

THE SWABIAN CHILDREN AND PUBLIC WELFARE IN THE EASTERN ALPS, 1820 -

1938

By

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To Nuchjaree, for your unwavering support.

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This project has taken many turns since I first came upon it in 2017. My original aim was to uncover the role of Italian-speaking children in a phenomenon long associated with German-speaking communities. This fell away as I immersed myself in the sources. As I came to understand, while outsiders tended to view the region as a linguistic borderland, these migrants and their families were more apt to see this phenomenon through a regional lens. Upper Swabia, the Oberinntal, the Vintschgau – these were the framings that mattered. There were also fortunate discoveries. My hopes of finding firsthand accounts were eventually fulfilled, but with the wrinkle that most were authored by adults looking back on their childhoods. While engaging with these, I discovered just how right Mary Jo Maynes was to note that the barrier between adult and child, present and past, is too dense to ever fully cross. Childhood remains a foreign land.

My sense of this project's significance has benefitted from feedback at numerous conferences and workshops. I wish to especially note the helpful, timely thoughts offered by Beate Althammer, Sigrid Wadauer, Jessica Richter, Michael Burri, Monica Black, Richard Wetzell, and Glenn Penny. When pursuing a research project, it can often be easy to get lost in the weeds. Narrow questions can become so consuming that the bigger picture gets lost. These scholars all helped me to keep the broader stakes in mind.

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My mentors and committee members at Vanderbilt have played a central role in many of this project's discoveries. At the project's very outset, Ari Joskowicz asked me about the naming conventions of this phenomenon – why, and when, did these children garner the moniker *Schwabenkinder*? Readers will see this question in my observations of how, decade by decade, what it meant to join these migrations could change so drastically. At a similar early point, David Blackbourn suggested that I view outrage about these children in the context of W.T. Stead's run of articles in the *Pall Mall Gazette*. My interrogation of moral panic theory comes partly from a desire to distinguish the dynamics of that controversy from what I saw happening in Austria after 1900. I credit Celia Applegate with my understanding of the shifting categorical distinctions of sub-national spaces. My appreciation for the idea that *Schwabenland* was a fluid rather than fixed category has been heavily indebted to her work on regionalism. Emily Greble, meanwhile, has helped me to develop an appreciation for the Swabian

Children's place in the Austrian Empire. As a Germanist, I find it rather easy, even comforting to look north rather than south or east. It was Emily who pointed out that *Schubwesen* was hardly unique to Austria. I wish also to thank her for her encouragement and guidance as I've developed into a specialist and embarked on a career in the academy.

Most of all, I must thank Helmut Walser Smith for helping me navigate the travails of PhD Candidature and the challenges peculiar to this project. I was, naturally, familiar with Helmut's work long before I was accepted to study at Vanderbilt. It has been, in that light, especially gratifying to draw on his expertise as I've pursued my doctorate. His suggestions that I, on the one hand, engage with the role of religious confession and, on the other, remain cognizant of possibilities of national indifference in the Eastern Alps each helped me to avoid analytical cul-de-sacs. I would also express my gratitude for his continuous support in my pursuit of fellowships, scholarships, and the other forms of professional development peculiar to academic life. My time abroad, first at the IEG and then at FU Berlin, would not have been possible without it.

Finally, there is my family. My mother, Linda, has watched the many turns I have taken to get here. I thank her for the many hours spent listening to me talk through ideas over the years. I will never forget how overjoyed my father, Tim, was when I told him I was going to be pursuing a PhD at Vanderbilt. I wish he were here to see it. My daughter, Jo, has been my joy over these past six years. It was a relief to know that my breaks from writing could be spent with her. Finally, Nuchjaree knows that this page is evidence of a childhood dream fulfilled. I could not have made it here without her tireless, unwavering conviction that, eventually, I would achieve it.

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Introduction

“The poverty that prevails in many Tyrolean valleys, especially in the Oberinntal and Vintschgau, forces - not only the adults - but also the children to grab the walking staff and seek their bread abroad. Truly, a bitter fate.... these small boys and girls, who have often only just seen their seventh year, are driven to tears when forced away from under their parent’s roofs and into those of strange, heartless men.”¹

Ludwig von Hörmann, 1877

The earliest evidence of children heading from the Alps to Swabia for work goes back to the seventeenth century.² The first accounts viewing these as a distinct migration regime came much later, in the early nineteenth century, when officials took note of thousands of children lining the roads around Lake Constance. Even then, though, observers considered these children as barely distinguishable from other seasonal migrants.³ The idea that these children were somehow unique – and even more so that they deserved a specific name to identify them - only emerged in the midst of anxieties over uncontrolled mobility in the 1850s. It was in this context that newspaper reporters, politicians, reformers, and ethnologists began to call these migrants “Swabian Children.”

While details differed, accounts generally agreed that these were children of schooling

¹ Ludwig von Hörmann, *Tiroler Volkstypen: beiträge zur geschichte der Sitten und Kleinindustrie in den Alpen* (Wien: C. Gerold’s Sohn, 1877), 100.

² A single source offers evidence of these migrations from the seventeenth century. This is a report by a local state official, David Pappus, on a labor market for children at Ravensburg. See Land, Landesfürst, und Reich (bis 1807), Sch. 107, Sig. 159/3420, Vorarlberger Landesarchiv, Bregenz.

³ Notable accounts are Joseph Rohrer, *Über die Tiroler* (Wien: Dollischen Buchhandlung, 1796) and Johann Daniel Georg von Memminger, *Beschreibung des Oberamts Ravensburg* (Stuttgart: Cotta, 1836).

age who undertook a weeks-long journey from Tyrolean Austria to Württemberg each March. Most pointed out that, in addition to visas for the border crossing at Lake Constance, the children were required to petition for schooling dispensations over the summers. The moniker “Swabian Children” referred to their destination in a handful of locales in Oberschwaben. Between the 1820s and the migration’s dissolution during the Second World War, the majority of these children headed for the towns of Ravensburg and Friedrichshafen.

The most notable, and for many observers outrageous, feature was the “child market.” These informal arrangements, which saw hundreds of children congregate alongside similar numbers of employers to conclude labor terms, were held in late March and early April. The children generally did not conduct the negotiations at these markets themselves. Instead, they relied on accompanying handlers who, until the Swabian Children Association’s founding in 1891, were usually parents or other relatives.⁴ It was customary for employers to offer two sets of fresh clothing, one for work and the other leisure, alongside wages and supplemental amounts for holidays and the return journey.

From the 1850s, state officials used these features as a guideline for defining the “Swabian Children” as a category of legal personhood. Through a patchwork of provincial edicts, ordinances, and laws, they tied the right to travel abroad to an ever-expanding list of obligations. Parents were eventually required to furnish visa fees, draft written promises to travel with approved intermediaries, and forgo the right to accompany their children abroad. The children themselves, meanwhile, were compelled to join tightly organized caravans that conveyed them to Swabia within 48 hours. The phenomenon’s moniker was, then, crucial because it provided a conceptual signifier that rendered these children legible to state power

⁴ Regina Lampert, who travelled to Swabia across multiple seasons in the 1860s, had her father with for these negotiations. See Regina Lampert, *Die Schwabengängerin: Erinnerungen einer jungen Magd aus Vorarlberg, 1864 – 1874*, Herausgegeben von Bernard Tschöfen (Zurich: Limmat Verlag, 2000), 51 – 58.

and therefore amenable to regulatory oversight.

For scholars, the sense that, regardless of when they travelled, children moving from the Alps to Swabia could all be regarded as “Swabian Children” has served to obscure this regulatory trajectory. Researchers visiting archives across the region today will discover files marked “Schwabenkinder” regardless of whether the documents they contain use that terminology or whether they were produced before that nomenclature was in use. Notably, the author of the foundational monograph on these migrations, Otto Uhlig, was also head archivist at the Vorarlberg State Archives at Bregenz.⁵ In the course of his producing his landmark work in the 1970s, he collaborated with archivists across the region to identify documents dating back to the sixteenth century as evidence of migratory continuity. A more recent 2008 EU Interreg (inter-regional) project, spearheaded by archivists and museum curators, has embedded this framing in a database.⁶ Allowing users to search by surname, place of origin, or year, the database erases vast chronological gulfs to characterize children separated by centuries as “Swabian Children.” These scholarly approaches have sidestepped the question of how to address children who never called themselves Swabian Children and who were never recognized as such by contemporaries.

This dissertation is about the power of a name. For state officials, “Swabian Children” was a conceptual container that distinguished children who headed to Swabia from other sorts of migrant laborers or, just as often, work-shy beggars. This nomenclature allowed officials, over the course of the “long” nineteenth century, to apply regulatory oversight that compelled children and their families to abandon longstanding migratory practices. This trajectory of increasing state control is crucial to recognize because, beginning from the 1850s, it was the

⁵ This work is Otto Uhlig, *Die Schwabenkinder aus Tirol und Vorarlberg* (Innsbruck: Universitätsverlag Wagner, 1978).

⁶ For the EU Interreg project’s database, see < <https://www.schwabenkinder.eu/de/Datenbank/datenbank-suche/>>

underlying cause for shifts in route, travel duration, labor negotiations, and amount of remuneration. Regulation is the reason that travel by rail replaced that by foot, written contracts replaced agreements by handshake, and parental visitation was supplanted by that of parish priests and state officials. Viewed over a generational timescale, this meant that grandparents, parents, and children experienced their time as Swabian Children in radically different ways.

The Swabian Children have garnered only scant interest by non-specialists.⁷ Scholars of European and Austrian migration have occasionally mentioned these migrants in broader surveys, but in relying almost exclusively on Otto Uhlig's classic monograph, they have sustained the notion that these migrations were a pre-modern practice that died out in the early twentieth century. In their respective histories of European and Austrian migration, Annemarie Steidl and Klaus Bade both positioned the Swabian Children as a phenomenon that ran concurrent to, but was largely unaffected by, broader transformations around rights to mobility.⁸ In Austria, this period witnessed the decay of internal control on mobility, characterized by the systems of legal domicile (*Heimatrecht*) and deportation (*Schubwesen*), in favor of enhanced oversight at international borders.⁹ Accounts of the Swabian Children have

⁷ The literature on the Swabian Children is small but has been growing in recent decades. In addition to Uhlig's classic monograph, one may also consider Roman Spiss, *Saisonwanderer, Schwabekinder und Landfahrer: die gute alte Zeit im Stanzertal*. (Wagner, 1993); Bianca Hahnen, "Hüte- oder Schwabekinder in Friedrichshafen," *Friedrichshafener Jahrbuch für Geschichte und Kultur*, Bd. 3, S. (2009) 58-87; Stefan Zimmermann, ed. *Die Schwabekinder: Arbeit in der Fremde vom 17. bis 20. Jahrhundert* (Ostfildern: Süddeutsche Verlagsgesellschaft im Jan Thorbecke Verlag, 2012).

⁸ Klaus Bade, *Migration in European History*, tr. Allison Brown (NY John Wiley and Sons, 2008), 5; Annemarie Steidl, *On Many Routes: Internal European, and Transatlantic Migration in the Late Habsburg Empire* (Purdue UP, 2021), especially 63.

⁹ The *Schub* was a practice of internal deportation, through which those found outside their places of legal domicile were deported back to their home municipalities. There were various reasons an individual might be subjected to removal by the *Schub* – lack of legitimate employment, incidents of begging, "purposeless" mobility, theft, and various other sorts of criminality. The point of deporting individuals through the *Schub* was to place the burden for their care on their home municipalities. However, as Sigrid Wadauer and Hermann Rebel have noted, in practice, it could be quite difficult to ascertain just where individuals enjoyed *Heimatrecht* – not least because municipalities had a vested interest in finding reasons to reject deportees from the *Schub*. As a result, deportees were often moved from one place to another as authorities sought a municipality that was willing to take them in. See Sigrid Wadauer, "Establishing Distinctions: Unemployment versus Vagrancy in Austria from the Late Nineteenth Century to 1938," *International Review of Social History*, Vol. 56. No. 1 (April 2011), 31 – 70; Hermann Rebel, "Between 'Heimat' and 'Schubwesen': Walking the Homeless to Death in Early Modern Austria," *Central European History*, Vol. 48, No. 4 (December 2015), 461 – 479; for what remains arguably the

given little sense for whether this transition impacted seasonal migrants who, on account of their route, crossed numerous internal and external boundaries.¹⁰

This dissertation posits that, while operating on the periphery of the German and Austro-Hungarian empires, the Swabian Children were never fully isolated from broader transformations around rights to mobility. Anxieties about itinerant begging and wandering in the 1850s and '60s motivated officials to pass edicts that defined these migrants as a privileged migratory category. The heavily-publicized edict of 1867, which established clear documentary requirements for these children, was only possible because state officials were concerned about rootless wanderers. In a similar way, concerns over national integrity and child trafficking at the turn of the twentieth century informed the decision to begin extraditing select children after 1908. The idea that these children should be returned to the national fold was only possible in a context where the international border between Austria and Germany mattered more than internal borders between municipalities, districts, or Crownlands. Furthermore, anxieties over child trafficking only made sense where it was possible to castigate child migrant labor abroad as somehow more outrageous than domestic child labor.¹¹

Despite the fact other named child labor phenomena, such as the Carusi of Sicily or the “Little Italians” of the Piemonte, have benefited from scholarly attention, the Swabian Children have so far escaped the notice of historians of childhood.¹² There are at least two possible

most comprehensive account of barriers to internal mobility in Austria, see Ilse Reiter, *Ausgewiesen, Abgeschoben: Eine Geschichte des Ausweisungsrechts in Österreich vom ausgehenden 18. bis ins 20. Jahrhundert* (Frankfurt am Main: Lang, 2000).

¹⁰ This notion that the nineteenth century witnessed a shift in emphasis from internal to external controls on mobility is indebted to John Torpey, *The Invention of the Passport: Surveillance, Citizenship, and the State* (Cambridge University Press: 2000).

¹¹ The idea that mobility was central to recognizing child trafficking is perhaps best explicated by the white slavery panic. For one account that discusses mobility's place in white slavery, see Daniel Gorman, “Empire, Internationalism, and the Campaign against the Traffic in Women and Children in the 1920s,” *Twentieth Century British History*, Vol. 19, No. 2 (2008), 186 – 216.

¹² See Carl Ipsen, *Italy in the Age of Pinocchio: Children and Danger in the Liberal Era* (Palgrave Macmillan, 2006), 91 – 93; for the “little Italians,” see Ipsen (2006), 59 – 70.

explanations for this absence. On the one hand, one of the driving questions in scholarship on child labor reform has been the impact of prohibitory legislation, which was throughout been focused on industrial rather than agricultural labor. Child labor was a pejorative term used to castigate labor considered harmful, alienating, or morally degrading – aspects that were most often associated with the conditions of factory and not farm work.¹³ On the other hand, although plenty of scholarship has been produced about child labor in France, the German Empire, and Italy, remarkably little has been authored on the Habsburg Lands.¹⁴ Regardless of the reasons, the Swabian Children provide analytical opportunities for exploring the pathways for legal change around child labor and the shifting dynamics of state control over child mobility during the “long” nineteenth century.

The emphasis on legislation in literature on child labor reform can be regarded as an outgrowth of the tendency to center child labor reformers as the primary agents of historical change. As Colin Heywood has rightly noted, “much of the historical literature springs from the original debates provoked by child labor reform campaigns...”¹⁵ The British Factory Acts or the Prussian Child Labor Law of 1839, from this perspective, have been portrayed as crowning achievements of reformist campaigns. And reformers tended to think in terms of legislation rather than, for example, policy reforms or enforcement practices. This framing has, admittedly, been encouraged by the shape of the archival record itself. Scholars hunting for references to child labor will be hard-pressed to consider the issue outside of the context of prohibitory laws. The landmark Austrian child labor survey of 1907/08, for example,

¹³ For a brief discussion of the pejorative implications of child labor and its distinction from child’s work, see Colin Heywood, “A Brief Historiography of Child Labor,” *The World of Child Labor: an Historical and Regional Survey*, ed. Hugh D. Hindman (M.E. Sharpe, 2009), 18 – 25.

¹⁴ One of more oft-cited works was written by a contemporary in late Imperial Austria. Siegmund Kraus, *Kinderarbeit und Gesetzlicher Kinderschutz in Österreich*. (Wien und Leipzig: Franz Deuticke, 1904); for the Eastern Alps, pickings are similarly slim. One may consider the rather slight work of Gerhard Wanner, *Kinderarbeit in Vorarlberger Fabriken im 19. Jahrhundert* (Feldkirch Arbeiterkammer, 1979).

¹⁵ Colin Heywood, “A Brief Historiography of Child Labor,” *The World of Child Labor: an Historical and Regional Survey*, ed. Hugh D. Hindman (M.E. Sharpe, 2009), 18.

introduced its published findings with a summary of extant laws.¹⁶ This decision effectively communicated that, in the eyes of its bureaucratic authors and the reformers who inspired them, child labor was a story about legislation.

By assessing the impact of child labor laws, contributors to this scholarship have sought to draw conclusions on just how meaningful reformist campaigns were. Clark Nardinelli, in his foundational monograph on the British industrial revolution, argued that prohibitory laws often passed well after actual labor practices had begun to decline, and so concluded that economic cycles mattered more than legislation.¹⁷ Annika Boentert, meanwhile, has suggested that the German factory inspection system was key to understanding the effects of legislation – the laws themselves were only effective where routine inspections were conducted and employers were censured.¹⁸ Hugh Cunningham, lastly, argued that child labor laws ultimately played second fiddle to compulsory education requirements. Truancy enforcement – not factory inspection – was the state’s most effective tool for expelling children from much of the labor market by the beginning of the twentieth century.¹⁹ Regardless of their conclusions, each of these scholars have started with legislation and worked their ways out.

Absent in these analyses has been a sense of whether major laws were subject to interpretational controversies or if different legal norms predominated in different places in a particular law’s jurisdiction. As Lauren Benton has observed, jurisdiction is about more than a law’s application or the domains of authority enjoyed by individual agencies or officials. It

¹⁶ K.K. Arbeitsstatistisches Amt im Handelsministerium, *Erhebung über die Kinderarbeit in Österreich im Jahre 1908. II Teil. Textliche Darstellung. I Heft.* (Wien: K.K. Hof- und Universitäts-Buchhändler, 1911), XXII – XXXIII.

¹⁷ Clark Nardinelli, *Child Labor and the Industrial Revolution* (University of Michigan Press, 2002).

¹⁸ For this particular issue, see Annika Boentert, *Kinderarbeit im Kaiserreich, 1871 – 1914* (München: Paderborn, 2007), 117 – 146.

¹⁹ See Hugh Cunningham, “The Decline of Child Labour: Labour Markets and Family Economies in Europe and North America since 1830,” *The Economic History Review*, New Series, Vol. 53, No. 3 (Aug., 2000), 409 – 428; this notion is demonstrated as well by Myron Weiner’s compelling analysis of child labor and compulsory schooling statutes in India. See Myron Weiner, *The Child and the State in India: Child Labor and Education Policy in Comparative Perspective* (Princeton UP, 1991).

constitutes the spatial contours of law's uneven, "lumpy" expression of state sovereignty.²⁰

This unevenness was, for example, constitutive of the way compulsory schooling worked in Cisleithanian Austria. Via its control over funding allocation, the Ministry of Education enjoyed a degree of soft power over the various provincial school boards but could not directly dictate how school boards conducted their affairs. In a similar manner, the Imperial Elementary School Law set basic guidelines for education throughout the empire, but interpretational differences granted provincial parliaments leeway in drafting their own school laws. All of this is to say that the focus on reformers and legislation in literature on child labor reform has diverted attention from the complexity and diversity of pathways for legal change.

Under the radar of these broader literatures, a small but growing scholarship devoted to charting these child migrations has flourished since the 1970s. In his *Die Schwabenkinder aus Tirol und Vorarlberg* (1978), Otto Uhlig invoked a relationship between state power and material labor practices that is consistent with the views articulated by scholars of child labor reform. Uhlig argued that the Swabian Children were largely impervious to the disorganized, ineffective efforts at prohibition launched by state officials during the nineteenth century. While he noted that a handful of edicts and laws meant to reign the migration in had been issued, they remained poorly enforced.²¹ He pointed out that Austrian and Württemberg authorities occasionally negotiated to force children to attend school while abroad, but they backed off before agreements could be reached.²² The most successful effort at intervention came from a handful of priests through their actions in a "Swabian Children Association." Yet

²⁰ Lauren Benton, *A Search for Sovereignty: Law and Geography in European Empires, 1400 – 1900* (New York: Cambridge University Press, 2010), 1 – 39.

²¹ For his particular discussion of this law and other efforts at subjecting these children to oversight, see Otto Uhlig, *Die Schwabenkinder aus Tirol und Vorarlberg* (Innsbruck: Innsbruck Universitätsverlag Wagner, 1978), 117 – 121; however, the sense of state impotence comes through even stronger when such specific discussions are contextualized with his concluding remarks, which express wonder at these migrations' resilience to state oversight over so many decades. See Uhlig (1978), 294 – 296.

²² See, for example, his treatment of Austro-Württemberg negotiations from 1913. Uhlig (1978), 267 – 268.

this association, Uhlig suggested, only ameliorated extreme cases of mistreatment or malnourishment.²³

Part of Uhlig's understanding can be explained by his fascination with the phenomenon's simple existence over such a long stretch of time. As has already been noted, scattered evidence suggests that children migrated from the Eastern Alps to Upper Swabia from the closing decades of the eighteenth century and up until the *Anschluss* dissolved the border altogether in 1938. As Uhlig rightly pointed out, the nineteenth century's major political transformations seemed to exert little effect on this flow. The Austro-Hungarian compromise, the founding of the German Empire, and the wars of unification barely register in the documents relating to these migrations.²⁴ Even the Napoleonic Wars, which led to the dissolution of the Austro-Württemberg border in 1805 and its reemergence in 1815, left little impression. Implicit in this framing is that the Swabian Children were categorically coherent and static. Uhlig, for example, rarely paid much attention to when contemporaries began to call these migrants "*Schwabenkinder*" or whether shifting notions of state sovereignty impacted the children's border crossings.

Uhlig's contention that the state was unable to prohibit these migrations was rooted in a conviction that the phenomenon would persist if certain economic conditions remained in place. He noted that a system of land consolidation had led to the emergence of farm estates in Upper Swabia by the nineteenth century. By contrast, the overpopulated, resource-poor Eastern Alps had created a constant pressure to migrate on a seasonal basis to make ends meet. During the nineteenth century, Upper Swabia was indeed renowned as a place of relative wealth that consistently drew seasonal migrants from surrounding regions. Likewise, the Eastern Alps

²³ For his argument that the association's interventions failed to change the basic workings of the child market, see Uhlig (1978), 205.

²⁴ Uhlig (1978), 294 – 295.

were long recognized as a place of transit migration – a locale through which numerous migrants, including Alpine residents themselves, moved to pursue work opportunities in Bavaria, Baden, and Württemberg.²⁵ In essence, Uhlig considered alterations in travel route, method, destination or origin, and degree of state oversight as notable but superficial.

The flaws in Uhlig’s approach only become apparent when one changes the focus from legislation to the children themselves. This project began by looking at moments of rupture in material practice – shifts in terms of travel route, method, the practices and identities of guides, the forms of contract resolution (written or oral), and remuneration. A significant number of these shifts were the result of actions taken by state officials at the very local level. In some cases, these officials cited laws that were already decades old, effectively using them as a shield to distract from the novelty of their interventions. But in most situations, specific references to legal texts are nowhere to be found. Legal scholars, of course, would find these omissions unsurprising. Hendrick Hartog, for example, would recognize this as a classic example of legal pluralism.²⁶ The agency enjoyed by local schooling authorities has also long been recognized by scholars of Late Imperial Austria’s schooling system.²⁷ However, by centering on the actions of reformers and legislators, historians of child labor reform have seldom recognized these very local dynamics.

Over five chapters, this dissertation charts the rise and decay of the regulatory regime around the Swabian Children. The first explores how these migrants were discovered by

²⁵ For one perspective on the Alps as a transit zone, in this case for Italian migrants, see René Del Fabbrio, *Transalpini: italienische Arbeiterwanderung nach Süddeutschland im Kaiserreich, 1870 – 1918* (Rasch, 1996).

²⁶ Hendrick Hartog’s seminal article on wild pigs in early-nineteenth-century New York City remains one of the more comprehensive critiques of “gap analysis.” See Hendrik Hartog, “Pigs and Positivism.” *Wisconsin Law Review* (1985), 899 – 935.

