



RESEARCH ARTICLE

The Prohibition of Child Labour in Factories Revisited: Towards a Social History of Decommodification in the Early Nineteenth Century*

Matthias Ruoss 

Department of Contemporary History, University of Fribourg, Switzerland

E-mail: matthias.ruoss@unifr.ch

Abstract

This article examines the removal of children from factories and their integration into the school system in the early nineteenth century, using decommodification as a conceptual framework. The Swiss canton of Aargau serves as a case study – a region where the textile industry flourished and a liberal government came to power after the July Revolution, subsequently enforcing compulsory education. Through a nuanced exploration of diverse sources, the article argues that decommodification was a deeply contentious process marked by conflicts between working-class families, factory owners, the state, and the church. Simultaneously, these conflicts unleashed dynamic forces that coded working-class childhood in terms of age and gender. It is this transformational power that underscores the interpretative potential of decommodification as a constructive process of *Vergesellschaftung* (sociation). Beyond simply freeing children from labour obligations, the prohibition of factory work reintegrated them intricately into the social fabric of the economy.

The reports on industrial child labour in the Swiss canton of Aargau were hard to beat for drama. In numerous complaints, parish priests, school authorities, and poor law officers pointed to the poisonous fumes, dust, and dampness in the factory halls, as well as to the work on Sundays and far into the night or even all night long. They also highlighted the physical, mental, and moral neglect of the children and their lack of schooling. One priest noted that these boys and girls, “at the age of 16 to 17, are barely the size of children of 9 to 10 years”.¹ The result, he warned, was “a dwarf race, crippled in body and mind, that emerged from the spinning caves”.

*I would like to thank the two anonymous reviewers for their helpful comments. Many thanks also go to the Editorial Committee of the journal and its Executive Editor Aad Blok for their very nuanced feedback.

¹Staatsarchiv Aargau (StAAG), DE01/0355, Report by Johann Rohr, 1 October 1824, pp. 1, 4.

© The Author(s), 2024. Published by Cambridge University Press on behalf of Internationaal Instituut voor Sociale Geschiedenis. This is an Open Access article, distributed under the terms of the Creative Commons Attribution-NonCommercial-NoDerivatives licence (<https://creativecommons.org/licenses/by-nc-nd/4.0/>), which permits non-commercial re-use, distribution, and reproduction in any medium, provided the original work is unaltered and is properly cited. The written permission of Cambridge University Press must be obtained for commercial re-use or in order to create a derivative work.

In line with other Western countries, such scandalous reports were part of “the languages of factory reform”, signifying the inception of a protracted history of efforts to legally ban factory work for children.² Historical research has analysed this multifarious process from various perspectives. Social welfare history points to the political reform impulses behind the protective measures and emphasizes the authoritarian role of the state as legislator and control authority.³ The history of schooling demonstrates that the introduction of compulsory education was an important lever in regulating factory labour relations.⁴ Other research strands highlight the military origins of child labour protections and their importance to citizenship and nation-building.⁵ This empirical research is complemented by studies that take a *longue durée* perspective. On the one hand, economic historians emphasize technological development and rising real wages that made child labour expendable for both industrialists and families.⁶ On the other hand, cultural historians draw attention to changing concepts of childhood, which found expression in the age of consent under labour law and in a gradual division of schools according to age and gender.⁷

While our understanding of the driving socioeconomic forces, legal instruments, and cultural attitudes behind the prohibition of child labour in factories is extensive, scant attention has been given to exploring the immediate aftermath and effects of this intervention. How did working-class parents respond when political-administrative authorities displaced their children from the labour market and integrated them into the school system? What roles did industrialists and state representatives, such as teachers, inspectors, and officers, assume in this transformative process? Lastly, what impact did the ban on child labour have on the social order?

This article set out to answer these questions, using decommodification as a conceptual framework. According to sociologist Claus Offe, who introduced and likely coined the term, decommodification means “dropping out of the commodity form”.⁸ The concept has been debated primarily in welfare state research. As per

²Robert Gray, “The Languages of Factory Reform in Britain, c. 1830–1860”, in Patrick Joyce (ed.), *The Historical Meanings of Work* (Cambridge, 1987), pp. 143–179.

³Lee Shai Weissbach, *Child Labor Reform in Nineteenth-Century France: Assuring the Future Harvest* (Baton Rouge, 1989); Elisabeth Anderson, *Agents of Reform: Child Labor and the Origins of the Welfare State* (Princeton, NJ, 2021).

⁴Myron Weiner, *The Child and the State in India: Child Labor and Education Policy in Comparative Perspective* (Princeton, 1991); Johannes Westberg, Lukas Boser, and Ingrid Brühwiler (eds), *School Acts and the Rise of Mass Schooling: Education Policy in the Long Nineteenth Century* (Basingstoke, 2019).

⁵Herbert Obinger, “Conscription, the Military, and the Welfare State Development”, *Historical Social Research*, 45:2 (2020), pp. 7–26; Nikolas Dörr, Lukas Grawe, and Herbert Obinger, “The Military Origins of Labor Protection Legislation in Imperial Germany”, *Historical Social Research*, 45:2 (2020), pp. 27–67.

⁶Karl-Heinz Ludwig, “Die Fabrikarbeit von Kindern im 19. Jahrhundert: Ein Problem der Technikgeschichte”, *Vierteljahrschrift für Sozial- und Wirtschaftsgeschichte*, 52:1 (1965), pp. 63–85; Clark Nardinelli, *Child Labor and the Industrial Revolution* (Bloomington, IN, 1990).

⁷Viviana A. Zelizer, *Pricing the Priceless Child: The Changing Social Value of Children* (Princeton, NJ, 1994); Anne-Françoise Praz, *De l'enfant utile à l'enfant précieux. Filles et garçons dans les cantons de Vaud et Fribourg* (Lausanne, 2005); Miranda Sachs, *An Age to Work: Working-Class Childhood in Third Republic Paris* (Oxford, 2023).

⁸Claus Offe, *Contradictions of the Welfare State* (London, 1984), p. 124. On commodification, see Jeffrey Sklansky, “The Elusive Sovereign. New Intellectual and Social Histories of Capitalism”, *Modern Intellectual History*, 9:1 (2012), pp. 233–248.

Gøsta Esping-Andersen it is meant to capture the degree to which welfare states weaken the cash nexus.⁹ Decommodification is a pivotal factor in modelling and comparing the “worlds of welfare capitalism”.¹⁰ In this research context, the terms social inclusion and social embedding of markets are used interchangeably with decommodification, often in a normative sense, and frequently in reference to Karl Polanyi.¹¹ Using the concept of decommodification in this manner, social scientists offer distinctive insights into the workings of welfare capitalism. However, anthropologists critique their analytic understanding of decommodification as schematic and irreversible. Anna Tsing contends that “all capitalist commodities wander in and out of capitalist commodity status”, a perspective shared by Arjun Appadurai, who acknowledges that “things can move in and out of the commodity state”.¹² Appadurai further notes that such movements can exhibit variations in speed, reversibility, normativity, and may range from being terminal to deviant. Igor Kopytoff concurs and advocates for a departure from an “all-or-none-view” that categorizes people – in his case, slaves – strictly as either commodified or not.¹³ Instead, he argues for a “processual perspective” emphasizing the often ambiguous nature of decommodification within the complex dynamics of capitalism.

In what follows, I will take up this suggestion and anchor the concept in social history. To this end, I argue that decommodification is a highly contested process that mobilizes various social forces, encompassing not only resistance, opposition, and subversion but also alliances and cooperation. Interpreted as such, decommodification is a constructive process of *Vergesellschaftung*, or “socialization”; that is, the formation of configurations and constellations through human interaction.¹⁴ In other words, decommodification actively shapes, organizes, and perpetuates the fabric of capitalist society, leading earlier research to characterize this process as a “social construct”.¹⁵

The suggested historiographical interpretation of decommodification as a contested process of *Vergesellschaftung* resonates with gender history, particularly regarding special protections for women workers.¹⁶ The implementation of protective labour

⁹Gøsta Esping-Andersen and Jon Eivind Kolberg, “Decommodification and Work Absence in the Welfare State”, *International Journal of Sociology*, 21:3 (1991), pp. 77–111, 78.

