

## 21-3 Upton Sinclair, *The Jungle*, 1906

*In 1904 a strike in the Chicago packinghouse industry attracted the attention of the journalist and novelist Upton Sinclair. He spent two months studying the lives of the largely immigrant workforce and the brutal conditions under which they worked. His novel *The Jungle* attracted a wide readership, first as a magazine serial in 1905 and the following year in book form. Although the book did little to help the workers of "Packingtown," the abuses he described helped create public pressure to pass the Meat Inspection Act of 1906. Sinclair's story of the Lithuanian Rudkus family stands as a powerful example of the "muckraking" sensibility, rooted in the urge to expose and correct the excesses of industrial capitalism.*

SOURCE: Upton Sinclair, *The Jungle* (1906).

WITH one member trimming beef in a cannery, and another working in a sausage factory, the family had a firsthand knowledge of the great majority of Packingtown swindles. For it was the custom, as they found, whenever meat was so spoiled that it could not be used for anything else, either to can it or else to chop it up into sausage. With what had been told them by Jonas, who had worked in the pickle rooms, they could now study the whole of the spoiled-meat industry on the inside, and read a new and grim meaning into that old Packingtown jest—that they use everything of the pig except the squeal.

Jonas had told them how the meat that was taken out of pickle would often be found sour, and how they would rub it up with soda to take away the smell, and sell it to be eaten on free-lunch counters; also of all the miracles of chemistry which they performed, giving to any sort of meat, fresh or salted, whole or chopped, any color and any flavor and any odor they chose. In the pickling of hams they had an ingenious apparatus by which they saved time and increased the capacity of the plant—a machine consisting of a hollow needle attached to a pump; by plunging this needle into the meat and working with his foot a man could fill a ham with pickle in a few seconds. And yet, in spite of this, there would be hams found spoiled, some of them with an odor so bad that a man could hardly bear to be in the room with them. To pump into these the packers had a second and much stronger pickle which destroyed the odor—a process known to the workers as "giving them thirty per cent." Also, after the hams had been smoked, there would be found some that had gone to the bad. Formerly

these had been sold as "Number Three Grade," but later on some ingenious person had hit upon a new device, and now they would extract the bone, about which the bad part generally lay, and insert in the hole a white-hot iron. After this invention there was no longer Number One, Two, and Three Grade—there was only Number One Grade. The packers were always originating such schemes—they had what they called "boneless hams," which were all the odds and ends of pork stuffed into casings; and "California hams," which were the shoulders, with big knuckle joints, and nearly all the meat cut out; and fancy "skinned hams," which were made of the oldest hogs, whose skins were so heavy and coarse that no one would buy them—that is, until they had been cooked and chopped fine and labelled "head cheese"!

It was only when the whole ham was spoiled that it came into the department of Elzbieta. Cut up by the two-thousand-revolutions-a-minute flyers, and mixed with half a ton of other meat, no odor that ever was in a ham could make any difference. There was never the least attention paid to what was cut up for sausage; there would come all the way back from Europe old sausage that had been rejected, and that was mouldy and white—it would be dosed with borax and glycerine, and dumped into the hoppers, and made over again for home consumption. There would be meat that had tumbled out on the floor, in the dirt and sawdust, where the workers had tramped and spit uncounted billions of consumption germs. There would be meat stored in great piles in rooms; and the water from leaky roofs would drip over it, and thousands of rats would race about on it. It was too dark in these storage places to see well, but a man could run his hand over these piles of meat and sweep off handfuls of the dried dung of rats. These rats were nuisances, and the packers would put poisoned bread out for them, they would die, and then rats, bread, and meat would go into the hoppers together. This is no fairy story and no joke; the meat would be shovelled into carts, and the man who did the shoveling would not trouble to lift out a rat even when he saw one—there were things that went into the sausage in comparison with which a poisoned rat was a tidbit. There was no place for the men to wash their hands before they ate their dinner, and so they made a practice of washing them in the water that was to be ladled into the sausage. There were the butt-ends of smoked meat, and the scraps of corned beef, and all the odds and ends of the waste of the plants, that would be dumped into old barrels in the cellar and left there. Under the system of rigid economy which the packers enforced, there were some jobs that it only paid to do once in a long time, and among these was the cleaning out of the waste barrels. Every spring they did it; and in the barrels would be dirt and rust and old nails and stale water—and cart load after cart load of it would