²⁷ Scott Moore noted how the Austrian schooling system, as established after the *Reichsvolksschulgesetz*, placed significant power in the hands of provincial school boards. The Ministry of Education exerted power mostly by virtue of its control of the purse-strings. It did not have the capacity to dictate policy to its subordinates across the Empire. Scott O. Moore, *Teaching the Empire: Education and State Loyalty in Late Habsburg Austria* (West Lafayette: Purdue University Press, 2020).

regional publics between the 1820s and 1850s. State officials sometimes expressed anxieties over these children, but no major efforts at oversight reached fruition during this period. The second chapter covers the passage of the Lieutenant Governor's (*Statthaltere*) edict of 1867, which established clear documentary requirements for these children and communicated the state's ownership of this issue to the public. This edict was not intended to prohibit, but rather to encourage, these migrations. The Lieutenant Governor and other provincial officials understood the Swabian Children as an alternative to the ills of factory labor and itinerant begging. They viewed the wanderers known as the *Jenische* as emblematic of the latter, since the children in those caravans did not engage in the sort of upright labor associated with the Swabian Children. Chapter Three discusses the rise of the "Swabian Children Association," which radically transformed what it meant to be a *Schwabenkind* from its founding in 1891. Over twenty-five years, this association oversaw practices that became synonymous with the migrations as a whole. By the outbreak of the First World War, few recognized that priests had not always served as these children's guides, that travel by foot over weeks had once been the norm, and that Friedrichshafen had only emerged as the destination of these migrations in the 1890s. The fourth chapter describes the moral panic that resulted from the Swabian Children Association's successful outreach efforts. By 1897 at the latest, Austrian Social Democrats seized on the spectacle of this priest-led "child export" to castigate the role of the church in Austria's domestic politics. Over the following decade, these politicians invoked the Swabian Children on the floor of the Austrian *Reichsrat*, at child protection congresses, and in newspapers across Cisleithania. While some efforts were made to address the migrations at the highest levels, all ultimately floundered. In the end, the only successful form of intervention was to be found at the very local level, when provincial school boards and mayoral magistrates on both sides of the border collaborated to carry out extraditions for select children. The

concluding chapter shows how the First World War disrupted oversight efforts and set this regulatory regime on a decline. The Swabian Children Association dissolved in 1915 when the border closed. A handful of priests and Austrian state officials attempted to resurrect these practices after the war, but they were ultimately unsuccessful in the face of German resistance. Slowly but surely, these children lost their status as a privileged category of child migrant labor.

This dissertation combines a wealth of published accounts of the Swabian Children with archival material from three regional state archives: the Tiroler Landesarchiv at Innsbruck in Austria, the Vorarlberger Landesarchiv at Bregenz in Austria, and the Staatsarchiv Sigmaringen at Sigmaringen in Germany. Visits to the Haupt- Hof- und Staatsarchiv at Vienna, the Hauptstaatsarchiv of Baden-Württemberg at Stuttgart, and the Archivio di Stato di Bolzano in Italy were also conducted, but yielded few sources relevant to this project's central questions. Two aspects of the archival record bear brief mention.²⁸ First, Otto Uhlig's influence on this record is difficult to overemphasize. Just as his landmark work remains the standard point of entry for any analysis, his personal file (*Nachlass*) at Bregenz is the most valuable repository of relevant sources collected in one place. One of my objectives in pursuing this project has been to add, if even in only some small way, to the sum archival knowledge of these migrations. Doing so required that I first consider how Uhlig used the archives - how he extracted documents and identified them as relevant to the Swabian Children. In this respect, I discovered just how porous the lines between Swabian Children and child-laborers bound for other destinations could be. Schooling dispensations for work only sometimes mentioned a child's particular destination. Yet, collections of such dispensations have been labeled by

²⁸ Additional thanks must also be given to archivists at the Kreisarchiv of the Bodensee and the Stadtarchiv of Ravensburg for the valuable guidance on archives with relevant holdings and scholarly resources they provided. Unfortunately, planned visits to these two archives, the Diözesanarchiv at Brixen, and the Diözesanarchiv at Rottenburg had to be postponed in light of the COVID shutdowns of 2020 – 2021.

archivists as relating to the Schwabenkinder. One of my central observations has been that the migrants themselves often understood the Swabian Children as a choice rather than a category – as one option amongst many. For this reason, I consulted schooling dispensations granted for various reasons to get a sense for the tensions between state officials intent on isolating the Swabian Children and the migrants who seldom saw themselves according to that category.

Second, the shape of the archival record is characterized by relative sparsity aside from a glut in the years 1891-1914. This is explicable by a confluence of developments specific to the Swabian Children as well as broader trends in Austria's political discourse and structure. The "Swabian Children Association" was founded in 1891 at the behest of state officials and local parish priests. Throughout the 1890s, the association's organizers engaged in a successful press campaign that saw them give statements to newspapers across the Alps. They also encouraged regional outlets to report on the sizes of their caravans to convey just how many children it had managed to assist. These outreach efforts helped to bring awareness of the Swabian Children to a much broader public, but in a way that ran counter to the objectives of the Swabian Children Association's organizers. As was common at the time, newspapers in other markets, especially Vienna, reprinted articles from regional newspapers for their own audiences. Around 1900, Austrian Social Democrats seized on these reports to launch a moral panic around the Swabian Children. Their objective was to wield the spectacle of the Swabian Children as a piece of ammunition in their campaign to expel the clergy from education and other areas relating to child welfare. For the archival record, this has meant that, between 1891 and 1900, sources relating to the Swabian Children multiply but are mostly restricted to the Alps. The archival record expands substantially for the years 1900 - 1914 in terms of both quantity and geographical spread. The moral panic was successful at generating interest across Cisleithania, in the German Empire, and even in distant America. The archive thins out after

this point both because of the outbreak of the First World War and because state authorities suspended the migrations in 1915 by refusing to grant visas or schooling dispensations. By the time the migrations resumed in 1917, the moral panic that generated so many of the sources from before the war had dissolved. The Swabian Children never again enjoyed a comparable degree of public interest.

I have tried to remain attentive to the broader discursive context that produced this archival shape. The sources produced amidst the context of the moral panic of 1900 – 1914, I have found, require special care. This is because assessments of the Swabian Children could not be detached from the heated rivalry between the Christian Socialists and the Social Democrats. Those critical of these migrations tended to be associated with the Social Democrats, whereas those uttering more approbatory statements usually sided with the Christian Socialists.²⁹ This meant that views of the Swabian Children also mapped onto a wider political landscape. A good example of this is the controversy over the schooling dispensation system. For Christian Socialists, the system offered a vital pathway for the rural poor to work their children and thereby to ease financial burdens during harvest season. Social Democrats, by contrast, consistently advocated for the system's abolition. So they argued, the schooling dispensation served to remove children from school and thereby give the lie to the notion that all children were required to attend school for eight years. Because the Swabian Children had to acquire dispensations to work abroad over the summers, opinions of them corresponded to views of the dispensation system itself. These broader contexts mean that even seemingly detached, "scientific" assessments from these years tended to organize observations and data in light of the author's political positioning.

²⁹ One of account of this rivalry can be found in John Boyer, *Culture and Political Crisis in Vienna: Christian Socialism in Power, 1897 – 1918* (Chicago: Chicago University Press, 1995).

This dissertation posits that the regulatory regime around the Swabian Children demonstrated the power local state officials could enjoy as agents of meaningful legal change. By the regime's dissolution in 1937, state officials, journalists, social scientists, parish priests, and politicians at the local and Imperial levels had all played roles in shaping how these children were governed. Despite the significant furor that circulated across German-speaking Europe around these migrants after 1900, no legislative proposals ever managed to pass at the highest levels. This hardly accounts for the full range of possibilities for legal intervention. When they had the will, local school boards, teachers, mayors, and provincial representatives could find creative ways to subject these migrants to state oversight. At several important junctures and over little more than a century, local officials forced these migrants to fit the image of the diligent, upright *Schwabenkind*.

Chapter 1

The Swabian Children until 1867

Concerns about children moving by the thousands from the Eastern Alps in Austria to Württemberg emerged slowly in the early nineteenth century. While authorities in the sending regions worried about the children's absences from school over the summer, those in the receiving communities thought these "foreign children" might take jobs from their own citizens. Hovering above these more localized concerns, state officials and journalists began to point out the unpleasant resemblance between the "child market" at Ravensburg and the slave markets of North America and the Ottoman Empire in published accounts. Observers only began to actually call these children "Swabian Children," though, in the 1850s. It took decades for a consensus to emerge as to just who these children were and, more importantly, that they constituted a separate migratory category.

The period spanning 1820 to 1867 witnessed the Swabian Children's discovery as a distinct migration phenomenon linking the Eastern Alps with Swabia. State officials began to craft legal norms to govern these children's mobility and to discuss the migrations in the context of vagrancy and labor. The Austro-Württemberg border, as reconstructed after the Congress of Vienna, played an implicit role in these discourses. Interchangeable descriptions of these children as "strange" (*fremden*) and "foreign" (*ausländische*) indicated the emerging significance of their state subjecthood.³⁰ Meanwhile, the "child market" became a peculiar feature that distinguished these children from other forms of child migrant labor at the time.

These discourses, though, remained isolated. Officials in Württemberg and Austria never attempted to harmonize their policy efforts. A few Württemberg administrators reached

³⁰ This is a shift that John Torpey has also noted as characteristic of the nineteenth century. See John Torpey, *The Invention of the Passport: Surveillance, Citizenship, and the State* (Cambridge University Press: 2000), 73 – 74.

across the border to express concerns over begging, but Austrian authorities largely declined to cooperate. And central authorities at Stuttgart never stepped in to back up their subordinates. Likewise, public assessments of these children never interacted with internal state discussions in either Tyrol or Württemberg. The occasional mentions of state power often surfaced as indirect asides during these years, such as through references to prohibitions against slavery. Lay observers did not attempt to pressure state institutions to take particular forms of action, nor did they suggest that the *Schwabenkinder*'s existence revealed a failure on the part of the state to intervene. Meanwhile, internal state correspondence evidenced no interest in, or even awareness of, these public accounts.

Public Curiosity and the Slave Trade

Amongst the earliest public accounts about these child migrants was that authored by Austrian Official Joseph Rohrer in his ethnographic 1796 study *Über die Tiroler*.³¹ Rohrer distinguished two distinct migratory routes – one for children from Montafon and the other for those from Tyrol in the parishes around Imst and Landeck. Of the two, he positioned the latter as somehow especially surprising:

“One can put the number of boys, who were between the ages of seven and seventeen and who departed from the Parishes of... Imst, Lermes (Lermoos), Reuti (Reute), Vils, Tannheim each spring for Schwaben..., at around 700. Whoever remains unconvinced that I speak truly can simply visit the farm estates in the little cities lining the road from Fützen to Augsburg. He will see that most landowners have a Tyrolean boy...”³²

³¹ For a perspective on Rohrer's place in the Austrian Enlightenment in Tyrol, see Laurence Cole, “Nation, Anti-Enlightenment, and Religious Revival in Austria: Tyrol in the 1790s,” *The Historical Journal*, Vol. 43, No. 2 (Jun., 2000), 475 – 497; for his particular take on Rohrer, see 477 – 478.

³² Joseph Rohrer, *Über die Tiroler* (Wien: Dollischen Buchhandlung, 1796), 49

While not terming the labor negotiations a “child market,” Rohrer nevertheless noted that these Tyrolean children congregated at the public market in the city of Kempten. This locale is especially notable because all subsequent descriptions positioned Ravensburg as the site of the largest “child market” for Tyrolean as well as Vorarlberger children. Considering that this is the only published assessment of these children prior to the 1820s, it remains uncertain whether the migrations changed shape over the intervening decades or if Rohrer simply failed to recognize Tyrolean children amongst those heading for Ravensburg. As written, the account suggests that Rohrer viewed the Allgäu more positively than he did Oberschwaben.³³ Rohrer suggested that the children were treated in a manner that accorded with their lifeways back in Tyrol. He wrote, for example, that they looked somewhat like the “...North American savages, wearing straw cloaks, walking barefoot in the outstretched meadows as they looked after their cattle...”³⁴ While he did not discuss issues of schooling or church attendance, he did note the customary payments and return dates. One can see, even at this early stage, a reference to both cash payment, which he estimated at about 5 gulden, and a set of fresh clothes. He also mentioned *Martini*, November 11, as the traditional date of return.

Rohrer’s description of the children from Montafon bore some striking differences with those from Tyrol. While his description of the Tyrolean exodus suggested a haphazard, ad-hoc affair, that for Montafon indicated a more organized procession. It was in the context of a broader discussion about mass labor migration out of Vorarlberg that Rohrer wrote, “Even the children of the Montafoner valleys are torn away from their mothers quite young. A Montafoner takes them in and leads them, like a herd of lambs..., abroad.”³⁵ Children were

³³ While he mentions personally visiting Allgäu and seeing these Tyroleans, he only brings up Ravensburg once – as a one of the destinations for Vorarlberger children. For the former, see Rohrer (1796), 50; for the latter, see Rohrer (1796), 32.

³⁴ Rohrer (1796), 50.

³⁵ Rohrer (1796), 32.

provided with a piece of goat cheese, bread, and a sack in which to put them. A second important difference concerns his account of the labor relations between the children and their employers. He, for example, wrote that they were “hired out” (*gemiethet*) by employers in Ravensburg, Weingarten, and Waldsee. Taken as a whole, Rohrer’s overall approach to these children suggested a sense of pity and awareness of their poverty, which contrasted sharply with the positive, pastoralist description he granted the Tyroleans.

Whether in published and unpublished sources, the documentary trail on the Swabian Children goes cold for the next two decades. This may have something to do with the political and territorial turmoil of these years, which affected this region in several important respects. For one, it witnessed the period of Bavarian rule, which meant these migrants were no longer crossing state boundaries. But considering the systems of internal controls on mobility then common throughout much of Europe at this time, the importance of this for seasonal migrant laborers remains uncertain. It is likely that the border’s reemergence at Bregenz after 1815 had a rather different, but still important, impact on accounts about these children. The territorial reorganizations encouraged state officials to take stock of their jurisdictions and to view issues of economic structure and development through the lenses of territorial sovereignty – a dynamic which, as we will see, played out in internal state correspondence during this same period.

A number of *Landesbeschreibungen*, descriptions of the realm that were often authored by state officials, were produced on the lands straddling Lake Constance in the first decades of the nineteenth century. It is notable that one of the more influential of these, Johann Jakob Staffler’s multi-volume *Das Deutsche Tirol und Vorarlberg, topographisch, mit geschichtlichen Bemerkungen* of 1839, included no specific mention of these children. The closest his work came to referencing the Swabian Children was in a brief discussion of labor

migration patterns. As Staffler observed, “In a number of valleys, many thousands are drawn abroad for a few months... [The mountains cannot] provide enough nourishment and support for a population of eight hundred thousand.”³⁶ He discussed children as an aside, noting “The children [who head abroad] are mostly set to tending after cattle.” This, of course, only highlights just how common it was for children to be utilized for such tasks in this region and elsewhere.

For a detailed description of the Swabian Children from this period, it is necessary to instead turn to Johann Daniel Georg von Memminger’s *Beschreibung des Oberamts Ravensburg*. As Memminger specified, landowners from “Saulgau, Waldsee, Ravensburg, Leutkirch” consistently employed “children from neighboring Vorarlberg or Tyrol, or from the poorer areas of Switzerland.” He furthermore emphasized that “The tradition, through which these children have been contracted out, warrants special consideration.” This comment introduced a brief description of the children’s arrival at the Ravensburg’s “market, where the farmers negotiated a term with the older persons [the guides], after which they took [the children] to their farms.” These children, readers learned, were between the ages of eight and sixteen, were awarded between three and ten florins for the season’s work, and came away with a set of fresh clothes. Memminger’s description departed from Rohrer’s account by including a reference to girls, who were put to work as household domestics. In all, Memminger noted, some “150-200” children congregated in Ravensburg on select market days during the spring. He also observed that “There was naturally no discussion of schooling.”³⁷

A handful of newspapers took a similar approach by positioning the collection of children at the market as a curiosity. A contribution to the *Bayreuther Zeitung* in 1838

³⁶ Johann Jakob Staffler, *Das Deutsche Tirol und Vorarlberg, topographisch, mit geschichtlichen Bemerkungen, in Zwei Bänden. I. Band.* (Innsbruck: gedruckt bei Felician Rauch, 1847), XXXII – XXXIII.

³⁷ Johann Daniel Georg von Memminger, *Beschreibung des Oberamts Ravensburg* (Stuttgart: Cotta, 1836), 30.

described the spectacle of the “*Kleinjungenmarkt*” at Ravensburg. The details were like those provided by Memminger, but were accompanied by a more suggestive, critical tone. As the author noted, some “200 children,” aged “8 – 16,” arrived at the market each Spring, where their handlers negotiated a “price” with local farmers. “A stronger boy will be paid 16 fl.; a small, weak girl only 3 fl.; the average price is 7 fl.” Despite these rather pointed details and the suggestive invocation of a “price,” the author never went so far as to invoke slavery.³⁸

The Swabian Children even featured in an 1859 travel guide, which likewise positioned the *Kindermarkt* as a curiosity rather than a cause of outrage. The guide was written for travelers on the Swabian railway (the famous *Schwäbische Eisenbahn*,) the first leg of which opened in 1848 and linked Friedrichshafen with Ravensburg. According to this account, “numerous children” were led “from Vorarlberg, Tyrol, Switzerland, and certain areas of the Swabian lowlands” to Ravensburg by an adult guide each year, where farmers from “near and far” would hire them out. The children would depart by November 11 and were employed as domestics or shepherds.³⁹

By the 1850s, public accounts had come to rely on a handful of standard features. While Switzerland or the Swabian lowlands were recognized as additional places of origin, most considered Alpine Vorarlberg and Tyrol in Austria as the main sending locales. The absence of any reference to documentary controls, such as schooling dispensations or travel visas, is notable only because these would be such a consistent feature in public accounts beginning from the 1860s. Meanwhile, the inclusion of references to age, especially because these migrants were described as children, reinforces the sense that schooling was not viewed as a distinguishing feature. Thus, as with documentary controls, the subsequent focus on schooling

³⁸ “Stuttgart, 15. November,” *Bayreuther Zeitung*, No 280 (25. November, 1838), 3.

³⁹ G. Kutter, *Die Schwäbische Eisenbahn: ein Handbuch für gebildete Reisende, mit einer Eisenbahnkarte* (Heilbronn: Verlag der J.D. Classischen Buchhandlung, 1859), 117.

was really a product of debates inaugurated by the passage of the 1869 Imperial Elementary School Law (*Reichsvolksschulgesetz*).

However, the most important, consistent feature in these accounts was the market. In some cases, it was termed a *Kindermarkt*, whereas in others it was simply referred to as the common market. This is not surprising considering that the *Kindermarkt* was simply a way of referring to the particular days on which the Swabian Children congregated at the market in Ravensburg. Friedrichshafen was never mentioned as the location of a major market during these decades. Even more significantly, however, is the fact that all of these accounts treated the existence of the market as extraordinary. The fact of these children's labor was, of course, hardly notable. It was common throughout Europe for boys to spend the summers working in agriculture and girls to work as household servants. Likewise, the mobility itself was hardly novel, as this region was renowned for significant labor migration.⁴⁰

It should be emphasized that one of the alternative terms for this market, "human market" (*Menschenmarkt*), was a common form of reference for labor markets throughout Central Europe prior to the nineteenth century. Indeed, a nearly identical Dutch term, *Poepenmarkt*, was used to describe the rather sizable labor markets that evolved across the Low Countries and in certain northwestern German states to attend to the needs of the so-called *Hollandgänger* (Holland Migrants). These migrants congregated by the hundreds in such markets, after which they mostly worked in agriculture or peat bogs.⁴¹ However, at no point did any of these accounts of the Swabian Children refer to other markets, such as those that had emerged around the *Hollandgänger*. One contemporary account from *Pfälzer Zeitung* made clear just how strange this term evidently seemed, putting it both in quotation marks and

⁴⁰ For but one consideration of these dynamics, see Colin Heywood, *Childhood in Nineteenth-Century France: Work, Health, and Education amongst the 'Classes Populaires'* (Cambridge: Cambridge University Press, 1988).

⁴¹ Klaus Bade, *Migration in European History*, trans. Allison Brown (Blackwell, 2003), 13 – 14.

attempting to explain just what a *Menschenmarkt* was.⁴² While there may be multiple reasons for this, from the fact that the North Sea System had already declined by the 1830s to a sense of intense regionalism, it nevertheless bears noting that the “child markets” of Swabia were not new in terms of etymology or practice. To understand the most likely explanation for just why so many contemporaries considered them notable, it is necessary to consider a second, more polemical discourse around these children from the same period.

In a satirical article from 1838, Carl Griesinger castigated the “child markets” as “slave market[s] en miniature.”⁴³ First, he compared the children to migrating birds. “In the month of May... one hears of a special type of migratory bird in the Kingdom of Württemberg. But they are no swallows, or even storks... They are two-legged, featherless animals...” He emphasized their poverty with a similarly sardonic tone. “...[they] wear plain white leggings and a small jacket, which are so thin that the wind cuts right through them.”⁴⁴ The root cause of the Eastern Alps’ poverty could, in his view, be found in the tendency of “a woman [to] bear more children than her man can support.” He also noted that, like other accounts, the children were eight to sixteen and were paid according to age and capacity.

What made Griesinger’s piece different was his criticism of the “child markets” as a form of slavery that, most outrageously, occurred in the very heart of Europe. One feature of “recent times” was, as such, that “in every city one can see glass cabinets, behind which the newest wares are displayed for the public to view.”⁴⁵ These children were displayed at the market like any other consumer good. He also firmly rejected the idea that, somehow, it was less outrageous for these children to be “rented out” than sold. After all, were they to be

⁴² “Der Ravensburger Menschenmarkt,” *Der Pfälzer Zeitung*, No 127 (29 May, 1856), 3.

⁴³ Carl Theodor Griesinger, “Der Jungens- und Mädchensmarkt,” *Humoristische Bilder aus Schwaben* (Stuttgart: Verlag der Griesinger’schen Verlags- u. Antiquariatshandlung, 1844), 215 – 216.

⁴⁴ Griesinger (1844), 216.

⁴⁵ Griesinger (1844), 221 – 223.

purchased, the slaveowner would be forced to look after them. Griesinger further drove home the allusion to slavery by including an imagined exchange between a potential employer and a child. “‘What does that little *büblein* (small boy) there cost?’... ‘Six gulden,’ came the answer. ‘Are you nuts? (*Seyd ihr bei Trost?*) The kid isn’t even tall enough to look a cow in the eye.’”

While Griesinger’s account made little impact in the German lands, a contributor to Ireland’s *Dublin University Magazine* evidently took notice. While including the same details of age, origin, and pay as Griesinger’s piece, this Irish contributor stridently rejected the notion that the “child market” constituted a form of slavery. “a slave-market, in the heart of Christendom? Heaven forefend! We are in Ravensburg, not Constantinople.” The piece included numerous phrases that seemed torn directly from Griesinger’s account. For example, the author noted that these children were “hired, or farmed out – not to be sold: that would be wrong. Besides, nobody would buy them, to have to support them for life.” Thus, while the two pieces came down on opposite sides when it came to the question of slavery, they demonstrated a shared understanding about the market’s peculiarity.⁴⁶

Griesinger and his Irish counterpart were not the only figures to associate the “child market” with slavery during these decades. In one 1852 contribution to *Die Illustrierte Welt*, a piece in the *Pfälzer Zeitung* was reprinted with an additional note that “This is a chapter of ‘European slave life’ that has till now not been written on...”⁴⁷ The most thorough and widely circulated from this period was, though, an 1866 contribution to Leipzig’s *Die Gartenlaube*.⁴⁸ Like Griesinger’s article some three decades earlier, this author adorned their piece with emotional pleas and poetic flourishes. The article granted special attention to the travel guides,

⁴⁶ “The Year-Market in Ravensburg: a story of the Swabian Highland,” *The Dublin University Magazine: a Literary and Political Journal*, Vol 24, July to December 1844 (1844), 559 – 576; for this selection, see 561.

⁴⁷ Alfons Hartmann, “Die Menschenmarkt,” *Die Illustrierte Welt. Blätter aus Natur und Leben, Wissenschaft und Kunst zur Unterhaltung und Belehrung für die Familie, für Alle und Jede*. Vol. 13 (Stuttgart: Hallberger, 1852) 7 – 8.

⁴⁸ “Ein Kinderhandel,” *Die Gartenlaube*, H. 4 (Leipzig: Verlag von Ernst Keil, 1866), 55 – 56.

which it described as strangers who came to lead children away from their parents and siblings each spring.

“The dreadful man came inside [the house]. The mother let out of a cry of horror and pain, [and] embraced her soon-to-travel child in her trembling arms... Yet, the man had counted out beautiful... shiny talers on the table... It was unbelievable!”