¹⁰Gøsta Esping-Andersen, *The Three Worlds of Welfare Capitalism* (Cambridge, 1990). For a feminist critique, see Ann Orloff, “Gender in the Welfare State”, *Annual Review of Sociology*, 22 (1996), pp. 51–78; Jane Lewis, “Gender and Welfare in Modern Europe”, *Past & Present*, 1 (2006), pp. 39–54.

¹¹Karl Polanyi, *The Great Transformation: The Political and Economic Origins of Our Time*, 2nd edn (Boston, MA, 2001 [1944]), ch. 6.

¹²Anna Tsing, “Sorting out Commodities: How Capitalist Value is Made Through Gifts”, *Journal of Ethnographic Theory*, 3:1 (2013), pp. 21–43, 37; Arjun Appadurai, “Introduction: Commodities and the Politics of Value”, in Arjun Appadurai (ed.), *The Social Life of Things: Commodities in Cultural Perspective* (Cambridge, 1986), pp. 3–63, 13.

¹³Igor Kopytoff, “The Cultural Biography of Things: Commoditization as Process”, in Appadurai, *The Social Life of Things*, pp. 64–94, 65.

¹⁴Georg Simmel, *Soziologie. Untersuchungen über die Formen der Vergesellschaftung* (Berlin, 1908).

¹⁵Per Bolin-Hort, *Work, Family and the State: Child Labour and the Organization of Production in the British Cotton Industry, 1780–1920* (Lund, 1989), p. 17.

¹⁶Ulla Wikander, Alice Kessler-Harris, and Jane Lewis (eds), *Protecting Women: Labor Legislation in Europe, the United States, and Australia, 1880–1920* (Champaign, IL, 1995); Sabine Schmitt, *Der Arbeiterinnenschutz im deutschen Kaiserreich. Zur Konstruktion der schutzbedürftigen Arbeiterin*

legislation for women, beginning in the 1870s, was marked by conflict, notably within the women's movement. These measures gave rise to a form of social organization that either confined women to vertically segregated labour markets or directed them towards the private sphere, engaging in unpaid domestic work. The imperative to safeguard the rights and well-being of women holds equally true in the case of protecting children. In both instances, it is evident that the decommodification initiated by state authorities and legitimized with multifaceted reform language was a controversial process of *Vergesellschaftung*.

The case study that I will use as the basis for developing my argument is the canton of Aargau. At the beginning of the nineteenth century, this region was among Europe's early industrialized areas. Around 1830, Aargau housed notable cotton spinning mills, boasting 60,000 spindles and employing thousands. Within a mere decade, the spindle count surged to 160,000.¹⁷ The power generated by the merging Aare, Limmat, and Reuss rivers made the region between Basel and Zurich a decentralized hotspot for mechanical spinning. At the same time, a liberal government came to power here following the July Revolution in France, which early on claimed a state monopoly on education, and profoundly reorganized the school system. Hence, in Aargau, the "schooling of society", this European-North American programme of the early nineteenth century, collided head-on with a flourishing cotton industry.¹⁸ This is why the conflictual nature of decommodification, along with its influential role in shaping society, can be thoroughly examined in this context. In the following two sections, I will delve into these two aspects, drawing insights from petitions, inspection reports, surveys, and official documents.

To Whom does the Child Belong? Decommodification as a Site of Conflict

The young federal canton of Aargau has a long tradition in the textile industry.¹⁹ Especially in the western part of the territory defined in 1803, the hand weaving and hand spinning organized within the putting-out system were firmly established proto-industrial economies. However, the introduction of mechanical spinning mills facilitated by the Continental Blockade brought about a shift in the locations of production. This was because the traditional areas lacked the water power needed for factory spinning. Entrepreneurs and industrialists were forced to canalize and harness larger rivers in the eastern part of the canton. As in other areas of Switzerland, industrialization in nineteenth-century Aargau also took place outside

(Stuttgart, 1995); Regina Wecker, Brigitte Studer, and Gaby Sutter, *Die "schutzbedürftige Frau". Zur Konstruktion von Geschlecht durch Mutterschaftsversicherung, Nachtarbeitsverbot und Sonderschutzgesetzgebung* (Zurich, 2001); Nancy Woloch, *A Class by Herself: Protective Laws for Women Workers, 1890s–1990s* (Princeton, NJ, 2015).

¹⁷Christoph Bernoulli, *Rationelle oder theoretisch-praktische Darstellung der gesammten mechanischen Baumwollspinnerei für Fabrikanten, Technologen, Mechaniker und alle Freunde der Industrie entworfen* (Basel, 1829), p. 31; Franz Xaver Bronner, *Historisch-geographisch-statistisches Gemälde der Schweiz. Vol. 16, part 1: Der Kanton Aargau* (St. Gallen and Bern, 1844), p. 498.

¹⁸Jürgen Osterhammel, *The Transformation of the World: A Global History of the Nineteenth Century* (Princeton, NJ, 2014), p. 797.

¹⁹Walter Bodmer, *Die Entwicklung der schweizerischen Textilwirtschaft im Rahmen der übrigen Industrien und Wirtschaftszweige* (Zurich, 1960), pp. 275–303.

of the urban centres. One consequence was the decentralized settlement of factories in villages, another was the decentralized foundation of villages around factories. Both typical phenomena of industrial society can be observed in the area at the confluence of the Aare, Limmat, and Reuss rivers, the heart of the Aargau cotton industry (Figure 1). In 1829, the Zurich factory owner Heinrich Kunz, nicknamed the “Spinner King”, established a spinning mill in the small village of Windisch (Figure 2). The mill drew its energy from the Reuss River, which was directed into a specially constructed factory canal by means of a side weir.²⁰ One year before, the three Bebié brothers (Caspar, Heinrich, and Rudolf), also from Zurich, built a six-storey spinning mill in the almost uninhabited area along the Limmat river bend near Turgi, which was also canalized by a weir.²¹ Both establishments were part of cotton industrial empires that were among the largest in Europe.

Mechanized spinning mills required many new workers to thread, tie up broken threads, wind, beat, and sweep. Due to costs and the fact that the various steps required little skill or physical strength, cotton industrialists primarily recruited unskilled women and children. One newspaper advertisement from 1827 reads: “If poor, honest households wish to find employment for several, or at least four or five children in a spinning mill, they can apply to the Bebié brothers”.²² The cotton industry functioned like a huge magnet. Some workers walked each day from the surrounding villages, where agriculture was the only source of income. But the majority migrated from the former homeworker areas and southern Germany to Turgi, where the Bebié brothers built a boarding house with sleeping accommodation. Some communities from neighbouring rural regions with many impoverished inhabitants even concluded contracts with the factory owners.²³ Accordingly, the communities provided poor people as workers, whose wages were then paid directly to the community so that it could support the workers’ families.

The expansion of the mechanized cotton industry relied as much on capital and new technology as on the recruitment of workers. In this regard, Sven Beckert speaks of an “inner colonialization”.²⁴ This refers to the exploitation of a previously unused natural area and the subjugation of a population living on or attracted to it. Both the land reclamation and the organization of human labour in return for wages were revolutionary – and a source of conflict. Luddism and other collectively organized forms of resistance were as much a part of these fundamental upheavals as the disputes over compulsory education.²⁵ State power, or what Patrick Joyce calls “the work of the state”, helped eliminate resistance to industrial capitalism with legal

²⁰Sarah Brian Scherer, “Heinrich Kunz”, in *Historisches Lexikon der Schweiz (HLS)*. Available at: <https://hls-dhs-dss.ch/de/articles/029621/2007-11-02/>; last accessed 14 March 2023.

²¹Dominik Sauerländer and Andreas Steigmeier, “Wohlhabenheit wird nur Wenigen zu Theil”. *Aus der Geschichte der Gemeinde Gebenstorf* (Gebenstorf, 1997), pp. 53–68.