be taken up and dumped into the hoppers with fresh meat, and sent out to the public's breakfast. Some of it they would make into "smoked" sausage—but as the smoking took time, and was therefore expensive, they would call upon their chemistry department, and preserve it with borax and color it with gelatine to make it brown. All of their sausage came out of the same bowl, but when they came to wrap it they would stamp some of it "special," and for this they would charge two cents more a pound.

Such were the new surroundings in which Elzbieta was placed, and such was the work she was compelled to do. It was stupefying, brutalizing work; it left her no time to think, no strength for anything. She was part of the machine she tended, and every faculty that was not needed for the machine was doomed to be crushed out of existence. There was only one mercy about the cruel grind—that it gave her the gift of insensibility. Little by little she sank into a torpor—she fell silent. She would meet Jurgis and Ona in the evening, and the three would walk home together, often without saying a word. Ona,

too, was falling into a habit of silence—Ona, who had once gone about singing like a bird. She was sick and miserable, and often she would barely have strength enough to drag herself home. And there they would eat what they had to eat, and afterwards, because there was only their misery to talk of, they would crawl into bed and fall into a stupor and never stir until it was time to get up again, and dress by candlelight, and go back to the machines. They were so numbed that they did not even suffer much from hunger, now; only the children continued to fret when the food ran short.

1. *If packinghouse conditions were truly as awful as Sinclair described, why had they attracted no attention until his novel? Do you find them believable?*
2. *Sinclair, a socialist, later observed, "I aimed at the public's heart, and by accident I hit it in the stomach." What does the reaction to his novel suggest about the Progressive movement?*

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## 21-4 Louis Brandeis, *The Living Law*, 1916

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*Louis Brandeis was the preeminent legal theorist of the Progressive era. As attorney for the National Consumers League in the landmark Muller v. Oregon Supreme Court case, Brandeis had submitted a unique brief that included detailed sociological, economic, and physiological data in successful defense of a state law setting maximum hours for women workers. The following speech, given just before Woodrow Wilson appointed Brandeis to the Supreme Court in 1916, outlined Brandeis's view that courts had a responsibility to respond to contemporary economic and social conditions.*

SOURCE: Melvin I. Urofsky, *Documents of American Constitutional and Legal History*, V.2 (Temple University Press, 1989), pp. 72–74.

Since the adoption of the Federal Constitution, and notably within the last fifty years, we have passed through an economic and social revolution which affected the life of the people more fundamentally than any political revolution known to history. Widespread substitution of machinery for hand labor (thus multiplying hundred-fold man's productivity), and the annihilation

of space through steam and electricity, have wrought changes in the conditions of life which are in many respects greater than those which had occurred in civilized countries during thousands of years preceding. The end was put to legalized human slavery—an institution which had existed since the dawn of history. But of vastly greater influence upon the lives of the great majority of all civilized peoples was the possibility which invention and discovery created of emancipating women and of liberating men called free from the excessive toil theretofore required to securing food, clothing, and shelter. Yet while invention and discovery created the possibility of releasing men and women from the thralldom of drudgery, there actually came with the introduction of the factory system and the development of the business corporation, new dangers to liberty. Large publicly owned corporations replaced small privately owned concerns. Ownership of the instruments of production passed from the workman to the employer. Individual personal relations between the proprietor and his help ceased. The individual contract of service lost its character, because of the inequality in position between employer and employee. The group relation of employee to employer, with collective bargaining, became common; for it was essential to the workers' protection.

Political as well as economic and social science noted these revolutionary changes. But legal science—the unwritten or judge-made laws as distinguished from