The *Die Gartenlaube* contributor, in this way, positioned the region’s poverty as an exonerating factor for the parents’ decision to sell their children to human traffickers. The choice to portray the guides as wandering strangers served a similar purpose, as it reduced the entire affair to a compulsory, monetary exchange. As we know, though, guides tended to be neighbors or even the children’s parents. This was certainly the case with ten-year-old Regina Lampert’s father, who guided two of his own children and a handful of neighbors from the same village in the 1860s.⁴⁹

In a decision that may have as much to do with its time of publication as with its polemical tone, this journalist decided to term the market at Ravensburg a “*Kindermarkt*... We have before us a sort of trade-in-humans, the similarity of which with the once-flourishing trade-in-blacks between Africa and America cannot be denied.” Like Griesinger and the *Dublin University Magazine* contributor, this journalist considered the practice an outrage not least because of its location in the heart of Europe. So the author assumed, prospective readers would be shocked that a “child trade” might “bloom” in a place renowned for so many “accomplishments in art and science” and “progress in every field of culture.” In other words,

⁴⁹ Regina Lampert, *Die Schwabengängerin: Erinnerungen einer jungen Magd aus Vorarlberg, 1864 – 1874*, Herausgegeben von Bernard Tschöfen (Zurich: Limmat Verlag, 2000), 61 – 62.

part of their outrage emerged from notions of slavery's backwardness and Europe's modernity. Slavery might be entirely appropriate to North Africa or the distant Americas, but in Ravensburg or Austria, it was entirely out place.

In line with other authors from these decades, the *Die Gartenlaube* journalist did not conclude with a specific call to action. It remained unclear whether the state was expected to act or if there were certain steps that readers might take to intervene. Indeed, beyond the spectacle of the market, the exact nature of these children's degradation remained unclear. The piece, for example, devoted some attention to the children's mobility and their lack of schooling. The former allowed for a brief, if indirect, reference to the children's border-crossing. "Whoever wishes to see these many trains of poor, small 'wares' in the weeks before easter...can most easily [do so] at Bregenz or along the road that goes from Lindau around Lake Constance and into Württemberg." Yet, there was no mention of travel documents, schooling dispensations, or proofs of poverty. Alternately, this author only mentioned that children attended school during the winter terms in their homelands. They included no reference to the question of schooling while abroad and demonstrated little interest in whether the migrations violated schooling requirements.

The most well-known *Kindermarkt* during these decades was not the one at Ravensburg. In 1846, a practice of child-trafficking at Bethnal Green in London garnered international attention. As was common at the time, a single article, reprinted verbatim, served as a standard account for this incident.⁵⁰ So the story went, hundreds of children aged seven and older congregated each morning between six and seven at Bethnal Green. Parents evidently brought their children to "rent them out" to local weavers. While the boys were put to work as

⁵⁰ For but three contemporary press accounts, see "Moderner Sklavenhande," *Der Bayerische Landbote* (8 November, 1846), 3; "Der Kindermarkt in Bethnal-Green," *Journal des Österreichischen Lloyd* (22 February, 1846), 1; "Londons Scheitenseiten," *Der Sammler. Ein Unterhaltungsblatt* (16 November 1846), 2.

“*ersatz* apprentices,” the girls were employed as household domestics. All the articles were unanimous in castigating the practice and at least one explicitly termed it “modern slavery.”

Despite this incident’s public footprint and its invocation of the term *Kindermarkt*, none of those writing on the Swabian Children referred to it. This may be because the Swabian Children were associated with agricultural rather than industrial labor. The accounts of the Bethnal Green *Kindermarkt* tended to invoke the *Fabrik* – a choice which positioned this incident in the broader context of debates over child labor. But maybe the Swabian Children were simply a niche interest. While the Bethnal Green incident drew attention in major newspapers across the continent and fit well within broader images of child labor in major urban centers, the *Schwabenkinder* featured in mostly regional publications. The *Die Gartenlaube* article was, in this sense, an outlier.

Württemberg Concerns over Labor Competition

During these same decades, an entirely different discussion that evidenced no interest in the “child market” was being conducted in internal state correspondence. In 1821, Württemberg’s Commission of Poverty (*Armenkommission*) issued a survey request to each of the mayoral magistrates in Upper Swabia, in which it asked for details on the many foreign children who poured into the region for work each summer. The survey’s primary objective was to collect the names and locations of landowners who “put unemployed children from neighboring Vorarlberg and Tyrol to use in their economic enterprises each year.” The letter’s emphasis was, then, on Württemberg landowners rather than the children themselves. This letter also requested information on the particular period the children worked, the sort of labor in which they were employed, and wages.⁵¹

⁵¹ Letter of 18 August, 1821 (unnumbered), StaSig, Wü 65-41 T 1-2 Bn 352, Beschäftigung der ausländischen Hütekinder aus Vorarlberg, Tirol u. Schweiz – 1821.

Both in contrast to other accounts at the time and surveys issued decades later, this request was rather narrow in scope. There was, for example, no reference to visas or schooling dispensations. This may speak to the fact that Austrian authorities would not introduce specific documentary requirements for these children until 1833. The request also makes no explicit reference to public begging or unruliness. This concern may be implicit in its concluding remarks, however, which noted that the information would assist the goal of “securing the realm against the influx of these foreign poor.”⁵²

While some of the respondents dutifully provided the requested information, others took the opportunity to mention additional issues of concern. The mayoral magistrate of Wangen was amongst the former. This officer let the Poverty Commission know that thirteen children had taken up work in the community that year, that they were put to work as shepherds, that the children usually arrived in March, and that they were paid between six and twelve florins for their work.⁵³ The magistrate did not specify how long such children usually stayed. The mayoral magistrate of Schwarzach, by contrast, offered one of the more detailed responses. Ten children had arrived there that season. They came in March, “customarily remained until *Martini* (November 11),” and enjoyed differential wages according to their “size and work capacities.”⁵⁴ In a parting aside, the author mentioned that it would be useful if the Poverty Commission took steps to oversee these migrants on account of their tendency toward begging.⁵⁵

A partial summary of the survey results indicated that 64 children between the ages of

⁵² Letter of 31 July, 1821 (zl 559), StaSig, Wü 65-41, T 1-2, Bn 352, Beschäftigung der ausländischen Hütekinder aus Vorarlberg, Tirol u. Schweiz – 1821.

⁵³ Letter of 11 August, 1821, from Schultheissenamt Wangen (unnumbered), StaSig, Wü 65-41, T 1-2, Bn 352, Beschäftigung der ausländischen Hütekinder aus Vorarlberg, Tirol u. Schweiz – 1821.

⁵⁴ This is St. Martin’s day, November 11.

⁵⁵ Letter from Schultheissenamt Schwarzach, undated, unnumbered. StaSig, Wü 65-41, T 1-2, Bn 352, Beschäftigung der ausländischen Hütekinder aus Vorarlberg, Tirol u. Schweiz – 1821.

six and fourteen had taken up employment in select districts in 1821.⁵⁶ This low number may be explained by the fact that many districts indicated no foreign children that season and that this survey did not include the districts of Ravensburg or Wangen. Demonstrating the overall emphasis on employers, this summary included the names of individual landowners but not those of the children. It also did not include any information as to the children's places of origin, whether they stayed for more than one season, or the type of work in which they were engaged. It should be noted that employers' names were not requested in the original letter, yet were collected anyway.

This survey is the earliest evidence of a sustained effort on the part of Württemberg authorities to take stock of these migrations. While it does seem that local officials took notice, the Poverty Commission did not launch additional surveys in subsequent seasons. A comparable survey of resident Swabian Children in Württemberg would not be undertaken until some five decades later, in 1878, when Austrian inquiries about schooling obligations would motivate the region's Upper Offices to figure out just how many kids would be impacted by proposed reforms.⁵⁷ Taken in isolation, it largely serves to demonstrate just how uninterested officials were in the children themselves. The children enter the record as nameless, ageless "strangers" of uncertain origin.

This survey was not, however, the most substantive effort at state intervention in Württemberg during these decades. The following year, in 1822, a letter to the Ministry of the Interior inaugurated the *Wohltätigkeitsverein's* campaign to apply regulatory oversight to these migrants.⁵⁸ Appeals to Stuttgart from the *Wohltätigkeitsverein* focused on three issues: the

⁵⁶ See table of 12 August, 1821, (unnumbered), StaSig, Wü 65-41, T 1-2, Bn 352, Beschäftigung der ausländischen Hütekinder aus Vorarlberg, Tirol u. Schweiz – 1821.

⁵⁷ This survey and the associated correspondence between Württemberg and Tyrolean authorities can be found in StaSig, Wü 65-26, T-1, Heranziehen ausländischer Hütekinder zum Schulbesuch – 1815 – 1882.

⁵⁸ See letter of 22 January, 1822 (734), VLA Bregenz, Uhlig Nachlass.

system of landownership in Upper Swabia that allowed the migrations to flourish, the children's proclivity for begging, and how the lack of schooling led to these children's physical and moral impairment. By arguing that the "landowners in Upper Swabia, ...are notorious for putting jobless orphans to work for their own economic benefit," the letter's authors laid the blame for unruliness and begging at the feet of the employers and not the children. The association even argued that, so difficult were the conditions under which these children lived, it was "thankful that only foreign young people" were subjected to it.

As ultimate cause of these different labor needs, these authors invoked the so-called "*Vereinödungs-system*." *Vereinödung*, so called because it involved the process of creating isolated farms known as *Einöden*, was a form of land consolidation that transformed communal land into sole ownership. These consolidations, the earliest of which were undertaken in the sixteenth century, had two purposes.⁵⁹ First, they abolished communal and other shared ownership rights over a particular plot of land, leaving in its place the unimpeded rights of one owner. The earliest examples of these consolidations involved siblings intent on separating rights over inherited property. The former land ownership structure of *Flurzwang*, which oriented plots around a village center, often entailed various restrictions on land use and accessibility.⁶⁰ By supplanting this communal system, *Vereinödung* permitted farmers to use their land as they pleased – including for the purposes of cattle grazing, for which Upper Swabia was already renowned by the early nineteenth century. The second goal of these consolidations concerned the distance from the outer edges of a plot to a farmer's home. The previous, village-oriented system often led to practical difficulties in terms of accessibility

⁵⁹ For an overview of this system in the Allgäu, see Gerhard Endriss, "Die Separation im allgäu. Die von dem Gebiet der Reichsabtei Kempten ausgehende Vereinödungsbewegung." *Geografika Annaler*, vol. 43, No. 1/2 (1961), Morphogenesis of the Agrarian Cultural Landscape: Papers of the Vadstena Symposium at the XIXth International Geographical Conference, 46 – 56; for this particular quote, see 46.

⁶⁰ This earlier system was known as *Flurzwang* – in effect, this system entailed legal and customary structures that forced farmers to enter into communal ownership agreements around their plot, or *Flur*.

because the outer extremities of individual plots tended to be quite far from the hearth. Because most consolidations moved the home to the very center of a newly consolidated plot, they enhanced accessibility to every portion of the estate. The particularly large sizes of the farm estates in Upper Swabia were likely a side effect of this system. Both because there were no communal land rights to navigate and since issues of distance and accessibility had been mitigated, it was easier for landowners to expand.⁶¹

In the entire documentary record on these children, which spans from the late eighteenth century through the 1930s, this letter is one of the very few sources to suggest a direct connection between *Vereinödung* and the Swabian Children.⁶² Considering that these consolidations reached their zenith during the closing decades of the eighteenth century, it should not be surprising that authors might have been more aware of it in the 1830s rather than later.⁶³ But, considering the sheer glut of published assessments that were produced amidst the moral panic of 1897 – 1914, it is curious that no activists, social scientists, or politicians made this assessment. This dynamic can be observed in sources concerned with both *Vereinödung* and the Swabian Children. Two of the more prominent social-scientific assessments of the Swabian Children were those by legal scholar Siegmund Kraus (1904) and philologist Ludwig von Hörmann (1877). For both, the issue was simple poverty rather than differential population levels or land ownership structures. While Kraus was more interested in highlighting the provincial state's complicity in permitting these migrations, von Hörmann argued that the

⁶¹ This is an aspect noted by Carl Griesinger, though without explicitly invoking *Vereinödung*. Carl Theodor Griesinger, "Der Jungens- und Mädchensmarkt," *Humoristische Bilder aus Schwaben* (Stuttgart: Verlag der Griesinger'schen Verlags- u. Antiquariatshandlung, 1844), 220.

⁶² This is also the very document that Otto Uhlig makes to invoke *Vereinödung*. See Otto Uhlig, *Die Schwabenkinder aus Tirol und Vorarlberg* (Innsbruck: Innsbruck Universitätsverlag Wagner, 1978), 148 – 150.

⁶³ In Kempten, for example, Endriss saw a steady rise in numbers up through the 18th century, in which there were 181 consolidations, after which it declined to 79 in the 19th century. Gerhard Endriss, "Die Separation im allgäu. Die von dem Gebiet der Reichsabtei Kempten ausgehende Vereinödungsbewegung." (1961), 46.

Swabian Children were rooted in the Eastern Alps' dire poverty.⁶⁴ Contemporary literature on *Vereinödung* likewise drew no reference to the *Schwabenkinder* either by name or as part of broader migration patterns. Economist Hanns Dorn's *Die Vereinödung in Oberschwaben* (1904), on which Uhlig also heavily relied, devoted no attention to seasonal migrant labor at all.⁶⁵ The significance of this absence in subsequent accounts is that, when the *Schwabenkinder* were situated as a problem from the 1860s, advocates on both sides of the border tended to focus on the poverty of the Eastern Alps rather than the comparable wealth of Swabia – in other words, on the place of origin rather than destination.

The second of the issues raised by the *Wohltätigkeitsverein* in 1822 was begging. It was based on a consultation with the local policing authorities who had been “watching [these children] for years...”⁶⁶ So such authorities observed, these “strange” (*fremden*) children had often taken to “harassing” locals and other child laborers while in Württemberg – a perspective that implied the tendency toward begging was a peculiar feature of foreign not local children. Later commentators would argue that these behaviors could be learned by observation and thereby spread through a community like a “plague.”⁶⁷ But this was not explicitly invoked at this time. Instead, these authors spoke of the “physical and moral” impairment that these migrations could presumably visit on these travelling young. In all, the members of the *Wohltätigkeitsverein* emphasized that these migrations needed to be addressed both for the children's own welfare and the public peace of Württembergers.

Third, the association noted that these “foreign” children were not required to attend school or go to church. For this Charity Association member, this absence was the root of these

⁶⁴ Siegmund Kraus, *Kinderarbeit und Gesetzlicher Kinderschutz in Österreich*. (Wien und Leipzig: Franz Deuticke, 1904), 167 – 173; Ludwig von Hörmann, “Die Schwabenlandkinder,” *Tiroler Volkstypen: beiträge zur geschichte der Sitten und Kleinindustrie in den Alpen* (Wien: C. Gerold's Sohn, 1877), 100 - 106.

⁶⁵ Hanns Dorn, *Die Vereinödung in Oberschwaben* (Kösel, 1904).

⁶⁶ Letter of 22 January, 1822 (734), VLA Bregenz, Uhlig Nachlass.

⁶⁷ See, for example, “Vom Unterland,” *Vorarlberger Landes-Zeitung* (16 Januar, 1868), 1 – 2.

children's immorality and was thus the ideal vector for state intervention. As this suggested, the Ministry of the Interior could address the public ills of begging and immorality by compelling employers to send the migrants to school or church. Even aside from its "moral and intellectual" benefits, such a requirement would also help combat the difficult conditions of the labor itself. This is because sending children to school would mean fewer hours spent engaged in "such a pitiful employment."⁶⁸

There is no evidence to suggest that either this 1822 appeal or its successors over the following decade resulted in substantive efforts from Stuttgart. This is not to say that no officials took steps to address the issue of children begging during the early decades of the nineteenth century. In the 1830s, the district office of Tettwang reached out to authorities in Austria to ask that something be done in the place of origin to prevent migrants from traveling to its district. And at least some authorities in Austria took up Tettwang's request. Noting that "the population" in Tettwang had apparently grown weary of the "great numbers" of women who flowed into their community with small children, a corresponding circular from the district of Feldkirch ordered that visas to Swabia be denied to those lacking sufficient travel funds.⁶⁹

The terminology in each of these documents, it should be noted, was peculiar to its time and place. Neither state officials nor the association used the term *Schwabenkinder* to describe these migrants. This nomenclature would not achieve widespread usage in published and state documents until the 1850s. Even then, however, it would remain a term used only by those in the places of origin until the 1890s. Württemberg sources also consistently referred to the two regions of Tyrol and Vorarlberg but never Austria. Therefore, like those references to Upper Swabia, these documents' manner for referring to these children should be understood through

⁶⁸ Letter of 22 January, 1822 (734), VLA Bregenz, Uhlig Nachlass.

⁶⁹ Letter of 10 August, 1835 (unnumbered), Gemeinde Archiv Rankweil, Schl 15, Nr 5, VLA Bregenz.

the lens of non-state regional categories.

Tyrolean Controls on Mobility and Schooling

In Tyrol and Vorarlberg, authorities only began to express some concern or interest in these children in 1833, when the office of the *Gubernium* issued an edict establishing specific documentary requirements.⁷⁰ This edict simply noted that only children who had demonstrated good attendance could be granted a travel visa and that documents attesting to such needed to be furnished to the child's district court. During these decades, unlike other places in the Austrian Empire, schools in the two Alpine Crownlands rarely held instruction over the summers.⁷¹ This visa did not, then, require a schooling dispensation, but merely tied a child's right to leave Austrian territory to a demonstration of dutiful school attendance over the winter term.

This 1833 edict did not include specific limitations concerning age or behavior while abroad. As regards the former, a few details can be extracted based on contemporary schooling requirements. At its time of passage, children were required to attend school from the ages of six to fourteen. Despite the ambitious goals of the Theresian school reforms, attendance could be remarkably low especially in the Alpine lands.⁷² Meanwhile, the absence of any reference to begging suggests a lack of interest in the children's behavior while abroad. While these children almost certainly turned to begging to support their travels in Austria as well as Württemberg, it remains that Tyrolean and Vorarlberger observers did not express the same sort of concerns over this issue as did their counterparts across the border. Aside from its references to travel visas, this edict otherwise bore no reference to these children's journeys

⁷⁰ See letter of 10 May, 1833 to Schwarzach, unnumbered, Gemeindearchiv Schwarzach, Sch 7, Bürgerschaft Nr 6 – Hüttekinder (Schwabenkinder), VLA Bregenz.

⁷¹ Tomáš Cvrček, *Schooling Under Control: the Origins of Public Education in Imperial Austria, 1769 – 1869* (Mohr Siebeck: 2020), 56.

⁷² Tomáš Cvrček, *Schooling Under Control: the Origins of Public Education in Imperial Austria, 1769 – 1869* (Mohr Siebeck: 2020), 59.

and included no language concerning their behavior or comportment while in Württemberg.

A revised edict of 1852 would address one of these absences but not the other. Only those between the ages of nine and fourteen, it specified, could apply for a visa to Swabia. This age-based addition was notable. Despite sustaining the earlier requirements centered around schooling, it actually indicated that a subject's status *as a child* is what mattered. While the edict of 1833 could be understood as a method for encouraging dutiful school attendance and not a form of inhibiting child migration for the purposes of labor abroad, such could not be assumed for that of 1852. This is because the ages of nine to fourteen did not line up with schooling requirements or even the most common thresholds for child labor prohibitions.⁷³ When one considers the additional requirement, also introduced in this edict, that parents furnish proofs of sufficient poverty, it becomes clear that authorities viewed these migrations as an imperfect solution to penury – an issue which could be tolerated, but which should not be permitted for the especially young.⁷⁴

Circa 1860, some local state officials began to express concern over these children's behavior while in Swabia. The district court of Feldkirch, which had received several missives about begging from Tettwang over the preceding decades, drafted a request to the communities in its jurisdiction, in which it asked that local authorities verify that all prospective travelers possessed sufficient "capacity to work" and "travel means." Those lacking such were to be

⁷³ Generally, the age threshold for child labor participation in Austria, as across much of Europe during the nineteenth century, was twelve. The two-year age gap that separated child labor prohibitions from schooling age would eventually emerge as a central issue for child welfare activists. But in these decades, such thresholds were only just beginning to take shape. Likewise, the particular practices regarded as *Kinderarbeit* were only vaguely defined until the middle decades of the century. As a form of agricultural labor, the *Schwabenkinder* would not be considered as a potential target for such laws until the 1890s. While the emphasis on industrial rather than agricultural labor has been the subject of substantial debate in scholarship on childhood during the nineteenth century, the age gap between compulsory education and schooling age has benefited from only scant interest. Within this literature, Annika Boentert's monograph on the *Kaiserreich* provides one the most direct explorations of the connections between shifting sensibilities about childhood and prohibitory child labor laws. Annika Boentert, *Kinderarbeit im Kaiserreich, 1871 – 1914* (München: Paderborn, 2007).

⁷⁴ Edict reprinted in letter of 27 February, 1867, Feldkirch (unnumbered), Letter of 10 August, 1835 (unnumbered), Gemeinde Archiv Rankweil, Schl 15, Nr 5, VLA Bregenz.

denied visas.⁷⁵ However, from these documents, it remains unclear whether this circular based around a sense of anxiety over the children's moral comportment as they grew, or if instead it was a response to some other correspondence from across the border.

Tyrolean and Vorarlberger state officials rarely devoted much attention to the Swabian Children prior to 1867. To be sure, the two edicts issued by the *Gubernium* do indicate a degree of interest, but the fact that these failed to kick up a mass of documents comparable to that produced after the 1867 edict is telling. In light of requirements to produce proofs of poverty and dutiful school attendance, one might expect at least some documents concerning issues of enforcement or application. One of the few surviving sources of this sort concerned the daughter of one Maria Agathle, who fled to Bludenz with the intent of moving on to Swabia without her mother's consent. District authorities in Feldkirch circulated a description of the fifteen-year-old so that, if caught, she could be reunited with her family.⁷⁶ The edict of 1867 can provide a stark counterpoint to this trend, as specific accounts of noncompliance, schooling dispensations, and travel visas litter the archival record between 1867 and 1878.

This emerging, shifting age-based threshold is notable for additional two reasons. On the one hand, it suggests the broader trend, long noted by historians of childhood, of imbuing childhood with a sacrality that could be marked or violated by certain practices – in this case, schooling and labor migration.⁷⁷ The emphasis on schooling suggests that children should be in school and not on the streets or at work. Second and related, this implies that, even in the Alps, some had begun to emphasize fourteen rather than twelve as the age that distinguished childhood from youth. It is notable that those aged fourteen or younger are explicitly described

⁷⁵ Letter of 21 July, 1860 (No 3583) Gemeinde Archiv Rankweil, Schl 15, Nr 5, VLA Bregenz.

⁷⁶ Letter of June 16, 1855 (No. 3439), Gemeinde Archiv Rankweil – Sch 15, Nr 5, VLA Bregenz.

⁷⁷ For a classic encapsulation of this argument, see the introduction to Colin Heywood, *Childhood in Nineteenth-Century France: Work, Health, and Education amongst the 'Classes Populaires'* (Cambridge: Cambridge University Press, 1988).

as “children” and that this nomenclature collapses into appeals that children belong in school.

The Swabian Children at their moment of Discovery

By the 1860s, public observers and state officials demonstrated a growing sense of awareness about the thousands of children who travelled from the Eastern Alps to Swabia for work as domestics and shepherds each spring. Standard features had begun to emerge. While girls were employed in the households, boys were set to tending the animals. The wages varied according to age, size, and work capacity. The traditional months of departure and return were in March and November. While some children came from within Württemberg or from Switzerland, the vast majority who headed to Upper Swabia for work each spring hailed from the Oberinntal in Tyrol or from Vorarlberg. While either of these origins rendered them Austrian subjects, no contemporary accounts referenced their state subjecthood. Furthermore, none of these early accounts used the term *Schwabenkind*.

State officials duplicated some of these features while adding additional ones of their own. In Württemberg, some noted these children’s tendency for begging. Tyrolean officials, meanwhile, focused on their schooling. When combined with press accounts, it becomes clear that these children were required to attend school during the winter terms in Austria but not during the summers in Württemberg. In terms of access to religious services or confessional differences, the Württemberg *Wohltätigkeitsverein* simply noted that many children were not given the opportunity to attend Sunday services. What really distinguished this practice from other sorts of labor migration during these decades was, however, the spectacle of the child market. Even where it was called by some other name, such as *Menschenmarkt*, contemporaries considered the congregation of hundreds of children at the common market on specific days extraordinary. Whether in press reports, in city histories, or travel guides, it was this feature that gave the regime its coherence as a distinct phenomenon. One can even see that other

features, like wages or labor terms, were often only included only as a way of explaining the “child market.”

These decades, then, effectively witnessed the Swabian Children’s discovery by state officials on both sides of the border and by a handful of journalists. Historian Otto Uhlig has found scattered evidence of individual children from the Eastern Alps going to Swabia for work as early as the sixteenth century. However, as he admitted, this evidence is so sparse that it is difficult to say exactly when the migrations began. More fundamentally, though, is the issue of just what, exactly, distinguished the Swabian Children from the various other forms of labor mobility by young persons in Europe. Two aspects, the child markets and the masses of children lining the routes, may explain why these children garnered attention in a way that others did not. As Joseph Rohrer and the anonymous *Die Gartenlaube* contributor noted, it was difficult to miss the trains of children lining the routes to Swabia during the spring. At this time, the caravans tended to be rather small, numbering in the dozens rather than the hundreds. This left the impression of a sustained trickle rather than, as would be the case later in the century, a sudden glut. A similar dynamic can be observed with the “child markets.” It was not simply the sense that these children were sold as “wares,” because only some contemporaries even framed this phenomenon as such. Rather, it came down to these children’s visibility on certain days. We may remember that it was this very feature that likewise attracted so much interest around the “child market” at Bethnal Green. The Swabian Children’s distinctiveness, then, emerged because of their legibility rather than their labor or mobility.