²²*Der aufrichtige und wohlverfahrene Schweizer-Bote*, no. 43, 23 October 1827, p. 343.

²³Adolf and Jürg Haller, *Chronik von Turgi* (Baden, 1984), p. 53f.

²⁴Sven Beckert, *Empire of Cotton: A Global History* (New York, 2015), p. 195.

²⁵For the most famous *Maschinensturm* in Switzerland, the Usterbrand 1832, see Markus Bürgi and Bruno Schmid, “Usterbrand”, in *Historisches Lexikon der Schweiz (HLS)*. Available at: <https://hls-dhs-dss.ch/de/articles/016530/2013-02-19/>; last accessed 8 March 2023.

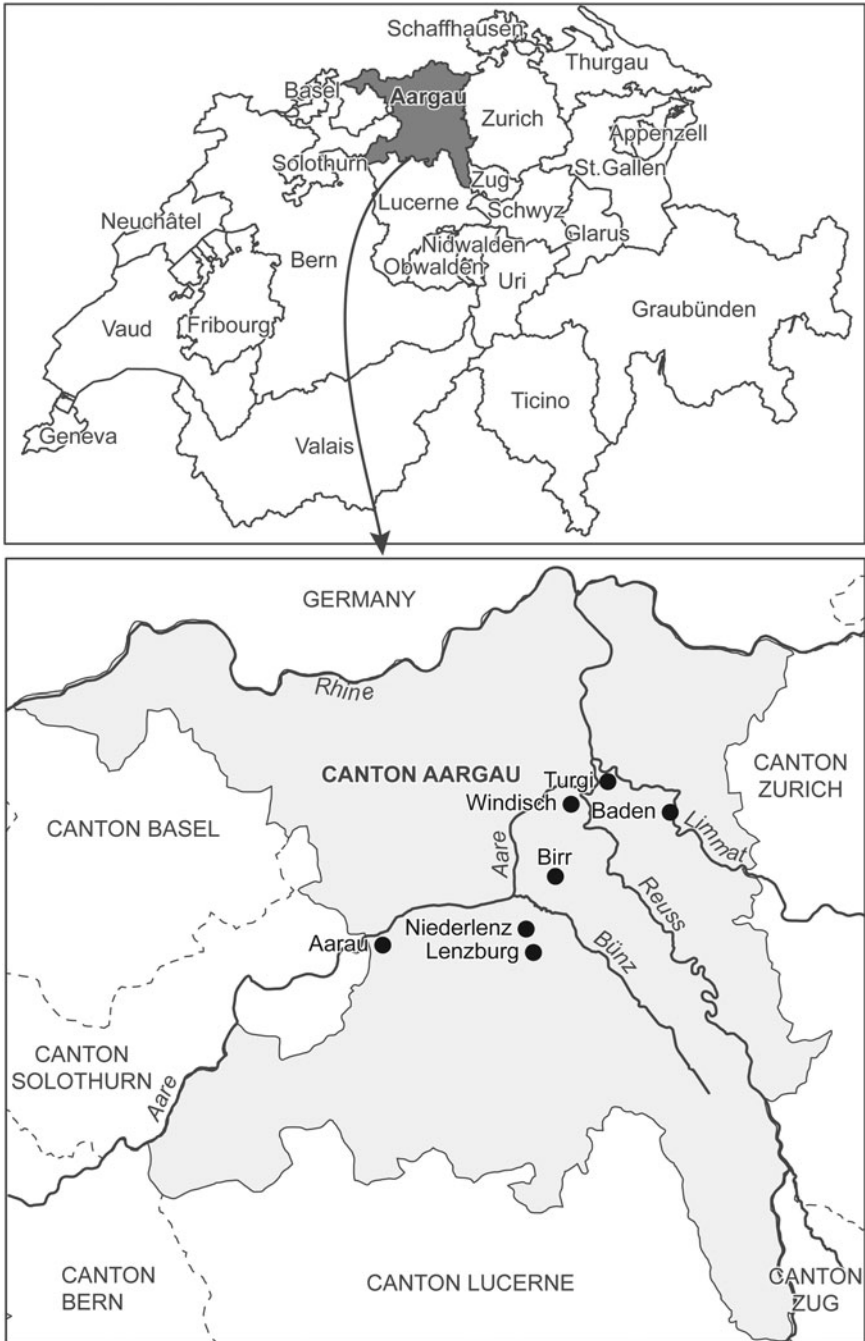


Figure 1 Switzerland and Aargau around 1830.



Figure 2 The spinning mill of Heinrich Kunz in Windisch (between 1918–1937).

Source: ETH-Bibliothek Zürich, Bildarchiv/Stiftung Luftbild Schweiz, Fotograf: Mittelholzer, Walter, LBS_MH03-1786.

protections of property and prohibitions on assembly.²⁶ But it also built new boundaries. Above all, school attendance and the elementary school system provided the occasion for state intervention in the working and living conditions of industrial societies.

When the large Zurich cotton industrialists expanded into the canton of Aargau, compulsory education was already in place there. Starting in 1822, children aged seven and up were obliged to fulfil the minimum number of hours of instruction set by law (three hours a day), either at a public elementary school, a state-recognized private school, or via homeschooling.²⁷ However, since the municipalities were relatively free to organize their school affairs, the coordination of school and vacation times was slow, as was the determination of curricula and conditions for school leaving, and the training of teachers. Further complicating matters was the fact that the enforcement of the 1822 school law was delegated to both political and newly created professional supervisory authorities: communal councillors and parish priests took over local school administrations, regional district school councils acted as supervisory bodies, and a cantonal school council constituted the highest decision-making authority in matters of school policy.²⁸

²⁶Patrick Joyce, *The State of Freedom: A Social History of the British State since 1800* (Cambridge, 2013), ch. 5. See also Lutz Raphael, *Recht und Ordnung. Herrschaft durch Verwaltung im 19. Jahrhundert* (Frankfurt am Main, 2000).

²⁷“Gesetz vom 21. Brachmonat 1822. Primarschulen, §16”, in *Sammlung der Gesetze und Verordnungen des Kantons Aargau*, vol. 3, 1826, pp. 343–350.

²⁸“Gesetz vom 21. Brachmonat 1822. Primarschulen, §28”, in *Sammlung der Gesetze und Verordnungen des Kantons Aargau*, vol. 3, 1826, pp. 343–350.

Although the institutional conditions for implementing a state school policy were only just beginning to be established, the school law stood in the way of the free recruitment of factory children. Here, a field of tension opened up between factories and schools, one that posed challenges to the state's penetration into society.²⁹ Thus, the supervisory authorities were quick to note that the factory owners would “show little respect for the school laws”.³⁰ The same was true for parents. The Baden District School Board reported that “poor parents often send their children to the factory to help earn a few coins”.³¹ In the 1820s, the authorities were faced with the problem of factory children being absent from school. As an administrative means to monitor the factory owners, the authorities requested information from them regarding the employment of school-age children. Surprisingly, they often cooperated willingly by compiling lists of children's names and sending these to the authorities. However, their willingness to provide information had little to do with their recognition of political authorities. Rather, they were sure of the legality of their actions. The 1822 school law did not prohibit children from working in factories. Rather, it made employment contingent on school-leaving certificates. Hence, the legislature did not set a specific year for graduation. Instead, it made graduation conditional on the ability to read, write, calculate, and sing, all of which were tested in a final examination. When asked, the Bebié brothers told the authorities that they relied on the school-leaving certificates issued by the local school boards.³² But school boards, consisting of priests and communal councillors, often represented interests different from those of the teachers and the cantonal education experts.

