modern Europe. His rich analysis of the legal climate reflecting these prejudices is likewise a nice addition to earlier work on the topic. Most importantly, his data on the black population within France will provide the raw material for much work to come — and there is still much that needs to be done. We need a richer, more chronologically sensitive account of the relationship between slavery and race in the seventeenth-century French Caribbean, where Boule suggests many of these attitudes first developed. We also need to understand where Amerindians fit into this emerging racial ideology, work that is already underway by Guillaume Aubert and by Boule’s own student Masarah Van Eyck. None of this, however, should detract from what Boule has accomplished in this excellent piece of scholarship. Students of slavery, the Atlantic world, French colonialism, and early modern France will have to reckon with his findings for years to come.

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The “factory cripple,” the “fossey-jawed” matchmaker, the collier with “black lung,” the mutilated miner, mill hand, or navvy, and the worker condemned to a slow, painful death from an occupational disease were the familiar casualties of industrializing Britain: the men, women, and children who frequent the pages of nineteenth-century newspapers, parliamentary blue books, inspectors’ reports, short-time advocates’ polemics, and “condition of England” tracts. How did they and their families cope? How did employers, coworkers, and the public react? How were death and suffering in the workplace represented in printed accounts? How did ideas about employer liability develop? Few labour historians have systematically tackled such questions; Jamie Bronstein, in an important, focused contribution to a developing field, deftly intertwines legal, social, and cultural history in providing some persuasive answers.

She begins with the scale of the carnage. On the railways, to cite one example, an undated report on the casualty rate over a six-year period for a single stretch of track counted 32 deaths, 23 compound fractures, 74 simple fractures, 140 “severe” cases of blast burns, bruising, cuts, and dislocations, and 400 “minor” instances of lacerations, amputated fingers, and the like. Down the coal mines, to cite a second example, 2,143 miners were killed between 1850 and 1852 — in explosions (from flying debris and “choke damp”), roof falls, and shaft accidents, as well as from other causes — and, during the century as a whole, nonfatal injuries outpaced deaths by a factor of 100. In the textile mills, for a third example, in one six-month period in 1849, factory inspectors in England and Scotland reported 2,021 accidents resulting in 22 deaths and 109 amputations; factory workers were particularly susceptible to injury from unguarded machinery (spiked...
rollers, spinning shafts, moving belts, and flying shuttles) and occupational ill-
nesses (including respiratory diseases, varicose veins, deafness, and misshapen
knees). In the traditional trades beyond the railways, mines, and mills — construc-
tion, shipping, farming, brewing, and all those other jobs that employed the bulk
of the British workforce until the twentieth century — evidence for accidents and
illnesses is sparser and more anecdotal but suggests a similar harrowing pattern of
trauma and suffering.

What recourse did the maimed or the families of the bereaved have? Bronstein
walks us through the options, such as they were. Before the first introduction of an
employers’ liability law in 1880, a worker seeking compensation could sue an
employer in the civil courts. This was rather pointless (except maybe to shame
the employer and elicit community sympathy), since from the 1840s developing
common-law constructions made it (or confirmed that it was) almost impossible
for the worker to win. These amounted to the transparently pro-property
notion that the master could not be held accountable for workplace injuries —
even when machinery was unguarded and working conditions unsafe — since
the worker, as a free agent and in exchange for material gain, had implicitly
accepted the risks in taking on the job and had the notional recourse of
walking away from it if working conditions proved dangerous. Successive judges
also ruled that for an employer to be held responsible for medical expenses in
the event of one worker injuring another would constitute a miscarriage of
justice (the so-called “fellow-servant rule”) and that such employer liability
would also induce worker carelessness and negligence. In short, employers
blamed employees for workplace accidents, and the courts nearly always backed
them.

As the legal options were limited, what then for the families who had lost a
breadwinner or for incapacitated workers? One possibility was employer charity
(workplace paternalism coexisted quite comfortably with the failure to admit liab-
ility), but this was unsystematic and capricious. A second was succour from a com-
passionate public, notably in the form of national subscriptions in the wake of
well-publicized disasters — again, highly uneven in operation and enabling a
good deal of oft-resented social control by higher-class fund administrators.
Beyond these, very many relied on contributions to friendly societies, mutual
benefit organizations, sick clubs, or industrial insurance policies. The most unfor-
tunate, with limited or no access to the above, could struggle to continue working
at less demanding jobs, rely on the wages of wives and children, beg in the streets,
or fall back on the poor law and the workhouse.

Why did this pattern of non-liability, scattered charity, self-help, and minimal
state intervention change and the health-and-safety regime familiar to the twenti-
eeth century begin to develop? Bronstein, in a fascinating chapter on the “cultural
meaning of accidents,” explains how the copious, melodramatic, and gory accounts
of workplace accidents elicited Christian sympathy or a sense of divine judgment
or of the inscrutability of Providence, but little notion of the need to crack down
on unsafe work practices or to provide adequate compensation for the wounded
or bereaved. Not only that: the idea of masculine independence and the male
worker as a free agent militated strongly against effeminizing him by legislating state protection. The developing discourse of legislative and judicial protection for irrational, unfree agents — women and children in factories and (in the American context and to a limited extent) slaves — only served to reinforce the resistance to positive change for white males. These men, striving for political equality and reluctant to undercut their case, also tended to cling to the myth of free agency.

These powerful impediments were eroded only very gradually, as part of the broader transition in thinking that moved away from a focus on moral failure demanding individual solutions towards a diagnosis of intractable social problems requiring government intervention. Bronstein charts the early attempts from the 1830s of utilitarians like Edwin Chadwick to bring in no-fault workers’ compensation legislation; that of factory inspectors like Leonard Horner to recast male mill workers as deserving of protection; and the important breakthrough of the 1850 Mines Inspection Act, a weak measure but significant in that it introduced the notion of safety regulation and inspection into a male-dominated industry. Only in the 1870s, however, in the wake of the 1867 Reform Act that gave some working men the vote, were labour representatives in parliament with the support of the newly formed Trades Union Congress able to put the issue of no-fault compensation squarely on the parliamentary agenda. The final outcome, the Employers’ Liability Act of 1880, was a temporary, compromise measure, pushed through by Gladstone’s government in the face of much parliamentary opposition and employer hostility.

Bronstein is a surefooted guide through all of this. Her detailed contrasts with the somewhat different and delayed pattern of response in America provide very useful clarity and perspective; it is a pity she has failed to do the same for continental Europe, especially as she makes repeated comparative reference to (but gives no information about) the no-fault models of compensation to be found there at an earlier date. The securing of a more predictable workers’ compensation scheme was undeniably a good thing, but Bronstein’s final thoughts, on the downside to such progress, are underdeveloped and rather enigmatic, and some lengthier reflections on post-1880 developments in Britain and elsewhere would have been revealing. Yet, caveats aside, this is a well-researched, perceptive, fluent, and valuable contribution to the literature.

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As the importance of the Athabasca oil sands grows steadily in contemporary economic and political spheres, a growing number of focused, academic studies have emerged that examine this important resource. Developing Alberta’s Oil