In all, attempting to uncover when the Swabian Children “really” began distracts from the fact that wider publics only became aware of them during the opening decades of the nineteenth century. Otto Uhlig’s assessment may be the closest we can get to the material origins of these migrations. It does seem reasonable to surmise that the *Vereinödung* system

provided the structural foundations which, over decades, motivated many parents to send their children to work in Swabia. But this does not change the fact that, with very few exceptions, our evidence about these migrations begins with the nineteenth century. To treat the Swabian Children as a centuries-old migratory phenomenon, as recent scholarship continues to do, risks misconstruing the shape of the archival record. In large part, what we know of these migrants comes from what public observers and state bureaucrats said about them. The few ego-documents we have come from the 1860s and later. These documents verify public assessments in some respects and contradict them in others. But they constitute a fraction of the overall source base.

The Swabian Children must be understood as a category constructed over many decades and imbued with specific features that rendered it distinct from other migratory phenomena. When seen this way, it is possible to recognize situations in which material practices failed to line up with public and state expectations. In the following chapter, we will see how the image of the diligent, upright “Swabian Child” informed the laws crafted to govern them. We know that children and their parents viewed begging for *Zehrfennig*, or travel funds, as a traditional custom around these migrations. Yet, this did not align with the way the state constructed the *Schwabenkinder* as a migratory category. When seen in this way, we can recognize moments of categorical shift. In the 1890s, the “Swabian Children Association” introduced one of the most notable transformations in public views of these migrations by positioning priests, rather than family members or neighbors, as travel guides and handlers. Over time, many in the public came to accept this feature as inherent to these migrations. Public accounts eventually started project this aspect back across the decades as a static, transhistorical feature rather than an innovation of the 1890s.

In the 1850s, the three discourses about the Swabian Childre during the first half of the

nineteenth century remained siloed. Even public, published accounts revealed ignorance of similar practices earlier. To the extent that any sustained discussions emerged, they remained isolated to a handful of sources. District courts in Vorarlberg, for example, occasionally issued circulars on the edicts passed by the *Gubernium*. The *Wohltätigkeitsverein*, meanwhile, duplicated some language from the 1821 survey issued by the Württemberg Poverty Commission. Some press journalists reprinted previous accounts on these migrants. Yet, a unified, shared discourse on these children, which merged internal state documents with public press accounts, would only cohere in 1867 with the issuance of a *Statthaltereis* edict.

Chapter 2

Between Two Homelands: Building a Legal Regime around the Swabian Children, 1867 – 1891

In 1867, regional newspapers greeted the passage of a Lieutenant Governor's edict on the Swabian Children as a step in the right direction. In one journalist's opinion, the requirement that children furnish proofs of poverty and dutiful school attendance evidenced the law's "charitable purpose." While the poverty attestation indicated that parents were compelled by their economic situation to send their children to work, the attendance document served as indirect proof of moral conduct. With this law, the state provided clear legal constraints that guided children to a form of upright labor. It offered an alternative to the "bodily and spiritual ruin" of factory work, and it meant that the region's poorest would not beg on the streets.⁷⁸ Despite the amount of interest it generated at the time, the 1867 edict has garnered only passing mention by scholars of the Swabian Children. In historian Otto Uhlig's assessment, it counted amongst the multitude of failed regulatory efforts that littered the legislative landscape of the nineteenth century. According to Uhlig, the edict's iterative wording, which echoed or even duplicated verbiage from statutes dating back to the 1830s, indicated at once its prohibitive intent and persistent difficulties with enforcement. Stipulations threatening the denial or revocation of documents for noncompliance suggested that regional observers saw these laws as a mechanism for suppression. Meanwhile, the recurrent issuance of laws with identical paragraphs over many decades exposed the ineffectiveness of enforcement efforts.⁷⁹

⁷⁸ "Von der Linkin III," *Vorarlberger Volksblatt* (28 February, 1868), 3.

⁷⁹ For Uhlig's discussion of this law, see Uhlig, 115 – 121. Other historians have generally declined to dive into this legal regime and so have treated these requirements as effectively static over the course of the half-century after 1867. See Roman Spiss, *Saisonwanderer, Schwabenkinder und Landfahrer: die gute alte Zeit im Stanzertal* (Wagner, 1993); Stephan Zimmerman, *Die Schwabenkinder: Arbeit in der Fremde vom 17. bis 20. Jahrhundert* (Bauerhaus-Museum Wolfegg, 2016).

In declining to consider the broader context of state anxieties over uncontrolled mobility in the 1850s and 1860s, scholars have missed the edict's true impact. The 1867 *Statthaltereis* edict did not exert a prohibitory influence on the Swabian Children because that was never its purpose. The edict was drafted to insulate these migrants from another coercive campaign aimed against the *Jenisch* - those itinerant wanderers whom many considered the Alps' counterpart to the Roma.⁸⁰ In contrast to the morally-upright Swabian Children, who pursued forms of agricultural work in the fields of Swabia, the *Jenisch* were regarded as itinerant beggars and vagrants. For this reason, beginning from the 1850s, regional officials passed multiple laws and edicts with the aim of containing the latter's caravans. From this perspective, the statutes concerning the Swabian Children dating back to the 1830s did not reveal the frustration of regional officials at the persistence of a practice they found repugnant. It revealed a sense of anxiety over the possibility that the punishments leveled against the *Jenisch* might also ensnare the *Schwabenkinder*. The absence of a notable rise in enforcement efforts against the Swabian Children was not evidence of administrators failing to apply the edict's stipulations. It was consistent with the broader direction of state concern over itinerant wandering during the 1850s and '60s.

This is explained by the high regard in which regional elites generally held the Swabian Children. State officials and public elites generally believed that participation as a *Schwabenkind* offered the opportunity to work the land as sedentary workers.⁸¹ Whereas those

⁸⁰ It bears noting that it is neither entirely accurate, nor analytically helpful, to regard the *Jenisch* as a fixed category. This is not least because many contemporaries failed to put much effort into distinguishing the *Jenisch* from other ambulatory or itinerant wanderers, including the Roma. For many at the time, the point was really whether these individuals were engaged in "purposeless wandering," which observers usually saw as quite distinct from seasonal labor migration. Whereas the former qualified as a type of vagrancy, the latter was understood as a legitimate, thus legally permissible form of mobility. See Elisabeth Grosinger and Roman Spiss, "Die Jenischen in Tirol," *Jahrbuch der Michael-Gaismair-Gesellschaft* (Innsbruck: Studienverlag, 2002), 53 – 63; Leo Lucassen, "A Blind Spot: migratory and travelling groups in Western European Historiography," *International Review of Social History*, Vol. 38, No. 2 (August 1993), 209 – 235.

⁸¹ This notion that child labor in agriculture was inherently more moral due to its association with pre-modern "tradition" was of course a common sentiment in many places at the time. For an impression of this sensibility in

in the factories tended to learn immoral habits from rough-and-tumble day laborers, the Swabian Children worked on morally upright, religiously devout family farms. Many even believed that these children developed a sense of *Heimatliebe* in the Oberinntal and Swabia; the Swabian Children's mobility was seen as a brief interruption in an otherwise sedentary pursuit.

The 1867 edict was largely forgotten during the 1880s, when debates over the revised school law of 1884 drew the most attention for issues relating to the Swabian Children. Beginning around 1900, though, a coterie of Social Democrats and social scientists resurrected it in their efforts to get a handle on the phenomenon.⁸² For luminaries including Siegmund Kraus, Karl Seitz, Simon Abram, and Karl Kautsky, the *Schwabenkinder* were not a mere migratory phenomenon. It took more than movement from the Eastern Alps to Swabia and work in agriculture to recognize one as a *Schwabenkind*. For these social scientists and politicians, *Schwabenkind* was also legal a category. These were children who furnished proofs of poverty and dutiful school attendance in exchange for travel visas.⁸³

The Long Shadow of 1867

Around 1900, a wide array of journalists and social scientists began to turn their eyes to the peculiar migrations of the Swabian Children. To get a handle on them, they consistently turned to the state's rolls of approved schooling dispensations over the summers. In 1907, for example, a correspondent for the *Arbeiterwille* tried to convey a sense of the migration's scale:

France, see Colin Heywood, *Childhood in Nineteenth-Century France: Work, Health, and Education amongst the 'Classes Populaires'* (Cambridge: Cambridge University Press, 1988), especially 17 – 126; for Imperial Germany, see Annika Boentert, *Kinderarbeit im Kaiserreich, 1871 – 1914* (München: Paderborn, 2007), especially 272 – 273, 401 – 415.

⁸² For an exploration of the relationship between legal personhood and migration, see Daniel Thyme, "Ambiguities of Personhood, Citizenship, Migration and Fundamental Rights in EU Law." in *Constructing the Person. Rights, Roles, Identities in EU Law* (Hart, 2016), 111 – 130; for a broader overview of legal personhood as a concept, see Vis-a A.J. Kurki, *A Theory of Legal Personhood* (Oxford UP, 2019).

⁸³ This interpretation is indebted to Ian Hacking's seminal argument about dynamic nominalism, though mediated through notions about the primacy of legal texts in interpretive contests. See Ian Hacking, "Making up People," *London Review of Books*, Vol 26, No. 16 (August 17, 2006); for Bourdieu's musings on how control over legal texts constitutes the "prize" in interpretive contests, see Pierre Bourdieu, "The Force of Law: Toward a Sociology of the Juridical Field," *Hastings Journal of Law*, trans. Richard Terdiman, vol. 38 (1987), 818.

“the most recent report of the Vorarlberger Provincial Committee substantiated the fact that, in the last school year... 348 students were granted a 7½ month schooling release. Almost without exception, these children moved abroad – including many children from Tyrol – to Swabia...”⁸⁴ For this writer, the best quantitative source for the migrations could be found in the state’s statistics of releases granted for the dates between March 15 to November 1. By framing them in this way, they made the Swabian Children a state-based category – a migratory phenomenon which was not only regulated but defined by the laws governing it.

By the first decade of the twentieth century, sustained cries of “slavery” and “child export” helped incite a moral panic around the Swabian Children. In their efforts to communicate both the features and scale of these migrations, contributors to this discourse invariably turned to data collected by the state. Through one 1907 report in the *Innsbrucker Nachrichten*, readers learned that “218 children were registered” that season in Landeck.⁸⁵ Similarly, the *Vorarlberger Landes-Zeitung* informed its readers that in 1904 “335 children... received a schooling release from summer school for the time from March 15 to November 1 [for contract work (*Verdingung*) abroad as ‘*Schwabenkinder*’ or locally].”⁸⁶ This latter report was particularly telling for its tacit admission that it remained unclear what percentage of these children remained within Austria and what percentage traveled to Swabia. Indeed, as surviving stacks of schooling dispensations from Vorarlberg in these years reveal, children took advantage of the statutes governing the Swabian Children to pursue a wide range of work opportunities both domestically and abroad.⁸⁷ Yet, journalists and politicians continued to suggest that the numbers of participating *Schwabenkinder* corresponded to those who had been

⁸⁴ “Das Kind als Ausbeutungsobjekt,” *Arbeiterwille* (1 August, 1907), 3.

⁸⁵ “(Schwabenkinder),” *Innsbrucker Nachrichten* (16 März, 1907), 5.

⁸⁶ “Das Volksschulwesen in Vorarlberg,” *Vorarlberger Landeszeitung* (16 März, 1904), 4.

⁸⁷ For one such collection, see VLA, Bezirkshauptmannschaft Bregenz, 529, which includes *Schuldspensen* accounting for a total of 1225 children in the district of Bregenz.

granted schooling releases.

The decision to consider the *Schuldispens* records as synonymous with the Swabian Children should not be taken as the only way to gauge this phenomenon. It was entirely possible to derive numbers by other means, including eye-witness accounts or data collected by state authorities on the other side of the Austro-German border. One example of the former can be found in a 1908 *Innsbrucker Nachrichten* article, which reported that “yesterday at midday, the *Schwabenkinder* came in, numbering at about 50, on their journey to Southern Baden and Württemberg under the guidance of clergy.”⁸⁸ According to this correspondent, what really mattered was not the “total” numbers of traveling Swabian Children from the two Alpine Crownlands, but the sizes of individual caravans - a shift that highlighted the migrants’ public impact and legibility rather than legal status. Alternately, Württemberg surveys carried out between 1908 and 1911 took stock of resident Swabian Children in the districts of Wangen and Ravensburg. These surveys emphasized raw numbers of child-aged migrants, noting their places of origin and age while making no reference to questions of legal status or documentation.

By defining the Swabian Children using this decades-old edict, public critics after 1900 constructed these migrations as what James Schmidt has termed a “legality” - an epistemological system for which “formal law’s classificatory impulse” takes center stage in producing the very category it governs.⁸⁹ For a plethora of Social Democratic critics, including figures as prominent as Simon Abram, Siegmund Kraus, and Karl Seitz, the edict of 1867 was

⁸⁸ “(Die Schwabenkinder),” *Innsbrucker Nachrichten* (31 März, 1908), 5.

⁸⁹ While Christopher Tomlins originated this formulation, James D. Schmitt used it to great effect in his analysis of the way laws governing child labor helped construct childhood as a category of legal personhood. While his argument remained firmly tethered to the courtroom, Schmidt nevertheless uncovered the ways in which individual statutes can have ramifications that go well beyond common notions of legal precedent. See James D. Schmidt, “‘Restless Movements Characteristic of Childhood’: the Legal Construction of Childhood in Nineteenth-Century Massachusetts,” *Law and History Review*, Vol. 23, No. 2 (Summer, 2005), 318 – 319.

constitutive of the Swabian Children themselves.⁹⁰ As legal scholar Siegmund Kraus argued in 1904, the 1867 *Statthalter's* edict defined the *Schwabenkind* as a category of legal personhood, through which privileges to legitimate movement were coupled with particular obligations.

Kraus was outraged – not by the spectacle of children moving from the Eastern Alps to Swabia – but by what he saw as the provincial state's complicity in abrogating the eight years of instructions required by the Imperial Public School Law (*Reichsvolksschulgesetz*). As he put it, “It cannot be denied that it is a... violation of the law when, already from the end of their eleventh year, children are pulled out of school during the summers to work abroad.”⁹¹

This conceptual move had important effects. For one, none of these public critics entertained the notion that the “Swabian Children question” might be resolved through private, philanthropic solutions. On the contrary, such critics agitated for new legislation that would, at long last, close the loopholes granted to these children since 1867. These suggestions resulted in, among other efforts, a sustained push to alter the Imperial Public School Law so that such children would no longer receive schooling dispensations. The most notable fruit of these efforts was the child labor survey of 1907/08, which centered the Swabian Children as evidence of the legal mischief embedded in the schooling dispensation process. More broadly, by centering an Austrian *Statthalterei's* edict, these efforts situated the “Swabian Children question” as a distinctively Austrian problem. For this reason, children from the Kingdom of Italy or, in even greater numbers, the Swiss Canton of Graubünden receded to the discursive periphery.

Second, this framing also suggested that children who traveled to Swabia without

⁹⁰ For Seitz's statements to the Austrian *Reichsrat* in 1902, see *Steographische Protokolle über die Sitzungen des Hauses der Abgeordneten des Österreichischen Reichsrathes im Jahre 1902: XVII. Session. 116. Bis 128. Sitzung (§10959 bis 11908)*, 11262 – 11263; for Abram's influential eye-witness account, see Simon Abram, “Die Heimkehr der Tiroler Hütekinder aus dem Schwabenland.” *Innsbrucker Nachrichten* (31 Oktober, 1908), 17.

⁹¹ For this quote, see Siegmund Kraus, *Kinderarbeit und Gesetzlicher Kinderschutz in Österreich*. (Wien und Leipzig: Franz Deuticke, 1904), 170; for his entire discussion of the *Schwabenkinder*, see 167 – 173.

having first applied for legal status with the state failed to count – both literally and figuratively – as Swabian Children. Contributors to this discourse declined even to introduce the possibility for extralegal participation, such as by introducing any dichotomy between legal and illegal mobility. It is clear that some number of children from Austria continued to travel to Swabia to work as domestics and shepherds without documentary approvals during these later years.⁹² However, precisely because officials were aware of them, these were children who were legible to the state by other means – they enjoyed a recognized place of legal domicile and were associated with a particular school. What this all means is that by 1900 few understood the Swabian Children in the way that historian Otto Uhlig did – namely, as a material practice through which children traveled from the Eastern Alps to Swabia, from point origin to destination, in search of work. Rather, the Swabian Children were legal persons of schooling age from the two Alpine Crownlands, numbering between two and six hundred from roughly 1900 to 1915, who were granted permission by the Austrian state to pursue labor opportunities in Swabia between the dates of March 15 and November 1. Uhlig’s account was, however, consistent with these outraged activists around 1900 in at least one respect. This was their lack of appreciation for the 1867 edict’s original context and, therefore, purpose.

The Campaign against the *Jenisch*

In 1864, one of the so-called “soul-sellers” (*Seelenverkäufer*) from Brazil presented the Tyrolean parliament with a rather drastic solution to the “*Jenisch* and Vagabond situation.”⁹³

⁹² See the Ministry of Agriculture’s statement to this effect in Präsidium des K.K. Ackerbau-Ministeriums, 11.3.1914, Nachlass Otto Uhlig, VLA Bregenz.

⁹³ As a term, *Seelenverkäufer* was used in a rather flexible, if pejorative manner to describe the various sorts of traffickers who helped immigrants make the overseas journey to the Americas. As a result, it could be used in reference to illicit smugglers but also to travel agents tasked with finding workers for overseas employment. For its part, *Dörcher* was another one of the common pejoratives used to describe the *Jenisch*. See Elisabeth Grosinger and Roman Spiss, “Die Jenischen in Tirol,” *Jahrbuch der Michael-Gaismair-Gesellschaft* (Innsbruck: Studienverlag, 2002), 53 – 63.

With the provincial Landtag's approval and support, the trafficker offered to "lead" these families, numbering almost a thousand, "across the ocean." The seriousness with which some in Innsbruck entertained the proposal suggests the issue's urgency. For many at the time, the Jenisch's wandering caravans constituted a "provincial plague," which spread "impoverishment" to every community they touched. Some feared that the dire economic and moral conditions of these people's poverty-stricken caravans might spread like an infestation across the land.⁹⁴

Moving from town to town in their two and four-wheeled carts, these peculiar wanderers were known by various names – *Dörchern*, *Karrenziehern*, *Gratzelziehern*, *Jenisch*, *Ladinern*. Not a few of these terms were epithets wielded by sedentary city-dwellers suspicious of the *Jenisch*'s itinerant lifeways and proclivity for begging. Between the 1850s and '80s, accounts of the *Jenisch* also touched on various other sorts of wanderers common to the region. The Crownlands of Tyrol and Vorarlberg saw migrants from Italy, Bohemia, Dalmatia, Hungary, and elsewhere. While those bound for locales within the Alps might be intent on working in civil construction or the textiles manufactories dotting the Rhine, those headed for Bavaria or Württemberg usually wished to find employment in kilns and on farms.⁹⁵ Locals consistently viewed this mélange as a source of unrest and criminality. As one *Tiroler Bote* contributor put it, "The villages swarm with vagrants (*Landstreichern*) of every sort. Roma (*Zigeuner*), tinkers, railway workers of Italian and Bohemian origin, wandering musicians,

⁹⁴ For this "soul-seller's" proposal, see "Oesterreich," *Bozner Zeitung* (12 Mai, 1867), 1.

⁹⁵ The literature on Italian migration to Bavaria, Baden, and Württemberg provides a rich snapshot of migratory practices in the Eastern Alps and the Southwestern German states more broadly. See Rene del Fabbrio, *Transalpini: Italienische Arbeiterwanderung nach Süddeutschland im Kaiserreich, 1870 – 1918* (Osnabrück: Rasch, 1996); Klaus Bade and Jens Petersen, *L'emigrazione tra Italia e Germania* (Manduria: P. Lacaita, 1993); and for a perspective on Bregenz and Vorarlberg as a transit-zone, see Reinhard Johler, *Mir parlen Italiano und spreggen Dütsch piano: italienische Arbeiter in Vorarlberg, 1870 – 1914* (Feldkirch: Rheticus Ges, 1989); lastly, for an overview of the rise of the Vorarlberger textiles industry and its impact on child labor in that Crownland, see Gerhard Wanner, *Kinderarbeit in Vorarlberger Fabriken im 19. Jahrhundert* (Feldkirch: Feldkirch Kammer für Arbeiter u. Angestellte für Vorarlberg, 1986).

vagrant scribes, and entire packs of craftsmen overwhelm... the poor village residents...”⁹⁶ For locals, the seasonal influx of travelers meant harassment by beggars and clogged streets.

Most people at the time regarded the *Jenisch* as the Alps’ very own *Roma*. They hailed from a handful of villages, such as Stilfs and Schönweis, in the rural valleys of the Oberinntal and Vintschgau. Like the Swabian Children, they departed these valleys each Spring in search of work.⁹⁷ According to regional educator Ludwig von Hörmann, their caravans tended to set up in the outskirts of major cities – one of these, for example, was the so-called “Rößl in der Au” at Innsbruck.⁹⁸ Whether of the smaller, two-wheeled or larger, four-wheeled variety, their wagons often accommodated entire family units, including multiple children and family pets.⁹⁹ In terms of dress, *Jenisch* men could be recognized by their long beards and the white feathers adorning each of their hats, while women were often seen wearing a “smock of washed-out cotton” and a towel around their heads.¹⁰⁰

Most accounts of the *Jenisch* suggested that they supported themselves from a combination of piecemeal jobs, hawking self-made wares, and begging. These critical - and largely unverifiable - descriptions noted that while the men would often pursue some form of employment, wives sent their children from house to house asking for whatever might be spared. As one press journalist put it, “After meals, the young will traditionally go begging.

⁹⁶ Quoted in *Volks- und Schützen-Zeitung* (10 April, 1867), 1.

⁹⁷ Leo Lucassen has noted that these ambulatory caravans often served a vital economic function, and that the tendency towards criticism was more a result of their itineracy. Leo Lucassen, “A Blind Spot: Migratory and Travelling Groups in Western European Historiography,” *International Review of Social History*, Vol. 38, No. 2 (August 1993), 209 – 235; this observation also brings to mind Jan Breman’s assessment of the undeserving poor, the *Lumpenproletariat*. See Jan Breman, “Driving Out the Deserving Poor,” from *The Lifework of a Labor Historian: Essays in Honor of Marcel van der Linden*, ed. Ulbe Bosma and Karin Hofmeester (Brill, 2018), 139.

⁹⁸ While today, this is the name of a student hostel in the Innsbruck suburb of Hötting, it is not certain what it was in Hörmann’s time.

⁹⁹ Ludwig von Hörmann, *Tiroler Volkstypen: Beiträge zur Geschichte der Sitten und Kleinindustrie in den Alpen* (Wien: C. Gerold’s Sohn, 1877), 44.

¹⁰⁰ Ludwig von Hörmann (1877), 43.

The women will, with the smallest children, settle down... and beg to those passing by.”¹⁰¹

Ludwig von Hörmann argued that the children were “traditionally” sent out to beg at least two times a day – once after lunch and again after supper. This tendency, of course, raised concerns about the sort of moral lessons these children learned. As one reporter mused, “What shall become of children who, from the very first, see the world from a wagon, who grow up in wagons... only in order to beg?”¹⁰² Whether for the purposes of begging or in the pursuit of odd jobs, the *Jenisch*’s activities were often mentioned as a direct contrast to the “hard work of farmers.”¹⁰³

Thus, many viewed the *Jenisch* as an example of ills of uncontrolled mobility. Ludwig von Hörmann made his disgust with the *Jenisch* no secret. The *Jenisch*’s children were at once “dirty and mangy” (*schmutziger und verwahrloster*), while their home villages were little more than a “filthy nest.”¹⁰⁴ Even family pets did not escape his disdain. “Few [caravans] lack a filthy Pomeranian or one-eyed poodle...” A constitutive aspect of this derision was the common tendency to refer to these caravans as the “Roma of Tyrol.” Such was the terminology used by one journalist who argued that these families included a “father, his wife or, better said, the mother of numerous dirty children...”¹⁰⁵

These anxieties clarify just why, between 1853 and 1867, both the *Statthaltereien* and Tyrol’s provincial parliament took steps to criminalizing their movements. The first of these efforts, an 1853 *Statthaltereien*’s edict on “vagabonds,” restricted visas to those who demonstrated sufficient want and a related inability to find gainful employment.¹⁰⁶ As was

¹⁰¹ “VIII. Landstraßen und ihre Gestalten,” *Der Sammler: Beilage zur Augsburger Abendzeitung*, Nr. 47 (27 April, 1871), 187.