School-leaving was one of the most controversial issues in the elementary school system. Underlying the disputes were profound conflicts between the Catholic Church and the state that dominated the early nineteenth century. The school, along with the respective systems for burials and civil status oversight, was one of the central arenas of contention. In the canton of Aargau in particular, where a bitter *Kulturkampf* raged, clergymen and pastors fought so fiercely with liberals for influence that civil-war-like conditions prevailed in the 1830s. The dispute was fought not only in public – it also took place in the communities. Parish priests were opposed by teachers, a new professional group that since 1822 had been trained at the teachers' seminary in Aarau, and was organized in teachers' associations that passionately advocated the Enlightenment ideals of education and the goals of liberalism. They considered the education of young people to be the “greatest and most important capital” in the formation of citizens.³³ An

²⁹For the so-called *Durchstaatlichung*, see Jörg Ganzenmüller and Tatjana Tönsmeier (eds), *Vom Vorrücken des Staates in die Fläche. Ein europäisches Phänomen des langen 19. Jahrhunderts* (Cologne [etc.], 2016).

³⁰StAAG, AG 20.1, District school board Baden, proceedings from 1828 to 1837, 13 December 1832, p. 86.

³¹*Ibid.*, 11 October 1832, p. 81.

³²StAAG, AG 20.1, Brother Bebiés to cantonal school board, letter from 19 September 1829.

³³*Verhandlungen des Grossen Rathes vom Kanton Aargau*, 18 February 1835, no. 8, 1835, p. 66. See also Daniel Tröhler, Thomas S. Popkewitz, and David F. Labaree (eds), *Schooling and the Making of Citizens in the Long Nineteenth Century: Comparative Visions* (New York, 2011).

omnipresent reference was the pedagogue Johann Heinrich Pestalozzi, who found his first and last place of work in Aargau: the Neuhof, a poorhouse in Birr.³⁴

While teachers had to swear an oath to uphold school law and pledge themselves to the liberal interests of the state, parish priests pursued a different agenda.³⁵ Time and again, the government complained about the “general passivity of parish clergy toward the school system”.³⁶ On the one hand, this was due to the fact that their interest was focused on attendance at Sunday services and religious education classes. In the above-mentioned letter, the Bebié brothers also noted that the parish offices had asked them to make it possible for the children to attend church regularly and thus ensure the “morality of the factory children”.³⁷ On the other hand, priests interpreted the poverty of many factory workers’ families differently than their liberal opponents. A legal ban on child labour, they argued, would in no way help alleviate the need. Only the independent availability of children as workers can guarantee a secure family existence. Such a perspective had strong moral connotations. As one priest testified, he provided children with certificates of release because he “believed that the children would be taken away from the street begging that was so disadvantageous, to which they had already become completely accustomed, so that they would then become accustomed to working again”.³⁸ Work was regarded as a “socializer” that “kept children busy and out of mischief”.³⁹ In this regard, he joined a contemporary chorus of complaints that closely corresponded to fundamental socioeconomic transformations. The separation of home and workplace further dislodged work from a family unit centred around the household. Whereas child labour (and women’s labour) in agriculture, cottage industry, and domestic services was embedded in family contexts, the factory constituted a new, separate, and collective sphere of labour. Accordingly, child labour became more visible, and subsequently a public and political issue, one that generated new knowledge about children and their way of life.⁴⁰ In this respect, the oft-cited *Gassenbettel* (street begging) was not only a proletarian strategy of survival that was vehemently fought over by the church and the state, but it also transformed a public entitlement to children by the church, the school, and the factories into discourse.

The local councillors, who, together with the parish priests, were responsible for the statutory supervision of schools, also joined in the complaints about the neglect of children. From 1816 to 1817, after the fall of Napoleon and the lifting of the Continental Blockade, cheap British cotton flooded the continent, triggering

³⁴Ruedi Graf, “Johann Heinrich Pestalozzi”, in *Historisches Lexikon der Schweiz (HLS)*. Available at: <https://hls-dhs-dss.ch/de/articles/009054/2022-02-15/>; last accessed 8 March 2023.

³⁵See also Rudolf Braun, *Sozialer und kultureller Wandel in einem ländlichen Industriegebiet im 19. und 20. Jahrhundert* (Erlenbach-Zürich and Stuttgart, 1965), p. 119f.

³⁶*Rechenschafts-Bericht des Kleinen Rathes pro 1837* (Aargau, 1838), p. 67.

³⁷StAAG, AG 20.1, Bebié brothers to cantonal school board, letter from 19 September 1829.

³⁸StAAG, DE01/0184, Parish of Sulz to Laufenburg district school board, letter from 30 March 1833.

³⁹Zelizer, *Priceless Child*, p. 68.

⁴⁰See, for example, “Bericht an die allgemeine Schweizerisch gemeinnützige Gesellschaft, über die Bildung der in den Fabriken arbeitenden Kinder”, in *Neue Verhandlungen der Schweizerischen Gemeinnützigen Gesellschaft über Erziehungswesen, Gewerbeleiß und Armenpflege*, vol. 4 (Zürich, 1828), pp. 35–76.

unemployment and severe famine in proto-industrial areas, which had already been affected by crop failures. As the mechanization of cotton spinning progressed, the plight of hand spinners and hand weavers worsened.⁴¹ Accordingly, the poor relief costs for Aargau's communities increased. While a number of newly founded charitable women's associations and private societies for educating the poor attempted to alleviate poverty through donations, many communities found themselves forced to adopt other poverty alleviation strategies.⁴² One was funding poor families to go overseas.⁴³ Another was issuing early school-leaving certificates so that children could contribute to the family's livelihood rather than burdening poor relief. Third and finally, the municipal authorities repeatedly turned a blind eye to enforcing penalties for school absences. For instance, when the Lenzburg District Court sentenced two fathers to two days' imprisonment for "deliberately deceiving the school authorities and depriving their children of school lessons", the school authorities did not enforce the punishment. This was because it "would have deprived the fathers of being able to make earnings for their poor family".⁴⁴ Since a conversion into a fine was also not possible due to the fact that "nothing could be obtained", the authorities had no choice but to ask that the children make up the lessons they had missed.

But neither parish councils nor municipal authorities were homogeneous interest groups. In both there were exponents who did not help enforce compulsory education, and thus at least indirectly promoted child labour in factories, as well as those who vehemently fought against school absences and for a ban on child factory labour. The problems encountered by the latter were complex. First of all, the separation of home and work, which made the child problem a public one, made oversight difficult. The poorly coordinated sharing of governmental knowledge as well as administrations lacking in resources and authority made it impossible to oversee labour migration in industrial societies. "School-age children are often tolerated in the factories for several months without attending school and without the school administration receiving any kind of notice about the presence of these children", a parish priest complained.⁴⁵ How many children worked in the factories and where they came from was an ongoing question. To get answers, the political authorities depended on the cooperation of factory owners. However, efforts to enforce compulsory education failed in most cases due to issues pertaining to how responsibilities were assigned within the communities. It was nearly impossible to exempt children from outside the canton and those from abroad – where different school laws applied – from working in the factory.

The confusion created by the separation of home and work was exacerbated by the school law. Where no schoolhouses existed, municipalities were obliged to build new

⁴¹Ursula Maurer, *Hungerland. Armut und wirtschaftliche Not im Ruedertal um 1850* (Baden, 2019).

⁴²Augustin Keller, *Die geschichtliche Entwicklung der Armenpflege und die freiwillige Armenfürsorge im Kanton Aargau* (Bern, 1867).

⁴³Hans Brunner, "Die aargauische Auswanderung nach Übersee im 19. Jahrhundert", *Aarburger Neujahrsblatt* (1986), pp. 44–50.

⁴⁴StAAG, R03 P03 0482, Lenzburg district school board to cantonal school board, 4 March 1834.

