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## THE SO-CALLED "CHILD LABOR AMENDMENT"

**R**EPORTS have just appeared in the public press to the effect that a renewed effort will be made to secure early in 1937 the ratification of the "Twenty-second Amendment" to the Constitution of the United States, which was submitted to the states by Congress in 1924. That amendment has often been called the "Child Labor Amendment," and its advocacy has sometimes been carried on under the guise of humanitarianism, as though the amendment were just intended to prevent sweat-shop conditions or the like. As a matter of fact, it is just about as heartless a measure as anything that could possibly be conceived.

### AN ATTACK UPON THE FAMILY

It provides that "the Congress shall have power to limit, regulate and prohibit the labor of persons under 18 years of age." Some people have a sort of notion that the amendment merely refers to gainful employment, but that is not at all the case. The word "labor" was expressly insisted on in the wording of the amendment as over against the word "employment." A large number of other changes intended to reduce the powers given to Congress to some sort of rational limits were also voted down according to the wishes of the radical elements that determined the wording. The amendment gives to any officials whom Congress may choose to appoint power to enter into the homes of the people and to regulate or prevent altogether those home activities of children and youth without which there can be no normal development of family life.

The amendment does not merely give to Congress powers now possessed by state legislatures.

If, indeed, it did merely do that, it would certainly be bad enough. It would even then be the most extreme instance yet observed of that centralization of power which is such a menace to the life of our country.

But as a matter of fact it does far more than that. No state legislature, it is safe to say, now possesses, under the constitution of the state (to say nothing of the Fourteenth Amendment to the Constitution of the United States), power to prohibit altogether the labor of persons under eighteen years of age. Yet that is exactly the power that this amendment gives to Congress. We must remember that the amendment is to be written, not into some subordinate instrument, but into the Constitution of the United States, which is the safeguard of our liberties. It may well be held to have the effect of repealing any guarantees of liberty, now in the Constitution, which will conflict with it. That being so, this movement will practically wipe out the rights of the 45,000,000 persons under eighteen years of age in this country, and the rights of their parents so far as those persons are concerned. It will place those 45,000,000 persons under the despotic control of government officials.

### CAN CONGRESS BE TRUSTED?

Some people say that Congress can be trusted not to make unwise use of those powers. But we are really amazed when people advance any such argument as that.

In the first place, the reposing of such implicit trust in the legislative branch of our government is contrary to the heart and core of our Constitution. Our Constitution seeks to safeguard liberty by a system of careful checks and balances between the legislative, execu-

tive and judicial branches. That balance is completely destroyed by this amendment.

In the second place, Congress plainly can *not* be trusted not to make unwise use of powers like those which are given to it by this amendment. The events of recent years have shown that only too clearly. Just let a time of depression come, and just let casual majorities in Congress be unchecked by Constitutional inhibitions, and just let the enemies of our free institutions fish in troubled waters as they have done with such success during the present depression—and we shall see very soon how much Congress can be trusted! Looking the thing squarely in the face, we may say without fear of successful contradiction that this so-called “Child Labor Amendment” is not really a mere amendment to our Constitution at all; it means practically the destruction of our Constitution. If it is ratified, all guarantees of liberty will practically have been wiped out in this country so far as the more important—because formative—part of human life is concerned. The attack upon the decency and privacy of family life will have celebrated its most decisive triumph.

As for the bearing of all this upon Christian education, in the home as well as in the school, surely not many words are needed to point that out. Anything that attacks the family, as this amendment does, attacks the Christian religion. Small likelihood will there be, if this amendment is ratified, that the advocates of Christian education in this country will very long remain unmolested. The step is not a very long one from the ratification of this amendment to the compulsory youth movement of Hitler or the comprehensive slavery of the Soviet system.

#### THE IMMINENCE OF THE DANGER

Certainly the danger is now very acute. Only thirty-six states are required to ratify the amendment if it is to become part of the Constitution. Twenty-four states have already ratified it. Only twelve more, therefore, are required.

Nineteen of the twenty-four states which have not ratified are to have regular sessions beginning next month. These are Connecticut, Delaware, Florida, Georgia, Kansas, Maryland, Massachusetts, Missouri, Nebraska, Nevada, New Mexico, New York, North Carolina, Rhode Island, South Carolina, South Dakota, Tennessee, Texas, Vermont. Five other states which have not ratified may have special sessions. These are Alabama, Kentucky, Louisiana, Mississippi, Virginia. Organized labor leaders, supported by Administration influences, are making a very determined effort to push the measure through immediately.

The history of this amendment is interesting. It was

originally approved by Congress and sent to the states in 1924. The communists and their friends became extremely active to bring about ratification. But friends of American institutions secured a referendum vote on the question in the state of Massachusetts. The real issue was presented, the radical nature of the measure being brought out. The amendment was overwhelmingly rejected in that state. Up to 1927 only four states had ratified it, and up to 1931 only six in all. Moreover, up to that time the amendment had been rejected by the legislatures of no less than thirty-eight of the forty-eight states—in twenty-six of those states by the action of both houses of the legislature, and in twelve states by the action of one house. Then came the depression and the consequent hysteria. It was a time of widespread distress, and to the enemies of liberty it seemed to be an admirable time to use the generous compassion of well-meaning but ignorant people in order to foist upon the country a measure which would change the whole nature of our American life. The so-called “Child Labor Amendment” was revived.

Up to January, 1934, it was ratified by fourteen more states, making twenty in all.

But again the forces against this radical measure became aroused, and since January, 1934, in thirty-eight legislative sessions in twenty-eight states that had not ratified the movement, only four ratifications were recorded. There have also been eighteen rejections in eighteen states since January 1, 1935 (several of them being rejections for the fifth time!), and in two other states a motion to ratify died in committee.

The question may well be asked whether an amendment that was sent down to the states thirteen years ago and has been definitely rejected by far more than a majority of the states is not already dead. Unfortunately, however, the Constitution of the United States makes no definite provision as to the time limit within which an amendment shall be ratified; and while the Supreme Court has held that the ratification must be within a reasonable time, yet the notion of what a reasonable time is may well be regarded as decidedly flexible. As for the question whether an amendment is not dead when more than twelve states have definitely recorded rejections of it, that consideration also, while it may have merit, should certainly not be relied upon. Safety lies only in the rejection of this amendment by the states before which it is now to be brought. It is certainly a time for earnest prayer and earnest effort on the part of all Christian people, that this attack upon civil and religious liberty, and upon the integrity of family life, may be defeated when these state legislatures hold their momentous sessions beginning in January, 1937.