¹⁰² “Von der Ill, 26 August (Vagabundenwesen u.a.),“ *Vorarlberger Volksblatt* (29 August, 1884), 4 – 5.

¹⁰³ Ludwig von Hörmann (1877), 41.

¹⁰⁴ “Der Schrecken aller Einödhöfe,” Ludwig von Hörmann (1877), 40.

¹⁰⁵ J. Weber, “Die Dörcher,” *Innsbrucker Nachrichten* (24 September, 1910), 1.

¹⁰⁶ For a reprint of this law, and its subsequent endorsement by authorities in Innsbruck, see “26. Maßregeln gegen das Karrenziehern-Unwesen,” *Verordnungsblatt der Erzdiözese Salzburg*, Vol. 2 (Salzburg, 1854), 40 – 42.

common for other sorts of aid, the right to a visa was rendered contingent on an applicant's capacity to furnish a "proof of poverty" (*Armutszzeugnis*).¹⁰⁷ This law also set the precedent of prohibiting children aged fourteen or under from accompanying these caravans – a stipulation which, in light of the recurrent references to the "half dozen" children that crowded many of these wagons, was likely meant to limit the numbers of those who could be sent begging. Those found in violation of these stipulations risked removal by the *Schub*, after which some (the law leaves specifics up to the discretion of municipal authorities) were to be committed to workhouses.¹⁰⁸

While the *Statthalter* passed numerous edicts over the following years, none introduced novel requirements to those already established in 1853. In merely reiterating earlier stipulations, this office suggested a tension between the regulatory objectives of legislators in the provincial centers and those tasked with their administration. The authors of an 1865 edict ruefully made this very point, noting that the "continuing existence of this evil (the *Jenisch*)" was largely the result of insufficient "enforcement" on the part of sub-provincial authorities. It was likely for this reason that this same statute devoted so much attention to descriptions of the censure mechanisms available to local authorities: fines, imprisonment, removal by the *Schub* (internal deportation), and corporal punishment.¹⁰⁹ The edict's primary purpose was, then, communicatory than legislative. The point was to exhort local authorities to put greater effort

¹⁰⁷ For one contemporary example of this usage, see the entries for „Armutszzeugnis“ and „Dürftigkeitszeugnis“ in Paul von Madarassy, *Lexicon der Stämpel- und Gebühren-Gesetze vom 9 Februar und 2 August 1850 und der dazu in den Jahren 1850 – 1858 nachträglich erflossenen Erläuterungen und Verordnungen* (Pest: Lauffer, 1858).

¹⁰⁸ For an overview of Schubwesen and its relationship to Heimatrecht, see Sigrid Wadauer, "Establishing Distinctions: Unemployment versus Vagrancy in Austria from the Late Nineteenth Century to 1938," *International Review of Social History*, Vol. 56. No. 1 (April 2011), 31 – 70; Hermann Rebel, "Between 'Heimat' and 'Schubwesen': Walking the Homeless to Death in Early Modern Austria," *Central European History*, Vol. 48, No. 4 (December 2015), 461 – 479; for what remains arguably the most comprehensive account of barriers to internal mobility in Austria, see Ilse Reiter, *Ausgewiesen, Abgeschoben: Eine Geschichte des Ausweisungsrechts in Österreich vom ausgehenden 18. bis ins 20. Jahrhundert* (Frankfurt am Main: Lang, 2000).

¹⁰⁹ "75. Verordnung des K.K. Statthaltereipräsidentiums vom 28. November 1865, (Nr. 2508 – pr.) in Betreff des Dörcher- und Vagabundenwesens," *Landesgesetzblatt Tirol und Vorarlberg., 1848 – 1918* (1865), 64 – 65.

into applying existing regulations.

Another edict passed some two years later, in 1867, took a similar tone in its stipulations about *Jenisch* children aged fourteen and younger.¹¹⁰ In this case, the *Statthalter* reminded local authorities that children were banned from these caravans “not just during the winter school term, but during the entire year.”¹¹¹ This phrase spoke to the fact that, unlike in other Crownlands, few districts in the Eastern Alps held school during the summers. It seems some administrators had understood the ban on children in the context of compulsory education and had therefore declined to censure noncompliance during the summers.¹¹² This edict was, then, drafted to emphasize that the laws concerning the *Jenisch* were not to be understood in the context of schooling, but rather as part of the system of internal restrictions on mobility.

By the 1867 passage of the landmark edict on the “Swabian Children,” the *Jenisch* had been the subject of a dedicated prohibitory campaign. While, ultimately, the Tyrolean *Landtag* never took the Brazilian “soul-seller” up on his offer to convey the region’s *Jenisch* across the Atlantic, it did pass a law of its own. In this case, the resulting statute prohibited “purposeless wandering” – a transgression that would result in a ban on the granting of visas for two years’ time. It also invoked the specter of the *Schub* and, for particularly onerous violators, corporal punishment. Provincial officials understood the *Jenisch* as an intractable problem during these years. And they devoted significant efforts to wield state power to combat them.

Because they emerged from the same provincial valleys with the onset of spring, the

¹¹⁰ This age specification is significant not least for the way it gestures to a contemporary shift in understanding about the boundaries between childhood and youth. In the 1869 *Reichsvolksschulgesetz*, which was a subject of debate in the Imperial *Reichsrat* since as early as 1867, the duration of *Schulpflicht* was expanded from age 12 to age 14. And, in line with this, it was becoming increasingly common at this time to discuss children using the adjective *Schulpflichtiger*.

¹¹¹ “55. Verordnung der K.K. Statthaltereie vom 28. Juli 1867 (Nro. 15612), in Betreff der Bettler und Vagabunden in paßpolizeilicher Beziehung.“ *Landesgesetzblatt Tirol und Vorarlberg., 1848 – 1918* (1867), 50 - 51.

¹¹² For an overview on the peculiar lack of summer instruction in the Alps, and the way it was integrated into the Crownland’s compulsory schooling laws, see Tomáš Cvrček, *Schooling Under Control: the origins of public education in Imperial Austria, 1769 – 1869* (Tübingen: Mohr Siebeck, 2020), 165 – 167.

Swabian Children routinely entered the frame whenever the *Jenisch* was invoked. As with the *Jenisch*, contemporaries often had a rather vague understanding of just what, exactly, distinguished the *Schwabenkinder* from the various other travelers who crossed through the Alps each Spring. Although these children were defined by their destination in the farm estates of Swabia, it could in practice be difficult to determine just where their caravans were headed. While thousands congregated at the “child markets” in Swabia each Spring, the textiles manufactories of Dornbirn and Feldkirch also drew significant numbers of young workers during the same months. Considering that school was seldom held during the summers anywhere in Tyrol, it was not necessary for children to apply for a dispensation.

An additional overlap could be found in the fact that Swabian Children were often cited for incidents of routine begging as they moved through Vorarlberg. As one journalist put it rather hyperbolically in 1867, “When they come into a place, they fall upon it like wandering locusts (*Wanderheuschrecken*), begging to everyone they come across.”¹¹³ Another contemporary noted that, just like the *Jenisch*, begging was necessary to acquire a sufficient amount of “*Zehrpennig*,” or travel funds. While this journalist recognized the practice as an unfortunate necessity due to these children’s profound poverty, they nevertheless stressed that the resulting number of children “living on the streets” constituted a “real plague” for the countryside.¹¹⁴

The migrants themselves tended to understand begging as a constitutive part of the journey. In reflecting on a handful of trips undertaken during the 1860s, ten-year-old Regina Lampert clarified that it was customary for children to visit neighboring villages – and those from neighboring villages their own – in the days prior to departure to collect travel funds. As

¹¹³ As reprinted in *Die Debatte*, see “[Die ‘Schwabenkinder’],” *Die Debatte* (23 März, 1867), 2.

¹¹⁴ “Vom Unterland,” *Vorarlberger Landes-Zeitung* (16 Januar, 1868), 1 – 2.

one of the youngest and smallest, Regina happily reported, “I got always got the most” of those moving from house to house.¹¹⁵ In light of this traditional practice, it should hardly be surprising that the Swabian Children turned to begging after they left their homes in March. The turn to begging did not, for them, manifest a quasi-compulsory response to poverty, but instead a sort of customary marker for those undertaking the journey abroad. When seen from the perspective of these children, the turn to begging aligns with another peculiar tradition that contemporaries, which elites likewise dismissed as a manifestation of poverty. This is the traditional stop at the small church in St. Anton am Arlberg, where children tore off small splinters from a wooden statue of St. Christopher as a talisman for protection on the road. While this practice was similarly buoyed by structural factors like poverty and travel conditions, to consider them without reference to cultural context or generational continuity would misconstrue the experiences of the migrants themselves. As Lampert’s account shows, conceptions of poverty and the hardship of the journey were not neatly segregated from those of tradition and adventure. The visit to the church at St Anton am Arlberg, the long trek by foot in the “child caravans,” the occasional recourse to begging, and the sense of exploration – these were all an integral parts of the experience.¹¹⁶

In a few cases, the Swabian Children’s overlapping practices and geographical origins with the *Jenisch* evidenced a lack of conceptual clarity. In these, the distinctions between the two phenomena risked collapsing altogether. Such was the situation with a *Feuilleton* story contributed to one 1868 issue of the *Tiroler Stimmen*, in which the author curiously narrated that, “with his *Schnappsacke* on his back... [a young child] looked to me just like a *Dörcherkind* (*Jenisch* child) who goes to tend geese in *Schwabenland*.”¹¹⁷ The anonymous

¹¹⁵ Regina Lampert, *Die Schwabengängerin: Erinnerungen einer jungen Magd aus Vorarlberg, 1864 – 1866*, herausgegeben von Bernhard Tschofen (Zürich: Limmat Verlag, 1996), 54.

¹¹⁶ For but one description of this practice, see “K St. Christoph, 12. März,” *Tiroler Stimmen* (15 März, 1869), 4.

¹¹⁷ J.P. “Von den Flegel in die Mannesjahre,” *Tiroler Stimmen* (4 März, 1868), 2.

writer failed to specify whether, in their view, the *Jenisch* were also often Swabian Children, or if instead these categories were themselves mutually constitutive. Yet another account, which was reprinted in numerous papers across the region, raised the possibility that some Swabian Children were imposters. According to this tale, a twelve year old boy had been “stolen” by a female beggar (*Bettlerin*) when playing in the meadow whilst his family was at church. The beggar brought the boy with her to Swabia, where she claimed to be his mother and contracted him out to a local farmer. Moved by “pangs of conscience,” she sent the boy back to his home village of Bezau months later with an explanatory letter.¹¹⁸ Such stories reveal just how sensitive contemporaries could be about the Swabian Children’s definitional stability at this time. While, in theory, these could seem easily distinguishable from other sorts of itinerant wanderers, in practice, the overlap in routes, places of origin, and habits made delimiting them a fraught task.

Despite these difficulties, most considered the possibility for work in Swabia as a vital and morally acceptable outlet for regional poverty. One journalist offered a typical example of this narrative in 1856, writing that each of the Swabian Children returned “with a fresh, healthy appearance, were fitted with fresh clothes, and brought to their mother and father... 4, 6, 8, [and even] up to 12 gulden of hard cash.”¹¹⁹ Other observers placed special emphasis on the children’s work in agriculture rather than industry. Many presumed that, lacking the opportunity to become Swabian Children, these poor would otherwise be forced to work in the textile manufactories of Feldkirch or Dornbirn.¹²⁰ Contemporaries repeatedly stressed that, however heart-wrenching the sight of these hundreds of wandering young, their conditions and pay as agricultural workers were doubtless better than those of their industrial counterparts. Or

¹¹⁸ “Die wiedergefundene Sohn,” *Innsbrucker Nachrichten* (1 Januar, 1876), 3.

¹¹⁹ “Vom Bodensee, 9 Dez.,” *Der Bote für Tirol* (17 Dezember, 1856), 3.

¹²⁰ See “Von den Seen, 27 Februar,” *Tiroler Stimmen* (4 März, 1862), 3.

as one reporter mused, “For how much better off are those children who are dutifully instructed to work in God’s open nature... [and] who are sent back home to their parents physically enervated, than are those unfortunates (*Bedauernswerthen*) who work from early morning to late evening in... a *Fabrik* for wretched wages...?”¹²¹

Lastly, despite their seasonal sojourns, the Swabian Children were often regarded as sedentary rather than rootless. Seasonal migrants of this sort, it was often assumed, “...remained Tyrolean despite years spent traveling abroad...”¹²² This perspective largely came down to the fact that, unlike the *Jenisch*, these children worked as shepherds and farmers. It was for this reason that some even argued that Swabia constituted a “second homeland” for them.¹²³ While they may have traveled long distances across national as well domestic borders, what really mattered was that the Swabian Children moved from one place of permanent residence to another. It was for this reason that they could not be considered under the heading of vagrancy despite their noted tendencies toward begging.

All of this explains the peculiar wording of the 1867 *Statthalter’s* edict on the Swabian Children. The edict included four basic requirements. First, it prohibited children aged nine or younger from obtaining a travel visa for the purposes of working abroad in Swabia. Second, it specified that children could only be granted travel visas for this purpose between the dates of March 15 and November 10. Third, those wishing to obtain such a visa would, in a manner like that of their *Jenisch* counterparts, be required to furnish “proofs of poverty and dutiful school attendance.” Fourth and finally, those granted the permission to travel abroad for work in Swabia would be required to attend forms of remedial schooling for up to three additional years. By viewing this law in isolation, historians have so far seen it as a prohibitory legislative

¹²¹ “Aus dem Illthale,” *Der Bote für Tirol* (9 März, 1878), 9.

¹²² “Die zeitweiligen Auswanderer,” *Tiroler Stimmen* (13 März, 1865), 1.

¹²³ “Vom obern Inn, 7 April,” *Tiroler Stimmen* (12 April, 1869), 3.

move. In articulating such clear requirements, scholars have argued, the law suggested that age and season-based limits had not been the norm previously. Certainly, many observers in the press did take this law as a programmatic declaration on the part of the state to, in effect, take ownership of these migrations. But a deeper reading - one which pays attention to the contemporary legal corpus - reveals a rather different purpose.¹²⁴

The *Statthalter* drafted the edict of 1867 as a method for erecting categorical bulwarks between the Swabian Children and the *Jenisch*. The law's point was to maintain these children's rights to travel abroad because it manifested a preferable alternative to the dual threats of itinerant begging and factory labor. This is evidenced by the fact that the law only expanded on previous edicts issued by the *Gubernium*, the precursor to the *Statthalterei*, going back to the 1830s. The earliest of these statutes in the surviving record, an 1833 *Gubernium* edict, focused almost entirely on the question of dutiful school attendance.¹²⁵ It was only in 1852 that, in a subsequent law, that office paid special attention to factors like age and begging.¹²⁶ One of the more significant differences between the 1852 law and its 1867 counterpart was the stipulation that recipients found begging were to have their rights to travel revoked.

Curiously, the authors of the 1867 *Statthalter's* edict declined to mention this preexisting legal patchwork. This is even though other laws routinely referenced precedent-setting statutes - including those by organizations or offices which had since been disbanded. This choice obscured the edict's legislative debt to previous statutes dating back to the 1830s. The effects of this erasure were only further accentuated by the 1867 edict's wide public

¹²⁴ "Eine sehr heilsame Verordnung," *Katholische Blätter aus Tirol*, Nr. 4 (10 Februar, 1868), 16.

¹²⁵ For one copy of this law, see letter of 10 May, 1833 to Schwarzach, unnumbered, Gemeindearchiv Schwarzach, Sch 7, Bürgerschaft Nr 6 – Hütekinder (Schwabenkinder), VLA.

¹²⁶ For a copy of this law, see letter of 22 February, 1852 to Schwarzach, unnumbered, Gemeindearchiv Schwarzach, Sch 7, Bürgerschaft Nr 6 – Hütekinder (Schwabenkinder), VLA.

impact. It garnered verbatim reprints in at least two regional newspapers. None of the previous edicts on the Swabian Children appear to have left even a minimal public footprint.¹²⁷

Whatever the reason, the *Statthalter's* decision to omit references to previous statutes served to communicate a sense of legal novelty to the public - even if it offered little that was new.

The 1867 edict also invoked the prohibitory campaign against the *Jenisch*. The law's opening sentence referenced two statutes governing those itinerant wanderers - the statute of 1867 about the fate of accompanying children and that of 1865, which prohibited begging and vagrancy. As previously discussed, these two laws expressed exasperation at an apparent lack of zeal on the part of enforcement agencies in subjecting the *Jenisch* to censures for noncompliance. And these explicitly prohibited children aged fourteen or younger both from joining these caravans and from engaging in itinerant wandering or begging. By referencing these laws, the *Statthalter* made clear that, while the *Schwabenkinder* were permitted to travel abroad for work provided they met certain requirements, the *Jenisch* of a similar age were not, at least insofar as they wished to join their parents on the road. The 1867 *Statthalter's* edict was the first state law passed on the *Schwabenkinder* since 1853. Despite the growing drumbeat of articles expressing concern or curiosity about these children, practically no public commentators referred to earlier laws or called for new ones. By contrast, no fewer than four laws were passed on the *Jenisch* between 1853 and 1867.

Thus, while the *Statthalter* understood the *Jenisch* as a problem, it saw the Swabian Children as an opportunity. The former raised the specter of a spread in "impoverishment" and the inculcation of work-shyness in the *Jenisch's* young. The latter removed the region's poorest children to family farms, where they might learn to be industrious farmers and shepherds. For

¹²⁷ See, for example, *Die Gartenlaube's* article on the movements from 1866. "Ein Kinderhandel," *Die Gartenlaube*, H. 4 (Leipzig: Verlag von Ernst Keil, 1866), 55 – 56.

this reason, the *Statthalter's* 1867 edict was passed as a method for ensuring that the legal traps laid for the *Jenisch* would not also ensnare the Swabian Children. Recall that, while subsequent edicts on these itinerant wanderers called for enhanced enforcement, those on the Swabian Children referred – not to prior edicts on these same children – but laws aimed at the *Jenisch*. The 1867 edict was, then, authored with the implicit purpose of enshrining the Swabian Children's rights to mobility rather than, as later authors had it, restricting them.

The Continuities of 1867

In March of 1875, ten-year-old Heinrich Bösch filed a request to local authorities in the Austrian town of Lustenau for the right to work in *Schwabenland* over the summer. The city approved his application by granting him a *Heimatschein* “valid until the end of October, 1875.”¹²⁸ With this in hand, Heinrich crossed the border into Swabia where, on 21 March, he found a position with a farmer in the town of Emelhafen. In October, the mayoral magistrate of Emelhafen wrote a note on Heinrich's *Heimatschein*, informing that the boy had been “provided good employment.” When Heinrich departed once again the following March, authorities in Lustenau had his *Heimatschein* “extended until the end of October, 1876.” Heinrich returned to Austria later that year with a note indicating his employment, and Lustenau once again extended his visa for the following season.¹²⁹

¹²⁸ A *Heimatschein* was

¹²⁹ See *Heimatschein no. 28*, Uhlig Nachlass, VLA.

Politischer

Bezirk Feldkirch



HEIMATSCHEIN

Nº 22

womit von der Gemeinde Lustenau bestätigt wird, daß
 Name *Heinrich Bösch*
 Charakter oder Beschäftigung *Simpfkrüder*
 Alter *10 Jahre*
 Stand *Landw.*
 in dieser Gemeinde das Heimatrecht besitzt.

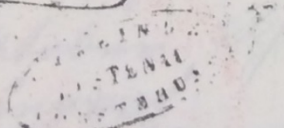
Eusterou den *15 März 1875 fünf*

Eigenhändige Unterschrift der Partei

Für die Gemeinde

Opoldauer
Obst. Ver. 1875
Maryme
Maryme

Alex. Mandl



Lst. u. zu haben bei 16 Buschauer Feldkirch.

Heinrich Bösch's *Heimatschein*, 1875. Uhlig Nachlass, VLA

Heinrich's case is notable not least because he remained with one employer during the summer. This meant that he did not "exchange employers three, four times" due to disagreements or a desire to pocket initial payments.¹³⁰ Furthermore, as the note from authorities in Emelhafen demonstrate, Heinrich made it to *Schwabenland*. As representative Franz Speckbacher suggested at a 1871 Tyrolean *Landtag* meeting, some parents used the legal allowances granted to Swabian Children by the 1867 edict to remove their children from school "under the pretense of going to *Schwabenlande*."¹³¹ Bösch was, in other words, an ideal example of the hardworking, sedentary *Schwabenkind*. This is likely the reason that authorities in Lustenau were willing to extend his *Heimatschein* repeatedly rather than requiring him to apply for new documents.

Heinrich's case is revealing of how local administrators were apt to treat these children amidst the legislative moves of the 1860s and 70s. Just as authorities in Lustenau declined to mention any statutes, those tasked with adjudicating these children's applications and censuring noncompliance rarely referenced the legal corpus governing them. What really mattered was the degree to which these children demonstrated the capacity to obtain gainful employment in Swabia and the ability to settle down at a specific place of employment during the year. The edicts governing the Swabian Children of 1852 and 1867 were, in other words, not regarded as novel policy directives issued from on high. Rather, they manifested codifications of routine administrative-legal practices at the local level.

One aspect demonstrating that local authorities declined to see the 1867 edict through the lens of novelty can be found in how provincial authorities informed subordinate bodies of

¹³⁰ Ludwig von Hörmann, "Alpenstaffage, von Ludwig v. Hörmann, 6. Die Schwabenkinder" *Wiener Zeitung* (November 30, 1874), 6.

¹³¹ "Sie kommen zu spät in die Schule, und unter dem Vorwande, ins Schwabenlande zu gehen, treten sie auch früher aus." from *Stenographische Berichte des Landtages für die Grafschaft Tirol der IV. Landtags Periode. Erste Session vom 14. September bis 13. Oktober 1871* (Innsbruck: Druck der Wagner'schen Buchdruckerei, 1871), 210.

its passage. For example, in late 1867, Vorarlberg's Provincial School Board informed the small town of Schwarzach of the new requirements - not by explaining its stipulations - but by reiterating the *Gubernium* edict of 1833.¹³² By approaching it in this fashion, provincial authorities signaled that the 1867 edict did not oblige subordinates to alter their administrative practices. Taken in the context of the legal and political transformations of the 1860s, this communicatory purpose had real value - especially in these years of significant tumult. Older bodies like the *Gubernium* were replaced by the *Statthaltereien* and new laws came down the pike with bracing regularity amidst the reforms that created the Dual Monarchy. For children, the most disruptive of those passed at this time was the *Reichsvolksschulgesetz*. Against this background, the circular to Schwarzach concerning the 1867 edict seems to have been issued mostly to emphasize that, despite the changes ongoing in Vienna, longstanding statutes concerning the *Schwabenkinder* remained in force.

Generally, local administrators treated the textual stipulations of these edicts as a formalization of their approaches to the Swabian Children rather than a prescriptive model. Amongst the most compelling examples of this is a peculiar case from 1855. In this situation, the mother of Maria, aged thirteen, reached out to authorities in Feldkirch, asking that they help facilitate her return. As the girl's mother informed them, Maria had absconded to nearby Bludenz, from which she intended to make her way to Swabia for work. In response, the district office of Feldkirch drew up a detailed letter, in which it both included Maria's last known whereabouts and a lengthy description of her features and dress. While it remains unclear what eventually came of the case, Feldkirch's handling of it is telling. Authorities did not, as they might have done, focus on the stipulations of the 1852 *Gubernium* edict - despite

¹³² Letter of 27 February, 1867 (597), Gemeinde Archiv Rankweil, Schl 15, Nr. 5 - Auswanderer, Reisepässe, Schwabenkinder, Freizügigkeit des Vermögens, VLA.

the letter's considerable length, they never mentioned the girl's travel documents, whether she had been released from schooling duties, or any other aspect of her legal rights to travel to Swabia. Instead, they focused on the mother's wishes and exerted all efforts to reuniting this potential *Schwabenkind* with her mother.¹³³

A similar dynamic is observable in the various overtures local authorities made in addressing questions of sufficient travel funds – which local statutes required prospective migrants to possess before departure. The threshold for what might constitute an acceptable amount of travel funds was never stipulated in Imperial edicts or provincial legislation. Effectively, determinations were left to the discretion of those in the towns and valleys in which the migrants lived. It was in this light that an administrator in the Swabian city of Tettngang wrote their Austrian counterparts that the thirty-six residents there were in possession of sufficient “travel funds” – with no further details and, even more importantly, follow-up from their counterparts across the border.¹³⁴

Even the dispensation of travel documents revealed the interpretive power local administrators enjoyed in carrying out provincial requirements. As a handful of surviving certificates and declarations of travel dispensations from Rankweil show, bureaucrats were apt to grant these with little if any accompanying information. For example, in one aggregate list, we see that Maria Ann Beck, born 1857, was granted a “*Reiseurkunde nach Schwaben*” in the 1869 season.¹³⁵ In another, we learn that two boys, surnames Josef (b. 1854) and Alois (b. 1855) were granted the same for that season as well.¹³⁶ Notable in these was the lack of any

¹³³ Letter of June 16, 1855 (No. 3439), Gemeinde Archiv Rankweil – Sch 15, Nr 5, VLA Bregenz.

