cartoons in American papers describing them as crooks. What is our attitude toward our policeman? The policeman of our mental picture has one hand out seeking to get graft money. We have no respect for our policemen, those men who are entrusted with carrying out law enforcement today. Instead of confidence and trust, our attitude is one of cynicism and suspicion. Take our courts and the men who see that our laws are properly enforced. In many cases our attitude toward them is a little better than our attitude toward the policemen. We believe in our hearts that all of these men, who at one time were respected by the American people, are willing to sell out for their own selfish interests.

The general attitude of the American public today is, “We should obey what laws we like and disobey what we don’t like; go as far as we can without being caught.” What is our attitude toward traffic laws? Most of us have no dread of breaking traffic laws. The family goes out for a joy ride,—the mother and father in the front and the little kids in the back keeping an eye open for the traffic cop.

Take the law regarding the carrying of concealed weapons. We have a law today prohibiting this, but we find that every crook and criminal can secure these weapons for one dollar and eighteen cents by filling out a mail order blank. In American homes alongside the toothbrush rack we have a gun rack and baby, who has his own little pearl handled 22, is warned that he must never bump anybody off with papa’s 45, or mamma will spank.

Briefly, we are creating public opinion in the novels we are reading today; and creating public opinion in the movies. Think of what is happening. While we are seeking to curb the crime wave of the ‘20’s, material for the crime wave of the ‘30’s is being provided to carry it
on. We keep on selling and doing things which are making men criminals for future times.

And how are we trying to reduce this? Our present method is like putting away all the victrolas and keeping on selling the records. This is exactly what we are doing today; shoving the criminals behind bars and selling the records, magazines, and papers exploiting criminals as heroes of the Jesse James type. We need public opinion back of our laws, but the public seems to be dead. It is interested in too many little reforms. America, we are asleep to the fact that we are the greatest lawless nation in the world.

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