⁴⁵StAAG, R03 P03 0482, Report by Pastor Samuel Meyer, for the attention of government member Augustin Keller, 2 September 1852, p. 10.

ones. These were often located in the village centres, far away from the decentralized factories. This meant that children had to walk further distances to destinations that, in most cases, were poorly accessible – for instance, the distance between the Bebié brothers' spinning mill and the nearest school was more than two kilometres.⁴⁶ The separation of home and work challenged the time regimes of factories and schools. Immediately after opening their spinning mill, the Bebiés implemented their own rigid time schedule that regulated working hours to 14.5 hours. At the centre of their time regime was their own factory clock, which was set based on the position of the sun: in Turgi, the sun always rose at six o'clock in the morning. This meant that the time-consuming and costly lighting of the petroleum lamps, which illuminated the factory halls rather poorly, could be limited to the morning or evening. As a result, work in July began at 4.30 a.m. and ended at 7.30 p.m., while in January it lasted from 7.30 a.m. to 10.30 p.m., with a half-hour lunch break in each case. This arbitrary time schedule conflicted with the school hours, which were aligned with the church clocks. Teachers repeatedly complained about the unpunctuality and absences of Turgi's factory children, as did parish priests whose religious students were late for classes "because of the factory clock".⁴⁷

With industrialization and the establishment of the school system in the early nineteenth century, time gained a new disciplinary importance in everyday life. Children were particularly affected.⁴⁸ Torn between two non-synchronized time regimes, some of which were still influenced by the natural rhythms of agriculture, they were disciplined by both regimes, often in a way that was difficult to comprehend. According to an undated regulation issued by the Bebié brothers, workers had exactly fifteen minutes in the morning, "starting from the first chime of the bell", to enter the factory, after which the gate was locked.⁴⁹ Anyone who did not make it in was threatened with a fine. The same applied to schools, whose teachers were required by law to keep records of student absences and to punish offending parents.⁵⁰

Schoolchildren who worked in the factory, or factory children who went to school, experienced an extremely busy daily routine.⁵¹ The authorities knew of children "who went to work in the factory at half past five in the morning, went to school from 8 to 11, then back to the factory until 12, then to school again from 1.30 until 3, and finally worked in the factory until 8 in the evening".⁵² The extreme time scarcity in the daily lives of children who commuted between factories and schools was at its worst when their parents assigned them to carry food. Because many factory owners did not yet provide any kind of food service, workers had to rely on meals from home. Since

⁴⁶Sauerländer and Steigmeier, "Wohlhabenheit", p. 79.

⁴⁷StAAG, R03 P03 0482, Report concerning the factory conditions, 30 September 1849, p. 33.

⁴⁸E.P. Thompson, "Time, Work-Discipline, and Industrial Capitalism", in *Past & Present*, 38:1 (1967), pp. 56–97.

⁴⁹StAAG, R03 P03 0482, Regulations of the spinning mill in Turgi.

⁵⁰"Gesetz vom 21. Brachmonat 1822. Primarschulen, §21–24", in *Sammlung der Gesetze und Verordnungen des Kantons Aargau*, vol. 3, 1826, pp. 343–350.

⁵¹"Half-timer" they were called in Britain. See Bolin-Hort, *Work, Family and the State*, pp. 138–148.

⁵²StAAG, DE01/0355, District school board Brugg to cantonal school board, 22 December 1840.

their short lunchbreaks did not allow them to leave the factory for long, parents or older children had to have the younger children bring food to the factory for them.

Shaping Social Order: The Invention of the Male Factory Youth

Working-class families and their children responded differently to the multiple constraints of factories and schools. Crucial in many cases was the oft-cited misery of factory workers in the cotton industries. Low wages, poor and unsafe working conditions, long hours, and frequent physical violence by supervisors and superiors all formed part of a precarious factory life. Although there was a strike in a spinning mill in Niederlenz as early as 1813, considered by historians to be the first organized labour dispute by industrial workers in Switzerland, work stoppages were the exception until the mid-nineteenth century.⁵³ Apart from the fact that a strike is a complex form of resistance that requires a certain degree of organization, many workers could not and did not want to incur financial losses or layoffs. It is this existential wage dependency that resulted in working-class families also depending on their children as wage-earning labour forces. To avoid compulsory tuition, they employed various proletarian survival strategies. One of these began where the authorities had the greatest control problems: mobility. Working-class families without a permanent residence repeatedly changed their workplace, not only because of their economic situation, but also to avoid state control and sanctions. This was supplemented by makeshift strategies, “all sorts of tricks and ploys”, as one government report put it: keeping children hidden during inspections, giving false age information, negotiating fines or accepting a prison sentence for not paying them.⁵⁴ However, working-class families often simply priced the school absenteeism fines into their budgets. Given the low fines, this was “easy”, complained a school inspector who calculated that a “child earns as much in one day” as a month’s worth of fines.⁵⁵

In addition to such strategies, working-class families also took a proactive approach. A good example is Turgi’s working-class families, who decided at the end of 1836 to take an unusual collective step. Due to the isolation and the long distance between the factory and the next school, the parents got together and founded a private school at their own expense. Not much is known about this school, but the motivation behind this initiative seems clear: to make it easier to leave their children behind while they worked, while also better fulfilling the requirements for both the *Bebies* and the school authorities. In the beginning, this seemed to have worked quite well, as indicated in a school inspector report. Not only did “most of the school children work in the factory”, but the private school would “perform better” than the other

⁵³Bernard Degen, “Streiks”, in *Historisches Lexikon der Schweiz (HLS)*. Available at: <https://hls-dhs-dss.ch/de/articles/016528/2013-12-03>; last accessed 8 March 2023.

⁵⁴*Rechenschafts-Bericht des Kleinen Rathes pro 1837*, p. 83. See also Laurence Fontaine and Jürgen Schlumbohm, “Household Strategies for Survival: An Introduction”, *International Review of Social History*, 45 (2000), pp. 1–17; Steven King and Alannah Tomkins (ed.), *The Poor in England 1700–1850: An Economy of Makeshifts* (Manchester, 2003).

⁵⁵StAAG, DE01/0355, Report concerning the work in factories and the attendance of the everyday school, by Joseph Wendolin Straub, 14 May 1838.

elementary schools in the area.⁵⁶ In addition, the report noted that the initiatives aimed to “unite other area residents in establishing an independent school”. Turgi was indeed to receive its own public school, but not until 1854. In nearby Baden as well, working-class families joined together and empowered themselves by founding their own private school. They did so for two reasons, as they explained in a letter to the government. Firstly, “to secure their children better school instruction through the better use of time and to alleviate their food worries through extra incomes”, and secondly, “to get their children used to work instead of having them be idle”.⁵⁷

The Baden workers, who acted on behalf of their educational and financial interests, claimed to have received “help and support” from local factory owners in founding the private school. The same is probably true of a political strategy with which workers approached the government and parliament. The legal basis for this was the right of petition guaranteed in the liberal constitution of 1831. The same constitution mandated the canton of Aargau to ensure “the perfection of youth education and public instruction”.⁵⁸ In 1835, when the government wanted to introduce a new school law that made education compulsory for all children between the ages of seven and fifteen, workers exercised their political rights. On 19 February 1835, thirty workers petitioned the parliament of the canton of Aargau against a more rigorous enforcement of compulsory education. While noting that it was “noble, praiseworthy, and commendable” that the state was taking care of education, they also stated: “Diligent school attendance, better education for children is desirable, but, Dear Sirs! The stomach must first be satisfied before the head can be expected to do anything.”⁵⁹ The stricter enforcement of compulsory education made it impossible to send children to the factories as before. No family could cope with the wage losses: “Whoever is familiar with the hardship that the poor householder has to struggle with will easily be able to think of the feeling of distress that the prospect of such a legal provision must evoke within him.”

The petitioners advocating for the right to work received support from the municipalities.⁶⁰ Workers and municipalities, bound together by their financial interests, formed a common opposition to compulsory public education, and were joined by industrialists. In their correspondence with school authorities, these industrialists repeatedly spoke of the plight of their workers (without, of course, mentioning the working conditions and wage policies that they themselves had created) and mentioned the burdens that the municipalities faced with respect to the poor. Heinrich Kunz warned the cantonal school board several times that “turning children away would cause greater hardship”, by which he meant not only

⁵⁶StAAG, DE01/0355, Report on the state of the factory school system in the Baden District, by Joseph Wendolin Straub, 10 July 1837.

⁵⁷StAAG, DE01/0355, Letter to the government of the canton of Aargau, 19 May 1840.

⁵⁸“Staatsverfassung für den eidgenössischen Stand Aargau, 1831, §11”, in *Verfassungen der Kantone der schweizerischen Eidgenossenschaft* (Trogen, 1833), p. 265.