¹³⁴ Letter of 22 September, 1869 (Z. 874), Gemeinde Archiv Rankweil, Schl 15, Nr. 5 – Auswanderer, Reisepäße, Schwabenkinder, Freizügigkeit des Vermögens, VLA.

¹³⁵ Letter of 15 March, 1869 (unnumbered), Gemeinde Archiv Rankweil, Schl 15, Nr. 5 – Auswanderer, Reisepäße, Schwabenkinder, Freizügigkeit des Vermögens, VLA.

¹³⁶ Letter of 16 March, 1869 (unnumbered), Gemeinde Archiv Rankweil, Schl 15, Nr. 5 – Auswanderer, Reisepäße, Schwabenkinder, Freizügigkeit des Vermögens, VLA.

additional information, such as the children's places of legal residence, names of their employers, parents' or legal guardians' names, or the capacity to furnish sufficient *Reisegeld*. Indeed, the only information communicated in these documents were the children's names, years of birth, and the season for which their visas had been granted. Naturally, these details would have all been included in the children's actual *Heimatschein* or *Reisepass*. But their absence in these approval letters should not be taken for granted. By the turn of the twentieth century, it became customary to include all these details in each child's school dispensations. Many of these same features were, furthermore, reproduced in approval letters, appeals, and travel documents.

This is not to say that grumblings about legal requirements were unknown in administrative circles. One 1874 report from Lustenau suggests that some children declined to take the steps necessary to apply for travel documents at all. Per this complaint to the provincial school board of Vorarlberg, because a "considerable number wander[ed] to *Schwabenland*," it was difficult for authorities to assess "whether [children] had travel documents or not." According to that representative, border authorities were simply overwhelmed with the vast numbers and so were compelled to allow some to move without any attempt to check documents. This representative also singled out a culprit for this state of affairs - the school dispensation system, through which children were legally excused from attendance for specific periods of time.¹³⁷ This legal loophole, that representative rightly pointed out, was the bulwark that supported the entire regulatory system around the Swabian Children.¹³⁸ After all, the *Schuldispens* was the foundational document on which, at least in

¹³⁷ See letter of 28 February, 1874 from Lustenau, unnumbered, Uhlig Nachlass. VLA

¹³⁸ The dispensation system has to date received relatively little scholarly interest. This is curious considering the central role it played in controversies around the relationship between child labor and compulsory schooling from roughly 1883 to 1918. The dispensation system was legally constructed by the 1883 revisions to the Imperial Elementary School Law. In particular, the revised form of §21 established local authorities' rights to release children from schooling duties for "grave reasons." The vagueness of this terminology energized outrage amongst

written legal texts, all subsequent travel documents could be obtained. For this reason, the Lustenau administrator argued that the best strategy for compelling children to obtain documents would be to enhance oversight in the school system rather than at the border.

Lastly, it bears mentioning that when authorities *were* interested in punishing noncompliance, it was possible to uncover incidents with relative ease. Per one 1878 report from the village of Götzis, administrators had managed to identify some twelve children who had traveled to Swabia “without permission” (*ohne Erlaubnis*) in the previous season. While this does not specify the specific natures of the migrants’ violations, this terminology suggests, in light of ongoing complaints about valid travel documents, that children had their applications for visas denied or that they had declined to apply in the first place. This account does not indicate the sorts of legal mischief that, at that very moment, were circulating in the press – such as providing falsified age information or using visas as a way of avoiding restrictions in internal mobility and the related specter of the *Schub*. More importantly, though, the specifics of the accompanying list reinforce the loose, even informal way that state officials addressed noncompliance. In a manner reminiscent of the letters approving *Reiseurkunde*, this document only included parents’ names, amounts fined, and which parents had already furnished payment. The children’s names, years of birth, places of residence, and duration of absence were all unspecified.¹³⁹ It also bears mentioning that the amount of the fine - one florin per child - was trivial in light of what a *Schwabenkind* could expect to make during the 1860s.

Social Democrats and Child Labor reformers in the decades straddling 1900, ultimately motivating them to focus on this “institution” (as they often pejoratively called it) in the landmark child labor survey of 1907-08. For the assessment of this system in that survey’s findings, see K.K. Arbeitsstatistisches Amt im Handelsministerium, *Erhebung über die Kinderarbeit in Österreich im Jahre 1908. II Teil. Textliche Darstellung. I Heft.* (Wien: K.K. Hof- und Universitäts-Buchhändler, 1911), 19; 104 – 105; for the revised law of 1883, see “Nr. 15. Gesetz vom 2. Mai 1883*) womit einige Bestimmungen des Gesetzes vom 14. Mai 1869, R.G.Bl. Nr 62, abgeändert werden.“ *Verordnungsblatt für das Ministerium für Cultus und Unterricht* (Wien: Verlag des k.k. Ministeriums für Cultus und Unterricht, 1883), 120.

¹³⁹ Letter of 11 October, 1878, Gemeinde Archiv Götzis, Schl 7, Nr 7 – Schwabenkinder. VLA.

Upper amounts for a successful labor term could range between eighteen and twenty florin.¹⁴⁰

Because of these administrative practices, it becomes evident that public criticisms about the state's insufficient zeal in enforcing the 1867 edict had some merit. Several press articles published between 1870 and 1873 expressed anxiety over persistent incidents of noncompliance with the edict's stipulations. One journalist argued that some parents provided "false age information" in order to "fraudulently obtain" travel documents for their children.¹⁴¹ Another noted the tendency to travel using expired *Reisepässe* from previous seasons rather than going through the application process anew.¹⁴² Several contemporaries pointed out the seeming indifference of policing authorities to the Swabian Children's proclivity toward begging and other forms of legal mischief while moving through Vorarlberg. In one 1868 article, a reporter pointed out that these children were, on account of their poverty, compelled to "...beg for their entire *Zehrung* (travel funds), and often even for much more... at houses and along the streets..." Yet, in advocating that the ban on public begging be enforced "just as it is for other people," the journalist gestured to a relative absence of administrative zeal as it concerned these children.¹⁴³ Another 1872 *Feldkircher Zeitung* author made this point even more bluntly, asserting that "visas seem as though they are no longer necessary" to cross the border. This lack of will on the part of local officials, so the journalist also argued, emanated partly from the way the 1867 edict was carried out – namely, the decision to grant visas as well as schooling releases was left to individual school authorities and community representatives. In all, the journalist concluded, the situation manifested a "form of anarchy. Does no one have

¹⁴⁰ Uhlig, 135.

¹⁴¹ "...daß in der letzten Zeit einige Eltern durch falsche Altersangaben bereits Pässe zu erschleichen gewußt haben." from "Oberland, 6. April (Gleiches Recht für Alle?)," *Vorarlberger Volksblatt* (8. April, 1870), 3.

¹⁴² "...und sie, wie auch ihre Eltern glauben das Aeußerste erreicht zu haben, wenn sie ohne oder mit ungultigem Reisepaß über die Grenze kommen..." from "Innerbregenzerwald, Ende Febr. (Die Schwabenkinder)," *Feldkircher Zeitung* (März 1, 1873), 3.

¹⁴³ "Vom Unterland," *Vorarlberger Landes-Zeitung* (16 Januar, 1868), 1 – 2.

the strength and the will to compel obedience to these laws? ...Are the (municipal) representatives entitled to grant travel certificates entirely without regard to the law?"¹⁴⁴

When we descend to the local level – to the places in which the state’s regulatory efforts collided with the subjects they targeted– it becomes clear that regional bureaucrats did not understand their role through the lens of enforcement. The notion that the differential treatment of the Swabian Children might constitute a “form of anarchy” would have been hardly recognizable to these administrators. One major result of this situation was that authorities rarely felt obliged to explain their decisions. When one considers the wording of the laws concerning the *Schwabenkinder* alongside the surviving evidence regarding their actual treatment by state officials, it may well be that this arbitrariness was a desired outcome. Once again, a contrast with the laws governing the *Jenisch* can be instructive. As noted, edicts concerning those itinerant wanderers repeatedly expressed exasperation at local officials’ unwillingness to apply censure mechanisms. By contrast, despite ongoing reports of inadequate enforcement circulating in the press, the two edicts dealing with the *Schwabenkinder* never used similar language. It seems most likely that legislators in Innsbruck and Bregenz issued such statutes as a way of validating rather than dictating local administrative practices.

Conclusion

In 1915, when the *Statthaltereien* of Tyrol and Vorarlberg suspended legal protections for the *Schwabenkinder*, few seemed to remember that these had originally been written with other targets in mind. Most seemed to take for granted that the *Schwabenkinder* were children who applied with the state for the right to travel to Swabia. From a certain perspective, this might

¹⁴⁴ “Aus dem Aachthal, Mitte März (‘es ist etwas faul im Staate Dänemark.’)“ *Feldkircher Zeitung* (20 März, 1872), 2.

seem to suggest that the textual content of these laws exerted a delayed influence on the experiences of the migrants themselves. The *Schwabenkinderverein*'s interventions, after all, could be understood as a form of (much belated) "enforcement." However, from another perspective, the changing impacts of the 1867 edict and its successors instead indicated a shift in understanding of just what was the state's relationship to these migrations.¹⁴⁵ During the 1860s, regional officials and elites tended to view the *Schwabenkinder* in a positive light. In their eyes, participation in these migrations offered the region's poorest children the opportunity to learn good work habits in a morally respectable labor sector. By requiring children to furnish poverty certificates, officials demonstrated just how they viewed these migrations – as a form of public aid that should be restricted to the deserving (sedentary) poor. The *Schwabenkinder* migrations offered a vital alternative to the much-maligned practices of itinerant begging and factory work.

In Otto Uhlig's foundational interpretation, the various edicts and laws governing the *Schwabenkinder* failed to impact the experiences of these migrants because the state lacked the ability to enforce them. He argued that the *Schwabenkinder* changed very little during the entire course of the nineteenth century because the capacities of the state were too meager in the face of the phenomenon's economic underpinnings. This interpretation gives regional state officials far too little credit. During the 1860s, provincial officials were entirely capable of intervening against the *Schwabenkinder*. They were simply uninterested in doing so. The laws governing the *Schwabenkinder* were not effective at restraining these migrations because they

¹⁴⁵ This argument is indebted to Hendrik Hartog's classic critique of the relationship between "law in the books" and "law in action," see his seminal "Pigs and Positivism." *Wisconsin Law Review* (1985), 899 – 935; while Hartog hardly originated these debates, his contribution remains one of the more elegant and, for the purposes of this topic, relevant. For two overviews of these larger debates, which have their origins in the so-called "gap studies" of the 1960s and '70s, see Sida Liu, "Law's Social Forms: A Powerless Approach to the Sociology of Law," Vol. 40, Issue 1 (Winter 2015), 1 – 28; Jon B. Gould and Scott Barclay, "Mind the Gap: the Place of Gap Studies in Sociolegal Scholarship," *Annual Review of Law and Social Science* (2012), 323 – 335.

were never meant to. And as will be seen in the next chapter, when officials eventually *did* decide that these migrations needed to be reined in, they proved up to the task.

All of this raises a broader issue that continues to plague scholarship on child labor reform in nineteenth century Europe. This is the tendency to treat laws in a rather totemic fashion, as singular - and singularly effective - statements regarding the persons they govern. A casual perusal of influential works on this subject will reveal a tendency to treat legislation in isolation at once from the broader corpus and the material practices that translated its provisions into action. In not considering the behavior of officials at the very local level, Uhlig failed to recognize that the 1867 edict was drafted to empower rather than alter preexisting regulatory practice. Likewise, because he considered the 1867 edict only in the context of previous laws on the *Schwabenkinder*, he did not capture the contemporary campaign against the *Jenisch* that motivated the edict's passage at that moment. A similar issue can be observed in the larger scholarship on child labor reform. In centering landmark pieces of legislation, scholars have largely declined to explore the larger corpus concerning issues of, for example, migrant labor or legal minority. Similarly, scholars have often given short shrift to the site of tension between laws governing child labor and the children themselves – the material practices of state officials at the very local level. Annika Boentert, in her study on child labor under the *Kaiserreich*, provides a strong sense for the mechanics of the factory inspection system of the 1870s but otherwise left unspecified the interactions between local administrators and child laborers.¹⁴⁶

Analyses that decenter legal texts in the state's approach to child labor during the nineteenth century can be revealing of how law works. In the case of the Swabian Children,

¹⁴⁶ See Annika Boentert, *Kinderarbeit im Kaiserreich, 1871 – 1914* (München: Paderborn, 2007); this interpretation is influenced by Bourdieu's interrogation of the role of legal texts in law. See Pierre Bourdieu, "The Force of Law: Toward a Sociology of the Juridical Field," *Hastings Journal of Law*, trans. Richard Terdiman, vol. 38 (1987), 805 – 853.

such an approach makes it evident that relevant laws passed in the 1850s and '60s were not intended as singular statements. They relied on an understanding both of these migrations' recent history and the broader migratory landscape of the Eastern Alps. From this perspective, the 1867 edict and its predecessors were not legislative efforts that failed to survive the transition from text to enforcement. They served their purposes rather well. They maintained a special legal space for those intent on journeying to Swabia in pursuit of gainful employment in agriculture rather than industry, and in this way helped further expose the *Jenisch* to coercive measures.

Chapter 3: Pious Guardians: the *Schwabenkinderverein*, 1891 - 1915

“The concept of *Verwahrlosung* has two sides: the threatened *Verwahrlosung* and the actual *Verwahrlosung*. On the one side [is] the neglect of the caretaker and the threatened harm to the moral, bodily, and spiritual wellbeing of the child [that comes] with it, on the other side the backwardness of the child’s development in bodily, moral and spiritual respects which is a resulting condition of the neglect in caretaking. In the one case the threat, in the other case the fulfillment and realization of that threat, the harm itself...”

Heinrich Reicher, *Die Fürsorge für die Verwahrloste Jugend* (1904)¹⁴⁷

Thirteen-year-old Filomena Patscheider arrived at the Ravensburg train station in March of 1908. Originally from the Tyrolean village of Graun, this was at least the second time she made the journey to Swabia.¹⁴⁸ On this occasion, at least, she travelled under the aegis of a priest-run association that had been facilitating similar journeys since 1891. Considering that she had failed to obtain employment at Friedrichshafen, the stop immediately preceding Ravensburg, there was some risk that she might have to head back to the Alps empty-handed that evening. However, a farmer from Fenken just south of Ravensburg ultimately approached, agreeing to hire her as a domestic for the summer. One of the association’s clergymen signed a contract on her behalf, promising her to work until October 28 for one hundred marks and two sets of clothing. Soon after settling in at Fenken, she made her way to the local parish office to

¹⁴⁷ Heinrich Reicher, *Die Fürsorge für die Verwahrloste Jugend, Zweiter Teil* (Wien: Manz, 1904), 1.

¹⁴⁸ The contributors to the 2008 EU Interreg Project on the *Schwabenkinder* uncovered an earlier journey in 1905, but seem not to have discovered this subsequent journey in 1908. For the EU Interreg project’s entry for her 1905 journey, see < <https://www.schwabenkinder.eu/de/Datenbank/datenbank-suche/>> name: Patscheider; for the files relating to Patscheider’s second journey, which includes the parish priest’s assessment and her original labour contract, see Staatsarchiv Sigmaringen (hereafter StaSig), Wü 65-26 T 1-2. Bn 348.

hand over her registration card. As the priest later recounted, her term passed without incident. The only cause for concern was the fact that she never attended a day of school during her time in Swabia.

Between 1891 and 1915, this priest-run “Swabian Children Association” conveyed thousands of children just like Filomena from the Austrian Alps to Swabia in Württemberg. This association introduced standardized labour contracts, black-listed unfit employers, and coordinated with the state to apply documentary controls. When taken in conjunction with the decision to prohibit parents from any involvement, the organization’s interventions manifested a form of temporary guardianship. From their departure in March to their return in November, these children were forced to rely on the association for lodging, access to religious services, mediation in the event of disputes, and the procurement of wages.

While often recognized as a significant development in the history of these migrations, the association’s founding and interventions have generally been considered through the lens of private, religious charity.¹⁴⁹ Historians have suggested that, because the association lacked the explicit support of the Tyrolean state, its activities were only able to lessen the burdens of the journey or to address cases of extreme mistreatment. This chapter, by contrast, highlights the association’s recurrent collaboration with regional state officials and its attentiveness to longstanding legal requirements in considering the association as a mixed economy of welfare.¹⁵⁰ The association’s management of the journey and labour terms would not have been possible without the vigilant, sustained support of officials at various levels. Meanwhile, in

¹⁴⁹ This perspective has been most explicitly developed by Otto Uhlig. See Uhlig, *Die Schwabenkinder aus Tirol und Vorarlberg*.

¹⁵⁰ The literature on mixed economies of welfare is substantial. Two works relevant to this chapter are Thomas M. Adams, “The Mixed Economy of Welfare: European Perspectives,” *Charity and Mutual Aid in Europe and North America since 1800*, ed. Bernard Harris and Paul Bridgen (New York: Routledge, 2007), 43 – 66; Fabio Giomi, Célia Keren and Morgane Labbé, “Productive Entanglements: the Dynamics of Public-Private Interactions in the History of Social Protection,” *Public and Private Welfare in Modern Europe: Productive Entanglements*, ed. Fabio Giomi, Célia Keren and Morgane Labbé (New York: Routledge, 2022), 1- 15.

taking steps to ensure compliance with legal norms crafted since the 1860s, this association helped realize decades-old regulatory objectives. In this way, the association's efforts were consistent with approaches to child welfare in Tyrol at the turn of the twentieth century. Like other regional organizations, this association blurred the lines between public and private while relying on clergy as traditional, trusted professionals for overseeing children.¹⁵¹

Rendering Neglect Legible

The establishment of a legal regime around these children beginning from the 1850s exposed the migrants' own senses of moral economy. As we have seen, the state's attempts to drive a conceptual wedge between begging while in route and upright labor in Swabia was largely unsuccessful – migrants and their families continued to beg for their *Zehrpennig* in order to reach Swabia. From the provincial state's perspective, this legal regime also rendered parents and their guardians legally responsible for incidents of noncompliance. The legal requirements laid down in the patchwork of summer-school ordinances and provincial edicts since the 1860s lent legal teeth to moral judgements about vagrancy, work-shyness, and begging. As of 1891, §13fh9 of the 1811 AGB (*Allgemeine Bürgerliche Gesetzbuch*) remained the standard legal text in jurisprudential understandings of the child's legal relationship to guardians. According to this statute, parents and legal guardians were required to “raise (*erziehen*) their legitimate children, that is, to look after their life and health, to provide them adequate sustenance, to develop their bodily and spiritual capacities, and to set down the foundations for their future wellbeing by instructing them in religion and useful skills.”¹⁵² In

¹⁵¹ For an account of the development of child welfare in Tyrol, see Michaela Ralser, *Heimkindheiten: Geschichte der Jugendfürsorge und Heimerziehung in Tirol und Vorarlberg* (Innsbruck: Studienverlag, 2017).

¹⁵² *Allgemeines Bürgerliches Gesetzbuch für die gesammten Erbländer der Österreichischen Monarchie, 1 Theil* (Wien: Aus der K.K. Hof- und Staatsdruckerei, 1811), 54; It was Michaela Ralser who first drew my attention to this paragraph, Michaela Ralser, *Heimkindheiten: Geschichte der Jugendfürsorge und Heimerziehung in Tirol und Vorarlberg* (Innsbruck: Studienverlag, 2017).

the eyes of many observers between the 1860s and the 1890s, both the fact of illegal behavior and the numerous incidents of direct participation on the part of parents manifested a violation of these responsibilities.

In the wake of the Tyrolean *Statthaltereis* 1867 edict on the *Schwabenkinder*, a handful of contributors in the press decried the role of parents in allowing or encouraging immoral behavior. Word of incidents of age falsification and the use of invalid documents proliferated in the press. And in assessing parents as the ultimate authors of such mischief, contemporaries consistently argued that the site of public intervention should also be at the level of the family. So one journalist suggested, because the tendency toward vagrancy was a result of insufficient “means and supervision” (*Mittel und Aufsicht*), local authorities should “hold the accompanying relatives strongly responsible” for all violations against prohibitions of public begging.¹⁵³ Another contemporary gestured to the proper response to public begging via a footnote quoting the common *Strafgesetz*: “according to §520: ‘If a child under 14 years of age enters into begging, the parents or those under whose care or supervision the children are entrusted... are to be punished with an arrest of [at least] 8 days [and] up to a month...’”¹⁵⁴ Both legally and in public discourse, observers therefore imbued parents and guardians with the agency to control the *Schwabenkinder*’s public behavior.¹⁵⁵

It should be, furthermore, noted that the idea the *Schwabenkinder* should be subjected to state, rather than private or religious, oversight followed directly from their construction as a category of legal personhood beginning from 1867. While some had occasionally attempted to take action on a private basis through individual charity, broader private mechanisms for such

¹⁵³“§ Vom Unterland,” *Vorarlberger Landes-Zeitung* (Januar 16, 1868), 1.

¹⁵⁴“Aus dem Aachthal, Mitte März. (“Es ist etwas faul im Staate Denmark.”) *Feldkircher Zeitung* (März 20, 1872), 2.

¹⁵⁵ For one example, see *Ibid*, 2.

interventions failed to materialize in Tyrol.¹⁵⁶ This was a development similar to that concerning the *Findelanstalten* and *Waisenshäuser*, which likewise failed to cohere without state encouragement in the Crownland.¹⁵⁷ When coupled with the fact that parents and legal guardians had demonstrated their inadequacy to the task of ensuring legal compliance on the part of these children, it followed that the *Schwabenkinder* could only be properly regulated – and their behaviors rendered consistent with their legal definition – if subjected to a more direct form of intervention. In this respect, the *Schwabenkinderverein* manifests, like other private associations founded during the same period, an expression of the provincial state’s purview over *Verwahrloste* children.

The Church and the *Reichsvolksschulgesetz*

In the context of the 1880s and ‘90s, the decision to found a priest-run association in the *Schwabenkinderverein* manifested a political statement about the appropriateness of the clergy to the task of providing “future generations” of Tyroleans with proper moral and spiritual development. For many state officials, and especially the conservative Catholics who constituted the Crownland’s major powerholders, the 1869 Imperial Elementary School Law’s (*Reichsvolksschulgesetz*) establishment of a secular teacher’s administration threatened to usurp the clergy’s authority in matters relating to child welfare. The controversy around this requirement served to crystallize positions on the relationship between church and state in Tyrol. As this piece of the Austrian *Kulturkampf* reveals, most on the political right agreed that

¹⁵⁶ An example of this may be found in Ludwig von Hörmann’s *Tiroler Volkstypen*, in which he remarks that a priest from Imst, Peter Paul Schweighofer, had begun to pay parents out of his own pocket in order to persuade them to keep their children at home over the summer. See Ludwig von Hörmann, *Tiroler Volkstypen: Beiträge zur Geschichte der Sitten und Kleinindustrie in den Alpen* (Wien: Gerold, 1877), 105 – 106.

¹⁵⁷ For a discussion of how these other child welfare organizations developed in the Crownland, see Michaela Ralser, *Heimkindheiten: Geschichte der Jugendfürsorge und Heimerziehung in Tirol und Vorarlberg* (Innsbruck: Studienverlag, 2017). While Ralser suggests that these were, in respects, development unique to the Eastern Alps, she never provides comparative examples. For this reason, it remains rather unclear just how distinctive these developments, which she suggests were a result of suspicions aimed at federal oversight from Vienna, were to Tyrol.

the state should directly administer issues relating to child-welfare and education, but that the state's functionaries in this respect should be the clergy rather than secularly-trained teachers.¹⁵⁸ While they were unable to displace the teachers in the context of the public school system, Tyrolean conservatives discovered that the extant laws governing volunteer associations provided a loophole for the involvement of the clergy in state-administered child welfare. The *Schwabenkinderverein* was, in this sense, an expression of a broader strategy exercised by provincial politicians for a variety of tasks relating to childhood, public welfare, and education.

From its inception, the *Schulfrage* in Tyrol centered on §1 of the Imperial Elementary School Law, which stated that the *Volksschule* were to provide “children [with] moral-religious education.”¹⁵⁹ The law did not, as some contemporaries had it, “exclude” religion from the schools, but rather sequestered it to a mere two hours of education per week to be overseen by individuals appropriate to a community's confession.¹⁶⁰ Aside from a few Tyrolean politicians who decried the involvement of the state in education, most accepted the church's sublimation on this issue. This was largely on account of the fact that, at least on paper, Austria had provided compulsory schooling for all children aged six to twelve since the time of Maria Theresa. The primary point of contention thus related to the law's first paragraph which, on the one hand, promised spiritual education and, on the other, limited the involvement of the professionals most suited to providing it.