⁵⁹StAAG, AG 34.627, Petition to the parliament, 19 February 1835.

⁶⁰For an exploration of early socialist ideas on the right to work, see Ahlrich Meyer, *Frühsozialismus. Theorien der sozialen Bewegung 1789–1848* (Freiburg and Munich, 1977), pp. 59–114.

poverty and dependence on welfare.⁶¹ It was also intended to raise the spectre of the criminality that impoverished workers would be forced to engage in. It was this scenario that offered him the opportunity to position the factory as an educational authority and to present himself as a charitable and caring factory owner.

However, their petition was not heard. Starting in 1835, a compulsory education period of eight years was in force in the canton of Aargau. Besides, the School Act of 1835 introduced a number of innovations, especially with regard to the public administration of schools: it regulated the construction and financing of new school buildings and the employment of teachers. Furthermore, it defined the curriculum and organized the teaching system. A central modification already mentioned above concerns the change from a limit based on the level of education to one based on age.⁶² The old school law of 1822 allowed children to leave school once they had acquired a certain degree of knowledge. The new law redefined the conditions for leaving and set an age limit: seven- to thirteen-year-olds had to attend the *Alltagsschule* (everyday school), and fourteen- and fifteen-year-olds the *Fortsetzungsschule* (continuation school). The redefinition of school days was part of the liberal state's new educational governmentality. However, the two-tier reorganization of schooling by age was the result of a controversial consultation process and protracted parliamentary debates. Many protagonists commented on the bill, including municipalities, parish councils, teachers' associations, and a number of individuals. A central point of criticism was aimed at the loss of municipal power. While local authorities gained a certain autonomy by issuing leaving certificates individually, this was no longer possible after 1835. That is why municipalities saw the age-specific classification of the school population as a "grossly increased obligation".⁶³ Another criticism concerned what might be called an additional decommodification step. "This law is reaching into everyone's wallets", a parliamentarian noted.⁶⁴ It was obvious that the enforcement of compulsory education was an attack on the incomes of the working class and therefore "a matter of life".

Oscillating between the two poles (loss of power, loss of income), the commentators made sense of their broad opposition to the classification by age with three sets of demands. The first set aimed at maintaining the limit for the level of education. The pioneers were the local councillors who wanted to secure their autonomy. "Diligent and able schoolchildren" would have a sufficient level of knowledge to be released from school by the age of twelve, representatives of the Bremgarten district pointed out.⁶⁵ They would only be "bored" in the continuation school, especially

⁶¹StAAG, DE01/0355, Letter from Heinrich Kunz to cantonal school board, 20 December 1837.

⁶²Marcelo Caruso, "The Coming of 'Age': Educational and Bureaucratic Dimensions of the Classification of Children in Elementary Schools (Western Europe, 19th Century)", *European Educational Research Journal*, 22:3 (2023), pp. 394-412, <https://doi.org/10.1177/14749041211062017>.

⁶³StAAG, AG 34.6735, Letter from the councillors of Kirchleerau, Moosleerau, Attelwil, Wiliberg, Bottenwil, and Wittwil to the parliament, 6 March 1834.

⁶⁴*Verhandlungen des Grossen Rathes vom Kanton Aargau, Sitzung vom 18.2.1835*, no. 9, 1835, p. 70; *ibid.*, no. 11, p. 86.

⁶⁵StAAG, AG 34.6735, Letter from the municipal representatives of the district of Bremgarten to the parliament, April 1834.

since their parents could better use them for work in the fields, at home, or in the factory. Teachers' associations agreed with the demand for the possibility of early school leaving. They also used moral and pedagogical categories of diligence and ability to soften the rigid age limit. One should "not stick so exactly to the number of years, because even a child of 10 to 12 years can often be far more capable than one of 15 to 16 years".⁶⁶ In addition, social reformers such as the priest Emil Zschokke criticized the age division as "one of the most unsuccessful regulations of the entire draft".⁶⁷ A categorical definition of the school enrolment age disregards certain children. "Sickly, not properly developed or mentally weak children" must be allowed later entry at all costs.

Such categorizations of children by cognitive ability were put forward as a fundamental criticism of classification based on age. The second set of demands aimed to maintain the proposed school days but called for earlier school entry. The idea behind this was that children could be integrated into the worlds of work at an earlier stage. Once again, they repeated scenarios of moral neglect, while reporting on children loitering and begging in the streets, unattended by their parents. "Or is it better for the children to become dumbed down and feral in the streets? The risk of them being crippled in school is not as great as the risk of them running wild in the streets", education experts agreed.⁶⁸ Others countered that children as young as five or six cannot be educated because of their stage of development. Besides, forcing children to leave school early was regarded as "too harsh", especially for factory children.⁶⁹

Finally, the third set of demands wanted to shorten the school days altogether. Representatives of rural communities accused the government of trying to "force a school system on the rural population" that ignored their economic needs.⁷⁰ They argued that children were indispensable for agricultural work, for which schooling was not necessary. Councillors received support in parliament from manufacturers, namely from the owner of the first mechanical cotton mill in the canton, Johannes Herzog. Herzog belonged to the economic liberal elite. He was in no way motivated by "personal interests", he assured during the deliberations in the Grand Council.⁷¹ Rather, he said, he was speaking on behalf of the working people who find opportunities to earn money through charitable factory owners. If one wanted them to continue to take in poor children "out of humanity", he said, one should not shackle them.

The legislature took the demands into account in various ways. The age limit was retained in principle, but the school leaving age was lowered from the original sixteen

⁶⁶*Ibid.*, Letter from the teacher's association of the district of Muri to the parliament, 17 February 1834.

⁶⁷*Ibid.*, Comments on the draft law on the establishment of the school system in the canton of Aargau by Emil Zschokke, 13 March 1834.

⁶⁸*Verhandlungen des Grossen Rathes vom Kanton Aargau*, proceedings from 18 February 1835, no. 8, 1835, p. 66.

⁶⁹*Ibid.*, p. 64.

⁷⁰StAAG, AG 34.6735, Letter from several municipal representatives to the parliament, 10 November 1834.

⁷¹*Verhandlungen des Grossen Rathes vom Kanton Aargau*, proceedings from 18 February 1835, no. 8, 1835, p. 108.

to fifteen. Furthermore, the needs of the rural population were addressed by organizing the school system according to summer and winter schools, and doubling the hours of instruction for the winter months. Additionally, the rural communities were required to schedule eight to twelve weeks of vacation “during the time when there was more considerable farm work”, which allowed children to work in the stables and fields.⁷² Similar assurances had already been made in the old school law of 1822, which meant that the real institutional reform was in another area: factory schools.⁷³

The School Act of 1835 prohibited children younger than thirteen from working in factories, yet it also released factory children over the age of thirteen from the obligation to attend public continuation school. Instead, it allowed them to attend privately run factory schools. The relevant paragraph states: “Children are not obliged to attend continuation schools if, after completing elementary school, they are formally dismissed and enter factory work; however, this is only on condition that a special school be established for these children by the owner of the factory”.⁷⁴ Factory owners such as Johannes Herzog passionately lobbied for this exemption. For Ignaz Paul Vital Troxler, a liberal politician and ardent advocate of promoting enlightenment ideals through education, on the other hand, factory schools were simply an “absurdity”.⁷⁵ However, the government was pleased to have “solved a difficult task, both with due regard for the poorer class of people and the interests of our industry, and with consideration for the higher interests of the state and humanity”.⁷⁶

From a historical perspective, factory schools are transitional phenomena. They are an expression of a historically specific decommodification phase with no absolute ban on work for factory children and a compulsory education that did not apply equally to all. The oxymoron *Fabriksschule* lies at the heart of this ambivalence. Contemporary observers spoke of a “legal stopgap”.⁷⁷ However, caution is necessary when considering the factory school as a transitional phenomenon. A linear perspective does not adequately capture the complexity of the legally established institutions and the novel forms of socialization they established. While the 1835 School Act further decommodified factory labour relations and integrated younger pupils up to the age of thirteen into the school system, it placed older pupils in a separate status. This status, based on the categories of age and class, found its counterpart in the neologism “factory youth”.⁷⁸ In the early nineteenth century, children who worked in factories were called factory children. Only with the establishment of factory

⁷²“Gesetz über die Einrichtung des gesammten Schulwesens im Kanton Aargau, 21.3. und 8.4.1835, §19”, in *Neue Sammlung der Gesetze und Verordnungen des Kantons Aargau*, vol. 2, 1835, pp. 7–52.

⁷³See also Sarah Brian, “Fabriksschulen im Kanton Aargau: ‘Wunder Fleck im Erziehungswesen’” (unpublished *Lizentiatsarbeit*, University of Zurich, 1999).

⁷⁴“Gesetz über die Einrichtung des gesammten Schulwesens im Kanton Aargau, 21.3. und 8.4.1835, §11”, in *Neue Sammlung der Gesetze und Verordnungen des Kantons Aargau*, vol. 2, 1835, pp. 7–52; “Vollziehungsverordnung zum Schulgesetze vom 21. März und 8. April 1835, §113”, in *Neue Sammlung der Gesetze und Verordnungen des Kantons Aargau*, vol. 2, 1835, p. 144.

⁷⁵*Bericht über den Gesetzes-Vorschlag des Kleinen Rathes für die Einrichtung des gesammten Schulwesens im Kanton Aargau* (Aarau, 1834), p. 21.

⁷⁶*Rechenschafts-Bericht des Kleinen Rathes pro 1838* (Aarau, 1839), p. 99.

⁷⁷*Rechenschafts-Bericht des Kleinen Rathes pro 1839* (Aarau, 1840), p. 89.

⁷⁸See, for example, *Rechenschafts-Bericht des Kleinen Rathes pro 1838*, p. 98.

schools did the childhood of the working-class become differentiated into two separate stages.

It should be emphasized that our knowledge of attendance at *Fabriksschulen* during this period is limited. However, we do know that more boys than girls attended factory schools.⁷⁹ The reason for this was likely less related to the organization of industrial production than to new legal regulations. The School Act of 1835 also mandated the institutional segregation of children by gender, a form of segregation that would later become dominant in the school system and in bourgeois society in general.⁸⁰ Every municipality was obliged to set up *Arbeitsschulen* (labour schools) where girls aged thirteen and over would take “classes in sewing, knitting, and mending clothes, as well as in other female domestic trades” free of charge.⁸¹ The early introduction of labour schools for girls, compared to the rest of Switzerland, can be assumed to have had a significant influence on the composition of the student body in factory schools.⁸²

Factory schools were not an invention of the legislator. Even before 1835, some factory owners, much like the workers themselves, founded school-like institutions in order to provide the state authorities with an alternative to public elementary school.⁸³ These early schools can be viewed as a means of organizing industrial production.⁸⁴ However, as far as we know, they made no distinction according to age or gender. It was only with the law of 1835 that the liberal state laid the foundation for establishing special zones for young male factory workers.⁸⁵ This codification of working-class childhood according to age and gender can be interpreted as a form of *Vergesellschaftung*.⁸⁶ From 1835, working-class male teenagers worked and learned separately from their classmates. According to the law, the daily lives of factory schoolchildren and other schoolchildren differed in terms of school hours and location: they had to be taught fewer hours per week and were also separated from other children, who were taught in community schoolhouses or *Arbeitsschulen*. Furthermore, the factory schools appeared to struggle to maintain the expected level of education. Factory school teachers and inspectors repeatedly emphasized that factory pupils used school more as a place

⁷⁹Sarah Brian Scherer, “Ein ‘Wunder Fleck unsers Erziehungswesen’. Aargauer Fabriksschulen im 19. Jahrhundert”, *Argovia*, 113 (2001), pp. 203–205.

⁸⁰Beatrix Mesmer, *Ausgeklammert – Eingeklammert. Frauen und Frauenorganisationen in der Schweiz des 19. Jahrhunderts* (Basel, 1988), pp. 49–75.

⁸¹“Gesetz über die Einrichtung des gesamten Schulwesens im Kanton Aargau, 21.3. und 8.4.1835, §181–182”, in *Neue Sammlung der Gesetze und Verordnungen des Kantons Aargau*, vol. 2, 1835, pp. 7–52.

⁸²“Die weiblichen Arbeitsschulen im Kanton Aargau”, *Schweizerisches Volks-Schulblatt*, vol. 6, 1859, pp. 161–165. See also Elsa Suter, *Volksschule, Arbeitsschule. Ursprung und Entfaltung des Schulwesens der mittleren und nördlichen Schweiz, insbesondere der durch Elisabeth Weissenbach wesentlich geförderten weiblichen Volksarbeitsschule* (Baden, 1956).

⁸³See Johann Melchior Schuler, *Darstellung des gesamten Schulwesens im Kantons Aargau* (Aarau, 1834).

⁸⁴See also Bolin-Hort, *Work, Family and the State*, p. 17.

⁸⁵The government issued a decree with similar content in 1828, but never published it. See Brian, “Fabriksschulen”, pp. 20–23.

⁸⁶See also Sachs, *An Age to Work*.

of recreation than as an educational institution: “The work in the factory, this mechanical monotony dulls their minds, which is especially evident in the children dismissed from the everyday school who attend the factory school; for they more or less express: inattention, superficiality, indifference, and insensitivity to the subjects being taught, etc.”⁸⁷ For most of them, “it is not the desire to learn that makes these children like coming to school, but rather, the chance to simply remove their slave yoke for a few hours”. Moreover, factory school teachers complained about the high fluctuation in the number of their students, which made regular instruction impossible. In the factory areas of Windisch and Turgi, there was a “wandering population” that “set up a dormitory today in this neighbouring community, tomorrow in that one” (Figure 3).⁸⁸ However, probably the greatest difference between public continuation schools and *Arbeitsschulen*, on the one hand, and private factory schools, on the other, was that many factory owners (including the Bebiés) passed on the costs of maintaining their schools and paying teachers to the workers’ families.⁸⁹ Unlike pupils attending continuation schools or *Arbeitsschulen*, factory pupils often had to pay for their education.

Factory schools have been controversial since their inception. While some saw them as a “privilege of factory youth”, others spoke of a “sore spot in our educational system”.⁹⁰ The controversy over the enforcement of compulsory education, which dated back to the turn of the century, was now concentrated within this special institution of industrial society. Factory schools did not disappear even when, after fierce resistance from industrialists, the canton of Aargau introduced a factory law in 1862, which limited the number of working hours for factory youth to a maximum of twelve a day.⁹¹ It was not until the federal Factory Act of 1877, which banned child labour under the age of fourteen, that the factory schools disappeared.⁹² The older cantonal laws had “the spiteful appearance that the legislator wanted to please the factory owners, or else that he did not value the necessity of schooling for factory children as highly as for others”, the federal authorities criticized.⁹³

⁸⁷StAAG, R03 P03 0482 no. 2, Report for the attention of the Bremgarten school inspectorate, by Johann Welte and Karl Donat, 4 October 1852.

⁸⁸StAAG, DE01/0355, Report on the factory schools in Windisch and Turgi, by Karl Reinhard Oehler, 22 January 1838.

⁸⁹*Ibid.*, Letter from the Bebié brothers to the district school board Baden, 25 July 1838; StAAG, R03 P03 0482 no. 2, Report for the attention of the government, by Jakob Müri, 30 September 1852.

⁹⁰*Rechenschafts-Bericht des Kleinen Rathes pro 1838*, p. 99; *Rechenschafts-Bericht des Kleinen Rathes pro 1839*, p. 89.

⁹¹StAAG, R03 P03 0482, *Fabrikpolizei-Gesetz*, 16 May 1862, §3; Heinz Dällenbach, *Kantone, Bund und Fabrikgesetzgebung. Die parlamentarische Debatte und die publizistische Diskussion zu den kantonalen Fabrikgesetzen von 1853 bis 1873 und zum ersten eidgenössischen Fabrikgesetz vom 23. März 1877* (Zurich, 1961), pp. 62–71.