It should be stressed that the *Schulfrage* debates rested on a shared understanding that

¹⁵⁸ A brief overview of these debates in their broader Cisleithanian context may be found in Scott O. Moore, *Teaching the Empire: Education and State Loyalty in Late Habsburg Austria* (Purdue University Press, 2020).

¹⁵⁹ See “62. Gesetz vom 14. Mai 1869, durch welches die Grundsätze des Unterrichtswesens bezüglich der Volksschulen festgestellt werden.“ *Reichsgesetzblatt für das Kaiserthum Oesterreich, Jahrgang 1869* (Wien: Aus der Kaiserlich-Königlichen Hof- und Staatsdruckerei, 1869), 277.

¹⁶⁰ Representative Sebastian Glatz, Decan and parish priest from Meran, was one of those who did, in fact, see the *Schulfrage* as an explicit contest between church and state, but he remained an outlier amongst his conservative counterparts. For his assertion that the Imperial law “excluded” (*ausgeschlossen*) religion from the schools, see his comments from 1882 on the floor of the Tyrolean *Landtag*. *Stenographische Berichte des Landtages für die gefürstete Grafschaft Tirol der V. Landtags Periode. Fünfte Session vom 12. Juni bis 19. Juli 1882* (Innsbruck: Druck der Wagner'schen Universitäts-Buchdruckerei, 1882), 68.

the public schools should produce future Tyroleans rather than Austrians – a perspective which explains why this debate was never so much about the conflict between church and state but more about the place of the clergy within the provincial school system. Speaking on the floor of the Tyrolean Landtag in 1881, the Crownland’s governor (*Landeshauptmann*) Franz Ritter von Rapp expressed this opinion in its standard form: “The Imperial Law of 1868 (the *Reichsvolksschulgesetz*)... through which the school was rendered confession-less (*konfessionslos*)... has filled all parts of the populace which are founded on positive religious grounds, and especially [those of] our Catholic Fatherland Tyrol, with the deepest anguish.” The “confession-less” law, he argued, threatened to introduce a temporal rupture between Tyrol’s (devotedly Catholic) present and its future. Since the primary purpose of the school was to carry out the “education of the young and the development of future generations (*künftige Generationen*),” stripping education of its religious underpinnings might drive a wedge between parents and their children.¹⁶¹ Even more broadly, by rejecting one of the constitutive features of Tyrol’s national identity, Catholicism, it risked robbing the next generation of their “love of Fatherland” (*Vaterlandsliebe*).¹⁶²

Just as many considered the clergy’s involvement in public schooling as essential to inculcating a proper sense of morality and patriotism, conservative politicians also consistently emphasized the negative outcomes of allowing secular teachers authority over childhood education. The loss of “love of Fatherland,” like that of love for one’s parents and family, tended to result in increased criminality, vagrancy, begging, and unruliness as a child grew. In 1885, for example, the *Fürstbischof* of Brixen Simon Aichner noted the growing “cries of brutalization and barbarization (*Verrohung und Verwilderung*) of the young... We know and

¹⁶¹ *Stenographische Berichte des Landtages für die gefürstete Grafschaft Tirol der V. Landtags Periode. Vierte Session vom 27. August bis 3. Oktober 1881* (Innsbruck: Druck der Wagner’schen Universitäts-Buchdruckerei, 1881), 279.

¹⁶² *Ibid*, 280.

read almost daily about children becoming criminals (*Verbrecher*) and of a mass of crimes which are committed, in more than a few cases, by children.”¹⁶³ This trend was, Aichner stated, a result of the involvement of the secular teacher’s administration (*Lehrerbildungsanstalten*), which aroused the “distrust not only of the clergy, but also the people.”¹⁶⁴ Aichner’s comments were consistent with those of other conservatives, who likewise argued that a proper religious education was crucial to the development of “hard-working, frugal” adults and for reinforcing the traditional structure of the family.¹⁶⁵

If the secular teachers, because of their inability to provide proper “religious education,” were unequal to the task of shaping future Tyroleans, then the clergy’s comparable suitability was a function of their profession rather than, per se, their association with the (foreign) Papacy. It is important to recognize that, for the “state-bearing” individuals involved in these debates, the question was not whether children should be subjected to the whims of the church hierarchy, but rather which sorts of professionals were ideal candidates for carrying out the provincial state’s goals of inculcating proper morality for the province’s young. This perspective was best represented in a telling metaphor offered by *Landtag* representative Sebastian Glatz in 1883. “When the city founds a swimming school where one’s son could perhaps... sink under, it provides an overseer who is himself a swimmer and can provide rescue should (the son) come to danger. However, in the school, outside of the specific hours of (religious) instruction, there is no talk of such supervision.”¹⁶⁶

The context of the *Schulfrage* helps explain why the state officials responsible for

¹⁶³ *Stenographische Berichte des Landtages für die gefürstete Grafschaft Tirol der VI. Landtags Periode. Dritte Session vom 25. November 1885 bis 25. Jänner 1886* (Innsbruck: Druck der Wagner’schen Universitäts-Buchdruckerei, 1886), 180.

¹⁶⁴ *Ibid*, 180.

¹⁶⁵ See, for example, representative from Schleis (Clusio) Josef Agathle’s comments to this effect from the same session. *Ibid*, 185.

¹⁶⁶ *Landtag. Stenographische Berichte des Landtages für die gefürstete Grafschaft Tirol der V. Landtags Periode. Fünfte Session vom 12. Juni bis 19. Juli 1882* (Innsbruck: Druck der Wagner’schen Universitäts-Buchdruckerei, 1882), 269.

founding the *Schwabenkinderverein* tapped clergy to guide and care for these children. If one of the association's primary purposes was to end longstanding practices of vagrancy and begging, the clergy stood as the state's ideal intermediaries. Furthermore, by recognizing that many Tyroleans did not regard the clergy as exclusively private actors – which is to say as representatives primarily of the church – it becomes clear that scholarly understandings of the association have misconstrued the relationship it fostered with the state. Michaela Ralser has, in this vein, noted a similar dynamic in respect to the founding of the clergy-run orphanages and work-houses in the Crownland of Tyrol as well. As she pointed out, their establishment as private *Vereine* allowed the provincial state to employ parish priests in administering child welfare without establishing direct administrative bodies or offices.¹⁶⁷ In all, the peculiar conceptions of Tyrolean national identity, which remained throughout distinct from any broader sense of Austrian-ness, justified conservative efforts at undermining the secularizing impulses of the Imperial reforms of the 1860s. By exploiting loopholes, such as those provided by the associations law (*Vereinsgesetz*) of 1867, provincial politicians and powerholders sought to defend the national integrity of Tyrol.¹⁶⁸

The *Schwabenkinderverein*: Founding, Interventions, Oversight

In October of 1891, Tyrolean *Landtag* representative Josef Anton Geiger petitioned the Lieutenant Governor of Tyrol to authorize the founding of a “Swabian Children Association” in that Crownland. As association chairman, he tapped 67-year old Venerand Schöpf, a parish priest and himself a former Swabian Child.¹⁶⁹ In addition to Geiger, the organization's

¹⁶⁷ Michaela Ralser, *Heimkindheiten: Geschichte der Jugendfürsorge und Heimerziehung in Tirol und Vorarlberg* (Innsbruck: Studienverlag, 2017).

¹⁶⁸ For its part, the *Vereinsgesetz* may be found in “134. Gesetz vom 15. November 1867 über das Vereinsrecht.“ *Reichs Gesetz Blatt für das Kaiserthum Österreich. Jahrgang 1867. LVIII. Stück. Ausgegeben und versendet am 24. November 1867* (Wien: Aus der Kaiserlich-Königlichen Hof- und Staatsdruckerei, 1867), 377 – 381.

¹⁶⁹ For this letter to the *Statthaltere* from Geiger, see letter of August 24, 1892, “Hohe K.K. Statthaltere!” , Nachlass Uhlig, Vorarlberger Landesarchiv (hereafter VLA), Bregenz.

inaugural rolls included three city representatives, two mayors, and the District Governor of Landeck.¹⁷⁰ The association also relied on recurrent subsidies from Tyrol's public coffers. After an initial gift of 300 crowns, it submitted routine requests for additional allotments of between 400 and 800 crowns on a semi-annual basis.¹⁷¹ The organization also secured facilitative agreements with various state bodies. It successfully petitioned the Austrian Railway Administration to reserve separate train cars for migrants - with tickets granted at reduced rates.¹⁷² Meanwhile, beginning from 1895, it exploited its ties with the District Governor of Landeck to file a request for the passage of legislation that would have required all Tyrolean Swabian Children to travel under its guidance.¹⁷³ By 1910 at the latest, these efforts bore fruit in a provincial edict that rendered the approval of school dispensations contingent on a promise to travel under the association's care.¹⁷⁴ All of this drives home that while, in the public eye, the organization's priests garnered the most attention as functionaries, provincial state officials played a substantial role in coordinating legal efforts and arranging funding.

From its founding statutes, the association indicated its intent to act as the Swabian Children's surrogate caretakers. The specific types of oversight, material support, and care it offered corresponded to those aspects, which critics had long castigated as evidence of parental

¹⁷⁰ Otto Uhlig, *Die Schwabekinder aus Tirol und Vorarlberg*, 198.

¹⁷¹ Because the stenographical reports of the Tyrolean Landtag contain references to these requests in some years but not others, it is difficult to say whether funding was requested every year or every other year. A report of the initial subsidy can be found in "Tiroler Landtag, Innsbruck, 29 März (IX. Sitzung)," *Bregenzer Tagblatt* (31 March, 1892), 6; subsidies of 400 crowns were requested in 1898 for 1898 - 1901. See *Stenographische Berichte... Tirol aus der VIII. Landtagsperiode*, (1898), 96; In 1902 and 1903, it was awarded subsidies of 800 crowns. See *Stenographische Berichte... Tirol aus der IX. Landtagsperiode* (1903), 391.

¹⁷² For a reference to this agreement, see Venerand Schöpf's press brief to *Der Burggräfler* from 1894, "V. Sch. Pettneu, 29. April. Schwabekinderangelegenheit," *Der Burggräfler* (5 May, 1894), 5; for a reference to this practice in later years, and in particular to the number of cars (7) that the rail authority might allot, see "Der 'Sklavenhandel' mit den Hütkindern," *Tiroler Anzeiger* (7 November, 1908), 1.

¹⁷³ This strategy was agreed upon at the association's 1895 annual meeting. See "Landeck, 15. Januar. Generalversammlung des Hütkindervereines." *Brixener Chronik* (22 January, 1895), 6 - 7.

¹⁷⁴ Otto Uhlig, *Die Schwabekinder aus Tirol und Vorarlberg*, 203.

neglect.¹⁷⁵ These statutes correspondingly promised to arrange “reliable accompaniment and guidance on the journey” and to guarantee “good accommodations in the employment locations.”¹⁷⁶ Rather subtly, the reference to “reliable accompaniment and guidance” gestured to the tendency toward begging and vagrancy while in route. Recurrent rumours of such stretching back to the 1860s had long blamed parents or other accompanying relatives rather than the children themselves. By 1891, the notion that parents were teaching children to beg or wander in lieu of heading to Swabia had become a standard trope in critiques of these migrations.¹⁷⁷

The notion that this association assumed a form of temporary guardianship with the implicit purpose of addressing longstanding concerns was also borne out in the way it administered the aspects of journey, labour negotiations, and labour terms. Per the journey, it established procedures by which to collect children at particular locations in order to convey them by rail or ferry as a single conglomeration. From departure in Landeck to arrival in Friedrichshafen, this lasted less than forty-eight hours. In his recounting of it, Otto Wenzl, who travelled in 1909 under the association’s guidance at the relatively advanced age of fifteen, revealed the sorts of procedures the association established for collection and travel.

“The first collection point for the district of Imst was at the railway station. When everyone was there and accounted for by Priest Greil, [he] then travelled with us to Landeck. There, another travel guide waited for us... We Swabian Children set our backpacks down all together at the train station and marched with the travel guide to the

¹⁷⁵ For an original draft of these statutes, see “Verein zum Wohle der sogenannten ‘Schwabenkinder’ u. Jugendlicher Arbeiter überhaupt.” (8 February, 1891), 3 pages. Nachlass Otto Uhlig, Vorarlberger Landesarchiv, Bregenz.

¹⁷⁶ Ibid, Nachlass Otto Uhlig, Vorarlberger Landesarchiv, Bregenz.

¹⁷⁷ Ludwig von Hörmann, “Alpenstaffage, von Ludwig v. Hörmann, 6. Die Schwabenkinder” *Wiener Zeitung* (30 November, 1874), 6.

guesthouse [*Zur Sonne*]. There, at its entrance, Priest Schatz asked each child's name before we went to our evening meal."¹⁷⁸

The stark difference between this and the account of a journey some four decades earlier, by ten-year-old Regina Lampert, suggests just how much the Swabian Children Association transformed the experiences of these migrants. For Lampert, the journey to Swabia involved exploration and discovery as heretofore unseen vistas, villages, and people came into view. It was not simply a trip but a *trek* populated by characters known and unknown. For her, a boy from the neighbouring village, serving as an early travel guide, signified a vital connection to home. Alternately, a curious passenger aboard the ferry from Bregenz emphasized just how far she had come.¹⁷⁹ By contrast, for Wenzl, the trip was understood according to a bilateral interaction between the migrants and the association's clergymen - note that only the clergymen had names. While it is certainly possible that Wenzl knew the travel guide at the Landeck railway station, the absence of identifying information reinforced the irrelevance of those who were neither migrants nor clergy. Lastly, the utilitarian description of movement from one place to another suggested how the accelerated speed of the journey impacted the entire experience. There was simply less time and opportunity to interact with people along the way.

The association's organizational model was explicitly designed to sequester children from their surroundings and thereby to eliminate possibilities for begging. In offering rail tickets at a reduced rate, it sought to undercut claims that the expense of the trip, when combined with the poverty of the children and their families, necessitated begging.¹⁸⁰ Likewise,

¹⁷⁸ Otto Wenzl was one of the individuals Uhlig interviewed for his study. This passage quoted from Otto Uhlig, *Die Schwabekinder aus Tirol und Vorarlberg*, 204.

¹⁷⁹ Regina Lampert, *Die Schwabengängerin*, 51 – 58.

¹⁸⁰ "V. Sch. Pettneu, 29. April (Schwabekinderangelegenheit)," *Der Burggräfler* (5 May, 1894), 5.

by conducting the journey over a much shorter time than was customary – most children took at least a week to reach Swabia prior to the association’s interventions – it reduced the need for additional days and funds for accommodations and food. Meanwhile, by securing separate rail cars and ferries, it limited the possibility for engagement with strangers in the communities lining the route.¹⁸¹

The organization was also intent on addressing longstanding concerns over the difficulties of the journey. Tyrolean specialist and educator Ludwig von Hörmann’s portrayal of these difficulties from 1877 was typical. “It is a touching sight when such a small caravan comes down the street into a village. Grouped up around their guide - usually an elderly man or woman – like sheep around a shepherd, they wander along the street in shabby clothes [with] a walking stick in hand and a tiny sack on their backs...”¹⁸² Since it often coincided with the region’s last and first snows, the association’s elimination of travel by foot ameliorated concerns over the difficulty of the journey.¹⁸³ Alternately, the network of inns on which the association relied, like the *Zur Sonne* in Landeck and the *Zum Rad* in Friedrichshafen, addressed the perception of the Swabian Children as itinerant street-children who occasionally slept under the stars. And the meals provided at these inns spoke to repeated portrayals of children leaving malnourished and returning, due to the comparable wealth of Swabia, fatter and happier.

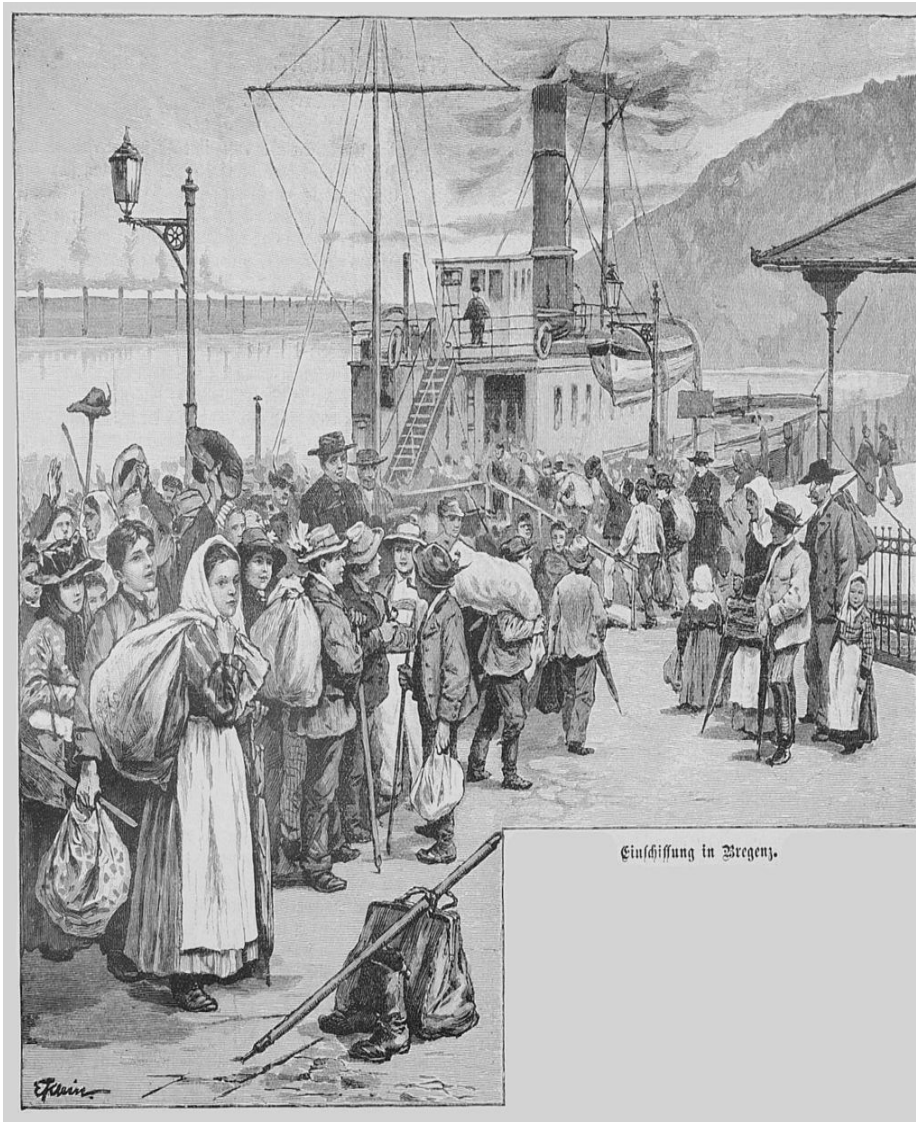
The association’s interventions were no less transformative for the labour negotiations at the so-called “child-markets.” The first and most visible change it introduced concerned the

¹⁸¹ One example of a separate rail reservation may be found in “Die Schwabenkinder,” *Innsbrucker Nachrichten* (31 March, 1911), 5 – 6; an example of the separate ship, or *Sonderschiff*, can be found referenced in “Oberinntal,” *Tiroler Volksbote* (28 March, 1909), 5.

¹⁸² Ludwig von Hörmann, *Tiroler Volkstypen: Beiträge zur Geschichte der Sitten und Kleinindustrie in den Alpen* (Wien: Gerold, 1877), 100 – 101.

¹⁸³ A few references to these snows, and a related expression of gratitude for the association’s intervention, may be found in “Nauders, Oberinntal, 23 März.” *Tiroler Volksblatt* (31 March, 1907), 7; “Tirols Sklavenhandel,” *Tiroler Volksblatt* (25 November, 1911), 2.

places of destination. While Ravensburg had long been the site of the largest and most well-known of these markets, numerous other, smaller markets were often organized on an ad-hoc basis in villages throughout Upper Swabia. This meant that, for most children and their guides, the process of finding employment had been informal and piecemeal. Most migrants simply took the first acceptable offer they found along the way.¹⁸⁴



Boarding the Ferry at Bregenz. Arthur Achleitner, “Tiroler ‘Schwabenkinder,’”
Die Gartenlaube, Heft 17 (1895), 281 – 283.

¹⁸⁴ A reference to this tendency may be found in “Oberinntal. 26 März. Vom verein der Hüt Kinder,” *Vorarlberger Volksblatt* (1 April, 1893), 1.

The association changed this by funnelling all of its charges into the two cities of Friedrichshafen and Ravensburg. This was a decision which, due to the sheer numbers the association brought to one location at a specific time, had the effect of attracting a corresponding mass of employers. The resulting spectacle led to numerous reports of children being greeted by 500 or more adults at the port. As one *Friedrichshafener Seeblatt* contributor put it in 1895, “The Tiroler and Montafoner *Hüttekinder* came in today before noon in unexpectedly large numbers... There must have been around 250 children, [both] boys and girls. Yet a much larger number of employers from the entire region waited as well, namely from Baden... Unfortunately, many of the employers were not ‘seen to’ (*versehen*), since there were more [of them] than there were of the children.”¹⁸⁵ In this rowdy atmosphere, association priests conducted labour negotiations for hundreds of children in mere hours. These time constraints applied not least because the caravan was set to convey those children still without employers on to Ravensburg that same evening.

Finally, in order to maintain oversight even during the employment terms, the association introduced labour contracts, registration cards, and blacklists. Taken in concert, these had the effect of projecting this semi-public oversight, via the association, across the Austro-German border. Printed in the thousands over the course of the association’s existence, the contracts forced employers to negotiate on the association’s terms.¹⁸⁶ The last line of these contracts drove this point home. “The latter [the employer] must turn to the administration of the association... in all issues relating to the conditions of employment.” The contract’s

¹⁸⁵ From the Friedrichshafen *Seeblatt* (März 16, 1895), quoted from Bianca Hahnen, “Hüte- oder Schwabenkinder in Friedrichshafen,” *Friedrichshafener Jahrbuch für Geschichte und Kultur*, vol. 3 (2009), 73.

¹⁸⁶ For several of these contracts, which were produced as part of a state survey by Württemberger officials in 1908, see StaSig, Wü - 65-26 T 1-2: Bn 348.

stipulations furthermore compelled the employer to maintain certain standards of care during the labour terms. “The employer is obligated to handle these young workers as would a good house father, to encourage the same to [good] order and good manners, to supervise their religious-moral (*religiös-sittliches*) conduct, and especially also to convey the same on Sundays and certain Fridays to Holy Mass...” These requirements are notable for their emphasis on religious education and their silence on the issue of schooling. This was, however, consistent with the association’s official stances. Because the children were excused from schooling in Austria for the purposes of work in Germany, it would constitute an undue burden to expect them to attend school over the summers.

The only areas of flexibility in these contracts concerned issues of wages and the city at which employers could surrender their charges back into the association’s care. For example, the contract for fifteen year old Hermann Stampfer of Nauders, signed in 1897, awarded him 75 marks for the duration of his term and two sets of clothing. Alternately, the contract for Filomena Patscheider of Graun, signed in 1908, granted her 100 marks, two sets of clothing, and two as a bonus for *Blutfreitag*.¹⁸⁷ It bears mentioning that no information on the children’s parents or legal guardians was provided in these contracts. The only details are their towns of origin and their names. In this way, the contracts treat them as dependent subjects of the association, and so indicate that all issues about their treatment would be conveyed to the organization’s intermediaries rather than parents or legal guardians.

The notice cards (*Meldungskarten*), which children were required to present to priests in their places of employment, served a similar purpose.¹⁸⁸ It was through this tool, introduced

¹⁸⁷ “Blood Friday” is a Catholic holiday, usually held on the first Friday after Ascension Day, common to parts of Austria and southern Germany. It usually involves a procession on horseback that draws crowds of congregants each year.

¹⁸⁸ While Uhlig’s *Nachlass* does not contain an example of this document, it is referenced in, as but one example, Siegmund Kraus, *Kinderarbeit und Gesetzlicher Kinderschutz in Österreich* (Wien: Franz Deuticke, 1904), 169.

as early as 1895, that the association enrolled local priests on the other side of the Austro-German border as auxiliary functionaries. In addition to providing a method by which to contact the association in cases of dispute or mistreatment, the priests were also expected to check up on the children and report back any issues. The cards themselves were explicit about the association's expectations: "The Association for the Care of the *Hüttekinder* in Tyrol transfers the child (name)... into your protection, and requests that you supervise the same in religious-moral respects (*religiös sittlicher Beziehung*),... [and that you] enforce the labour-contracts and issue a certificate of moral conduct upon termination."¹⁸⁹ The latter was to be written on the backs of the cards. These notice cards served to maintain the association's oversight even during the labour terms while simultaneously providing mechanisms for dispute resolution. These cards also helped to supplement the routine visitations, which chairman Alois Gaim conducted for each of the association's charges during the summer months.