⁹²Brigitte Studer, “Fabrikgesetze”, in *Historisches Lexikon der Schweiz (HLS)*. Available at: <https://hls-dhs-dss.ch/de/articles/013804/2021-08-06>; last accessed 13 March 2023.

⁹³“Bericht über die Arbeit der Fabrikinder in den Kantonen, 18 July 1869”, in *Schweizerisches Bundesblatt*, 7 August 1869, p. 701.

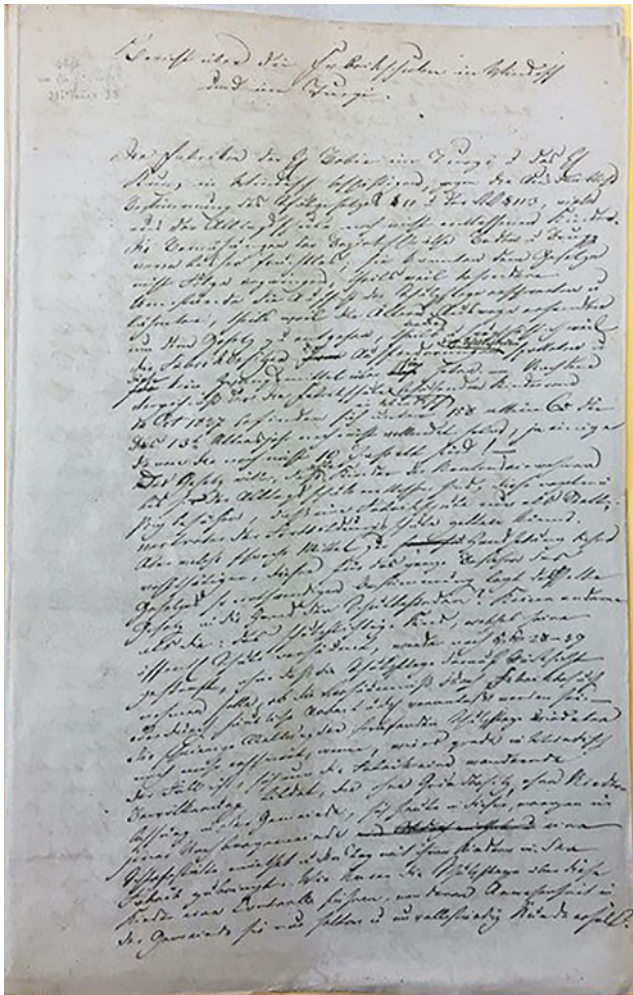


Figure 3 Report on the factory schools in Windisch and Turgi, by Karl Reinhard Oehler, 22 January 1838. Source: StAAG, DE01/0355.

Conclusion

How is a social history of commodification useful? Firstly, it directs research interest towards a historically specific moment that, while acknowledged by historians, has not been systematically studied. While there is significant knowledge about the experiences of children when they were placed in a commodity status, little is known about what happened to them once they were pushed out of it. Integrating children into research is challenging, given their minimal historical footprint. However, children were the subject of dispute, caught in the crossfire of diverging interests, as shown in the first section of this article. While factory owners bought child labour cheaply, parents were concerned about the well-being of the family – in their eyes, the children had

to do their part. The local welfare authorities were committed to the workers' families because they could not afford to have them become a burden on the communities. Parish priests and teachers recognized industrial exploitation through factory work, were aware of the indispensability of children's wages, and propagated educational ideals. Sometimes they advocated for factory work for children, sometimes they protected them from too much physical exertion and insisted on compulsory education. The supervisory authorities, especially the local ones, also decided case by case. Only the state authorities at the district level and in the cantonal board of education made efforts to strictly implement the school law. Hence, decommodification opens up a field of conflict where a mix of interests, intentions, and responsibilities collide. In this process, the spheres of influence of the state, family, church, and private sector were renegotiated. It is important to emphasize that the groups of actors involved did not uniformly collaborate or compete. The situation was significantly more complex and contingent. This is particularly true for the relationship between the market and the state. As I have shown, state-employed teachers, school inspectors, city councillors, and education politicians presented themselves sometimes as guardians of the law and sometimes as friends of capital. Both positions could be legitimized by the welfare of the child.

However, decommodification is not just a conflictual process. Rather, it releases social forces. It is therefore by no means synonymous with decline or regression. As I showed in the second section of this article, decommodification is a form of *Vergesellschaftung*. To strengthen my argument, I shed some light on two closely intertwined aspects. The first is the emergence of a proletarian opposition, including utopian ideas of equality. The fact that working-class families proclaimed a right to work for their children during disputes over compulsory education is indicative of the formation of a class by itself. While liberal educational elites spoke of freeing the "little labour slaves" from the yoke of factory work, they also advocated for their retention.⁹⁴ Furthermore, working-class families institutionalized their proletarian interests in self-founded private schools. These early institutions of self-organization corresponded with a second aspect: the selective removal of children from factory labour relations, as stipulated by law. While the school law of 1822 already made allowances for children of peasant families and aligned school hours with fieldwork hours during the summer, the law of 1835 suspended the obligation on factory children to attend public schools at ages fourteen and fifteen. By requiring industrialists to establish factory schools for their young workers, the legislator brought about a segregation of classes that was also based on age and gender. Factory youth, as they have been called since 1835, performed wage labour and attended classes. Although public school pupils also pursued paid work in factories during their non-school hours, the law separated male factory schoolchildren into factory schools. The establishment of such heterotopian special zones was not unique to the canton of Aargau.⁹⁵ Factory school

⁹⁴F.F., "Die Arbeiterkinder unter dreizehn Jahren in den Fabriken", in *Der Schweizer-Bote*, no. 59, 23 July 1836, p. 241f. For the meaning and use of the term "slavery" in the context of the factory question, see Robert Gray, *The Factory Question and Industrial England, 1830–1860* (Cambridge, 1996), pp. 21–47.

⁹⁵According to Foucault, heterotopias are worlds within worlds, mirroring and yet upsetting what is outside. See Michel Foucault, "On Other Spaces", *Diacritics*, 16:1 (1986), pp. 22–27.

classes determined by age and gender also occurred in other cantons in Switzerland, and, in fact, all of Western Europe in the early industrialization period.⁹⁶

This is also to emphasize that the proposed historiographical interpretation of decommodification as a contested process of *Vergesellschaftung* extends beyond the local dynamics of a small Swiss canton. The conflicts surrounding the ban on child labour and the actors involved, as well as the social formations and divisions, can also be observed elsewhere in the Western world. Moreover, other empirical fields can be identified to offer intriguing insights into a social history of decommodification. The aforementioned labour protection measures for women in the 1870s, such as bans on night work or working-time regulations, represent one example. Another is maternity insurance, which temporarily distanced women from the labor market. A further promising research perspective emerges with the emergence of old-age pension systems, systematically withdrawing workers from the labour market during the interwar period. In all these areas, it can be argued that welfare states did not merely pursue “politics against markets”.⁹⁷ Decommodification is a much more complex process that should not be interpreted normatively in catch-all terms of progress. Rather, it separates life into age stages, deepens class divisions, establishes gender differences, and thus contributes to shaping the social order of capitalism.

⁹⁶See “Bericht über die Arbeit der Fabrikinder in den Kantonen, 18. Juli 1869”, in *Schweizerisches Bundesblatt*, 7 August 1869, pp. 679–722; “Fabrikschulen”, in *Brockhaus Konversations-Lexikon*, vol. 6, 14th rev. edn (Leipzig [etc.], 1894), p. 505f. For various contemporary sources, see Robert Alt, *Kinderausbeutung und Fabrikschulen in der Frühzeit des industriellen Kapitalismus* (Berlin, 1958).

⁹⁷Gösta Esping-Andersen, *Politics Against Markets: The Social Democratic Road to Power* (Princeton, 1985).

Cite this article: Matthias Ruoss. The Prohibition of Child Labour in Factories Revisited: Towards a Social History of Decommodification in the Early Nineteenth Century. *International Review of Social History* (2024), pp. 1–21. <https://doi.org/10.1017/S0020859024000269>