The black-lists, or "black books" (*Schwarze Bücher*) as they were called, represented the primary form of censure in cases of contract violation on the part of employers. In previous decades, scattered sources suggest, children used an informal method for isolating and avoiding undesirable employers. According to one 1895 *Die Gartenlaube* article, which comports with the personal recollections of Otto Wenzl, employers who mistreated children one season were discussed and described by children while in route. At the market, children would sometimes employ a piece of chalk to mark undesirable employers.¹⁹⁰ Association chairman Alois Gaim rendered these sorts of informal methods obsolete with his introduction of the "black book," in which he recorded the names of unfit employers and the dates of their infractions. He declined, importantly, to record the nature of their transgressions. These lists served an additional

¹⁸⁹ Uhlig, *Die Schwabenkinder aus Tirol und Vorarlberg*, 208.

¹⁹⁰ Arthur Achleitner, "Tiroler 'Schwabenkinder,'" *Die Gartenlaube*, Heft 17 (1895), 281 – 283.

function of deflecting criticism. In 1913, Gaim assured Württemberg's Minister of Education that claims of children being mistreated were "increasingly rare" on account of "the actions of the association and the introduction of the black books..."¹⁹¹ While, in this letter, Gaim suggested that those recorded might be subjected to court proceedings, the "black books" were often used to apply a softer form of censure. The association would simply refuse to undersign contracts for those with black-listed names.

A Tyrolean Story?

The association was extraordinarily successful at persuading legally participating Tyrolean Swabian Children, or those who went through the proper channels of applying for a schooling dispensation with the explicit purpose of going to Swabia, to travel under its care. In its early years, members did express exasperation over the numbers of children who travelled without its benefit - individuals who were derided as "*Wilde*."¹⁹² However, by 1910 at the latest, the provincial school board had begun to tie the approval of school dispensations to the applicant's promise to use the association.¹⁹³ For example, in one surviving school dispensation report from 1913, thirteen-year-old Theresia Fischer from the village of Laatsch found her application approved "only under the condition that she undertakes the journey to *Schwabenland* with the *Hütetkinderverein* (the Swabian Children Association)."¹⁹⁴ For its part, the association also, as a matter of course, verified that each of the children seeking to use its resources had followed proper procedures and possessed the necessary documents.¹⁹⁵ This

¹⁹¹ Alois Gaim himself often boasted of the "Black Book's" success at dissuading unfit employers. For this, see his letter of 10 November, 1913, "Euer Hochgeboren!", Nachlass Otto Uhlig, VLA Bregenz.

¹⁹² "Nachträgliches zum Auszuges der Schwabekinder," *Brixener Chronik* (26 March, 1895), 6.

¹⁹³ These *Schuldispens* applications were usually drafted by teachers or other local school authorities, but they could also occasionally be written by parents.

¹⁹⁴ Landesschulrat 1098 – 18a (Fasc. 13), Tiroler Landesarchiv, Innsbruck.

¹⁹⁵ Josef Muther, "Die Wanderung der Schwabekinder in Tirol und Vorarlberg," *Zeitschrift für Kinderschutz und Jugendfürsorge*, vol. 4 (1912), 1 – 2.

meant, specifically, that children had furnished proofs of poverty and dutiful school attendance to acquire a schooling dispensation, which they then used to acquire an itinerary-specific travel visa for work in Swabia.¹⁹⁶

After the first two seasons, which saw the association guide 134 and 70 children, respectively, the numbers seldom dipped below 150 in any one year.¹⁹⁷ While, on aggregate, this accounted for less than one percent of school-aged Tiroleans, because of the extant policies regarding the application process, it effectively encapsulated all legally-participating Swabian Children from that Crownland.¹⁹⁸ Year after year, the numbers of children travelling under the association's care decreased slightly between 1895 and 1912. Chairman Alois Gaim argued that its spike in 1913, adding 40 children in comparison to the previous year, was a result of the "Balkan disruptions" (Balkan wars) that damaged the textiles industry there.¹⁹⁹

However, because it remained throughout exclusive to the Crownland of Tyrol, the association never officially claimed guardianship over any children from neighbouring Vorarlberg. This is notable not least because just as many, if not often more, registered Swabian Children continually hailed from this other Crownland. Per the Austrian child-labour survey of 1902, for example, some 335 Vorarlberger children were given school dispensations as *Schwabenkinder*, a number which contrasts with the "200 – 300" led by the Swabian Children Association from the same year.²⁰⁰ Correspondingly, migrants from Vorarlberg tended

¹⁹⁶ School dispensations themselves reveal some flexibility in these requirements. Sometimes, for example, there was no explicit reference to poverty, whereas in other cases there was no reference to past schooling attendance. This dynamic is legible in the collection of *Schuldispens* applications that survive at Bezirkshauptmannschaft Bregenz, Sch. 529, III, u.a. *Schwabenkinder*, VLA Bregenz.

¹⁹⁷ A list of these numbers may be found in a 1914 letter from the K.K. Ackerbau-Ministerium. Präsidium des K.K. Ackerbau-Ministeriums, 11.3.1914, Nachlass Otto Uhlig, VLA Bregenz.

¹⁹⁸ As of 1908, there were some 143,441 school-aged children in the Crownland of Tyrol. See K.K. Arbeitsstatistisches Amt im Handelsministerium, *Erhebung über die Kinderarbeit in Österreich im Jahre 1908, II Teil. Textliche Darstellung. 1. Heft* (Wien: K.U.K. Hof – und Universitäts-Buchhändler, 1911), XIV.

¹⁹⁹ See letter of 10 November, 1913, "Euer Hochgeboren!", Nachlass Otto Uhlig, VLA Bregenz.

²⁰⁰ For the first number from Vorarlberg, see *Innsbrucker Nachrichten* (März 22, 1904), 5; for the rough count from Tyrol, see "Innthal und Seitenthäler," *Tiroler Volksbote* (4 March, 1902), 10.

to behave much as had their Tyrolean counterparts prior to the association's intervention. According to one 1914 meeting of the Ministry of Agriculture, since there was "no common association" for Vorarlberg similar to that operating in Tyrol, "bans have been ineffective in the face of the urgent need."²⁰¹ Meanwhile, as surviving reports from a survey organized by the Württemberg district of Wangen in 1908 reveal, in contrast to the association's written contracts, most children from Vorarlberg continued to conclude labour terms orally.²⁰²

Reflective as they are of the differing material experiences of the Tyrolean and Vorarlberger migrants in the era of the Swabian Children Association, these facts did little to diminish the association's impact as a central representative in public discourse from its founding onward. While some, like Vorarlberger *Reichsrat* representative Martin Thurnher, reminded contemporaries that "no such association yet exists [in Vorarlberg]," most began to speak of it as interchangeable with the migration of Austrian children to Swabia more broadly.²⁰³ As a result, many began to regard practices introduced under the association's aegis, such as the chartering of separate ferries and train cars, as transhistorical features of this migration system rather than recent innovations.²⁰⁴

Conclusion

Differences in travel route and method cannot really be regarded as superficial alterations in how one navigates the transition from one place to another, from origin to

²⁰¹ Präsidium des K.K. Ackerbau-Ministeriums, 11.3.1914, Nachlass Otto Uhlig, VLA Bregenz.

²⁰² See, for example, the results from the survey in the city of Wangen itself. StaSig – Wü 65-42 T 4.

²⁰³ *Stenographische Protokolle über die Sitzungen des Hauses der Abgeordneten des Österreichischen Reichsrathes im Jahre 1902 XVII. Session. XIII Band.* (Wien: Aus der Kaiserlich-Königlichen Hof- und Staatsdruckerei, 1902), 11403.

²⁰⁴ The train itself was, of course, a somewhat recent introduction to the region. The Arlbergbahn, which linked Innsbruck with Bludenz, only opened in 1884. However, as one association member noted in 1895, parents were apt to travel by foot even where train travel was available to "save the one gulden" it might cost. See "Oberinntal. 26 März. Vom verein der Hüt Kinder," *Vorarlberger Volksblatt* (1 April, 1893), 1.

destination.²⁰⁵ Rather, these features often reflect changes in relationships with various state bodies, with local police and enforcement apparatuses, with private individuals and organizations, and even with the conception of the journey itself. Children travelling with the *Schwabenkinderverein* had a very different experience from those moving with their parents, and these differences manifested a change in what it meant to be a *Schwabenkind*. For the former, the journey signified a trek characterized by hardship and difficulty. A visit to St. Anton offered the opportunity to collect a talisman for protection on a trip undertaken by foot through heavy snows and during which the prospect of adequate shelter and food was uncertain. On the brighter side, the moment of final separation from family could be delayed or even, as Regina Lampert's experiences indicate, avoided entirely. Parents could, should they so desire, visit their children during the summers and even work alongside them should the employer need an extra hand.²⁰⁶

Under the association, by contrast, the journey was a utilitarian affair that passed by in two short days. Children had few opportunities to interact with the communities through which they passed or to meet fellow travelers who were not themselves *Schwabenkinder*. In place of the possibility for occasional parental visits, children were forced to say their final farewells in March. When taken as a whole, this had the effect of constructing a curated space for *Vereinskinder*, the entry into which was up to the association's discretion. While parents and other family members were excluded, employers were permitted to interact with the children provided they fit certain criteria and that they followed particular guidelines.²⁰⁷

²⁰⁵ For a rich exploration of the impact of routes on mobility, see James Clifford, *Routes: Travel and Translation in the Late Twentieth Century* (Cambridge, MA: Harvard University Press, 1997).

²⁰⁶ Regina Lampert, *Die Schwabengängerin: Erinnerungen einer jungen Magd aus Vorarlberg, 1864 – 1874*, Herausgegeben von Bernard Tschöfen (Zurich: Limmat Verlag, 2000), 61 – 62.

²⁰⁷ I am here indebted to Sarada Balagopalan's perspective on the ways in which spaces for children, such as the schoolroom, play a constitutive role for childhood as a distinct life stage. See Sarada Balagopalan, "Memories of Tomorrow: Children, Labor, and the Panacea of Formal Schooling," *The Journal of the History of Childhood and Youth*, v1 n2 (2008), 267 – 285.

Conceived in this way, the association's interventions are better understood within the broader context of transformations in public child-welfare administration throughout Europe, though in a uniquely Tyrolean mode. Much like state-bearing actors elsewhere, by the 1890s Tyrolean elites had come to regard children – not simply as members of their particular communities or households – but as constituents of broader geographical conflagrations. As a result, many began to consider child welfare as an issue of public need rather than private charity, and so sought to enroll professionals with skills appropriate to overseeing the needs of these child-aged subjects. The *Schwabenkinderverein* was, in this way, not simply a private volunteer association run by well-meaning priests, nor were the *Schwabenkinder* themselves impervious to the state's ineffective efforts at exerting social control. Quite the opposite - the association's interventions demonstrated the provincial state's efficacy in administering and overseeing these migrations.

From the first decade of the twentieth century, critics from Vienna, Salzburg, and elsewhere sought to portray the *Schwabenkinderverein* as a form of religious oversight signifying the need for further secularization in issues relating to child welfare. However, for Tyrolean elites who participated in and oversaw it, the organization manifested a radical break with the past because it sought to ameliorate longstanding concerns over these children's moral and spiritual debasement. In order to communicate this perspective, perhaps it is best to let the association's last, and longest-serving, *Obmann* Alois Gaim, speak for himself:

“...the migration of the Tyrolean children under caring guidance and supervision (*sorglicher Leitung und Beaufsichtigung*) is however no evil (*kein Uebel*), not in a moral sense, since the larger part of the migrating children come from such families that one can only regret that this severance is temporary, and [since] parish and community

functionaries urgently desire that this severance occur through the [aegis of] the *Verein*; not in a material sense, on account of the fact that, due to the poverty of these families who often have many children, it is a blessing to send them away for 7 months to see them come home freshly clothed and with a handsome sum... [and] The migration is no evil in a sanitary sense, since even the most dogged critics could not deny that the children come home looking better nourished than when they first left.”²⁰⁸

The *Schwabenkinderverein*'s interventions both realized calls for action going back to the 1860s and revealed how the conceptual landscape around them had changed by the 1890s. Gone were the references to other categories of vagrants, wanderers, and seasonal migrants such as the *Jenisch*. What remained was a sense that, if only the turn to begging and other sorts of mischief could be addressed, the essentially positive impact of a child's time in Swabia could be isolated and protected. Note that Gaim suggested the children's connections with their own families were hardly worth preserving, while that with their employers in Swabia should be maintained. Likewise, despite the fact that this letter was written in 1913, long after outraged critics had begun to castigate the phenomenon as a form of “slavery” and a “child export,” Gaim made only one reference to the possibility of mistreatment. In addressing this, he referred to the “black books,” which he argued had been so successful that “cries of mistreatment” were “fewer” with each passing season. And to the notion, which by that point had become a common refrain in activist circles, that the migrations should be banned outright? For Gaim, this would itself manifest a form of abuse, because it risked abandoning these children to the questionable treatment of their own parents and the miserable, poverty-stricken conditions of their home villages.

²⁰⁸ Letter to Württemberg Minister of Education, 1913. Nachlass Otto Uhlig, VLA Bregenz.

Chapter 4

A “Child Export:” the *Schwabenkinder* in the Public Eye

In the spring of 1911, thirteen-year-old Josef Bartenstein departed his hometown of Lingenau in eastern Vorarlberg for the Austro-German border. After likely travelling through the portside town of Lindau, he reached the small village of Niederwangen and took up residence with a farmer named Josef Graf.²⁰⁹ On June 10, the district school board at Bregenz sent a missive to the upper office (*Oberamt*) of Wangen, warning that Bartenstein had left Austria without permission and demanding his immediate extradition. This set off a cascade of correspondence, as the upper office forwarded the demand to the mayoral magistrate of Niederwangen (*Schultheissenamt*), who in turn sent a letter to Josef Graf ordering Bartenstein’s return. On June 20, Niederwangen’s mayoral magistrate relayed that the “boy is being led back today and the district school board at Bregenz has been apprised.” Over ten days and via the cooperation of four offices on both sides of the Austro-German border, state officials located and removed Josef Bartenstein because he failed to acquire the necessary “permission” to leave Austrian territory.²¹⁰

One of several littering the archival record between 1908 and 1915, Bartenstein’s extradition constituted the culminating act in a set of administrative reforms that embedded Austrian sovereignty in the bodies of the so-called “Swabian Children.” For these school board members, mayoral magistrates, and district administrators, the phenomenon’s various

²⁰⁹ In 1893, the *Schwabenkinderverein* noted that children who went to the Allgäu tended to travel overland through Lindau. See “Oberinntal. 26 März. Vom verein der Hüt Kinder,” *Vorarlberger Volksblatt* (1, April, 1893), 1

²¹⁰ This exchange is located in StASig, Wü 65-42 T4: Bn 609.

peculiarities boiled down to one essential feature - the children's status as Austrian subjects. With this in mind, local functionaries launched a set of state surveys, extradition orders, and stricter documentary requirements after 1908. For them, it mattered little whether the children hailed from Vorarlberg or Tyrol and despite the migrants' young age, remarkably few spared a thought for legal guardians or parents. By centering the *Schwabenkinder's* Austrian subjecthood, these politicians and officials positioned the Austro-German border as the single important threshold for these migrations and thereby a crucial marker for distinct legal spheres around rights to legitimate movement.²¹¹ This shift also robbed the inter-provincial border between Tyrol and Vorarlberg of the predominance it had so long enjoyed. Questions that once had animated so much concern, such as the *Schwabenkinder's* impact on the Vorarlberger communities through which they passed, now receded to the background. Similarly, by constructing the children as independent legal subjects - as persons with names and birthdates but rarely parents or guardians - administrators brought the *Schwabenkinder* into an unmediated relationship with the Austrian state. It was for this reason that the state's censure for noncompliance did not manifest itself in the form of fines and imprisonment visited on children's parents or guardians, as it was for other cases of school truancy. Rather, in a move that treated these in a manner like other forms of "*Verwahrloste Kinder*," the state claimed the right to physically compel their removal back to Austrian territory.²¹²

These administrative reforms drew inspiration from a long-brewing moral panic that was curated in the public press and on the floors of Imperial and provincial parliaments. As a loose coterie of Social Democrats, journalists, and social scientists argued, the migrations amounted to a "child export" of hundreds of Austrian children "sold" abroad to German

²¹¹ My usage of rights to legitimate movement is indebted to John Torpey's *The Invention of the Passport: Surveillance, Citizenship, and the State* (Cambridge University Press: 2000).

²¹² For an exploration of the meanings of *Verwahrloste Kinder* at the turn of the twentieth century, see Heinrich Reicher, *Die Fürsorge für die Verwahrloste Jugend, Zweiter Teil* (Wien: Manz, 1904).

farmers and shepherds each summer. This panic drew much of its energy from broader discussions around child labor reform, which tended to portray children as “priceless,” as belonging in the schoolroom or playground rather than the factory.²¹³ According to such debates, what made child labor outrageous was not just the physical, moral, and spiritual harm it visited on children’s bodies, but also the way in which this violated a sacrality that was at once universal and national.²¹⁴ The contributors to the moral panic around the *Schwabenkinder* saw incidents of physical harm as outrageous not just because they happened, but because they happened abroad. Calls for state prohibition were therefore as much about keeping children within the national fold as they were about keeping them out of the workplace.

None of these critics seriously suggested that the *Schwabenkinderfrage*’s solution might be found in private philanthropy.²¹⁵ The moral panic’s opponents, the Christian Socialists, did occasionally raise the possibility for enhanced investment in the Swabian Children Association. But these proposals never gained much traction because they were less serious suggestions than they were an attempt to portray the migrations as themselves largely benign. For those outraged by the Swabian Children, alternately, the migrations could only be halted via sustained intervention on the part of the state. While some critics advocated removing the loopholes for schooling allowances, others suggested that the children ought to be refused visas altogether. Practically all these critics were unified in arguing that the clergy-run Swabian Children Association should be removed from questions of oversight and administration. In their

²¹³ This is a reference to Viviana Zelizer’s foundational *Pricing the Priceless Child*. See Viviana Zelizer, *Pricing the Priceless Child: the changing social value of Children* (New York: Basic Books, 1981).

²¹⁴ This national aspect was actually a crucial feature of the rise of the “priceless child” in some European contexts and is an aspect which Zelizer missed perhaps on account of her North American geographical focus. While, in his study of anxieties over child endangerment in Liberal Italy, Carl Ipsen does not explicitly invoke Zelizer, he nevertheless shows how these concerns were rooted in changing conceptions of *both* childhood and the nation, and how these dual shifts fed into one another. See Carl Ipsen, *Italy in the Age of Pinocchio: children and danger in the Liberal Era* (New York: Palgrave Macmillan, 2011).

²¹⁵ This point is inspired as well by Edward Ross Dickinson’s narrative of the transition from private charity to public welfare in the nineteenth century. See chapter 1 in Edward Ross Dickinson, *The Politics of German Child Welfare from the Empire to the Federal Republic* (Cambridge, MA: Harvard University Press, 1996).

opinion, the clergy were foreigners who undermined Austrian sovereignty.

In viewing the totality of public statements and bureaucratic interventions after 1900 as reflecting a shift in the Swabian Children's administration, this perspective offers a sharp contrast with Otto Uhlig's influential interpretation. While recognizing the relationship between the press and the state, perhaps most notably in his account of an "American press campaign" in 1908, Uhlig did not see the sheer amount of ink spilled on these migrants as evidence of a moral panic.²¹⁶ For him the various parliamentary debates, press reports, and bureaucratic interventions manifested disconnected incidents - trees but not a forest. His narrative of this time, correspondingly, reads as a parade of events, with one controversy following another without a sense that each successive incident drew inspiration or momentum from the last. For example, while recognizing that Württemberg authorities launched two state surveys around the *Schwabenkinder* in 1908, he did not explore whether the latter might have drawn inspiration from the former, or even if either of these went on to influence how state officials viewed the *Schwabenkinder* moving forward.²¹⁷

Uhlig's approach makes sense in light of his overall thesis about the Swabian Children's persistence despite the state's best efforts to apply regulatory oversight.²¹⁸ In a view with which contemporaries in the Christian Socialist party and even the head of the Swabian Children Association Alois Gaim would have agreed, Uhlig saw the economic asymmetries underlying the migrations as simply too powerful for the state to exert any real influence. The First World War, so Uhlig argued, was the only event disruptive enough to change the migratory regime's basic structure. However, as with his account of the Swabian Children Association, Uhlig failed to recognize how features other than the mere persistence of travel

²¹⁶ For his account of this, see Otto Uhlig, *Die Schwabenkinder aus Tirol und Vorarlberg* (Innsbruck: Innsbruck Universitätsverlag Wagner, 1978), 231 – 240.

²¹⁷ For his treatments of these two surveys, see *Ibid*, 231 – 251.

²¹⁸ Uhlig articulates this argument most strongly in his concluding remarks. *Ibid*, 294 – 296.

from one point to another could have had a significant impact on the lived experiences of these migrants. Just as the association drastically transformed what these journeys could look like, the administrative reforms of 1908-1915 introduced, for the first time, the possibility of physical removal. In concert with the other mechanisms of state surveys and enhanced documentary controls, this possibility signaled the Swabian Children's emergence as a truly international migration regime. It was, in other words, only in 1908 that the broader national categories of Austrian and German finally supplanted the subnational ones of Swabia, Tyrol, Vorarlberg, the Oberinntal, the Stanzertal.²¹⁹

Stoking a Moral Panic: Social Democrats and the *Schwabenkinder*

“What sort of patriotism is this, when tender young children aged 10, 11, or 12 are torn away from their home turf (*heimatlichen Scholle*)... and sent abroad, where they are bartered off (*hinausverkauft*) to exploiters (*Ausbeuter*) [for work] at agricultural concerns...?”²²⁰ Such was the way Social Democratic representative Karl Seitz portrayed a “specialty” of the Crownland of Vorarlberg on the floor of the Austrian *Reichsrat* in 1902. As he pointed out, the Swabian Children's yearly sojourns effectively led to the removal of hundreds of Austrian children across the “Black-Gold border posts” each year. Uttered in the context of a debate on the need to shore up Austria's compulsory schooling laws, Seitz made clear that the national difference between these children and their employers exacerbated their risk of mistreatment. After all, he noted, these German farmers invariably put the *Schwabenkinder* “to tasks their

²¹⁹ For a rich exploration of the conceptual tensions between subnational and national categories, see Celia Applegate, “A Europe of Regions: Reflections on the Historiography of Sub-National Places in Modern Times,” *V. 104, N. 4* (Oct., 1999), 1157 – 1182.

²²⁰ “Was ist das für ein Patriotismus, der die jungen zarten Kinder mit 10, 11, 12 Jahren von der heimatlichen Scholle, ... wegriß und sie hinausschickt in das Ausland, sie hinausverkauft an die Ausbeuter, an die landwirtschaftlichen Betriebe, die oft maschinelle Betriebe sind?” See Seitz's comments on the floor of the *Reichsrat*, in *Stenographische Protokolle über die Sitzungen des Hauses der Abgeordneten des Österreichischen Reichsrathes im Jahre 1902: XVII. Session. 116. Bis 128. Sitzung (§10959 bis 11908)*, 11262 – 11263.

own [children] were too good for.”²²¹ Seitz was equally adamant that the clergy, through their actions at the head of the Swabian Children Association, had demonstrated their unfitness to the task of caring for these migrants. “What kind of Christianity is this, that these gentlemen show us? This association is composed almost entirely of clergy... [and] does not shy from buying up Austrian children only to barter them off in Bavaria, Württemberg, Baden...”²²²

These two emphases on the Austro-German border and the clergy focused the issue of Austria’s sovereign rights over the *Schwabenkinder* in complementary ways. On the one hand, Seitz’s interpretation of the Swabian Children’s border-crossing placed the practice’s resemblance to slavery in a dependent relationship with its transnational mobility. On the other, his reference to the association suggested that the clergy, as non-state actors, were capable of behaviors that were contrary to the wellbeing of Austrian subjects.

Seitz’s perspective, which by 1902 was already characteristic of contemporary views in the Social Democratic press on both sides of the border, was actually very different from the sorts of critiques and concerns that had been common in previous decades. Arguments that the *Schwabenkinder* bore a striking resemblance to slavery had been surfacing in the press since the 1840s, when Württemberg satirist Carl Griesinger suggested that those wishing to view a “slave market *en miniature*” need only make the trip to Ravensburg.²²³ Although Griesinger recognized these children’s origin in the Eastern Alps, he never mentioned the border between Vorarlberg and Württemberg. Similarly, in 1866, Leipzig’s *Die Gartenlaube* ran an article arguing that “the similarity of this (the *Kindermärkte*) with the vibrant... [slave trade] between

²²¹ “...weil ihnen ihren eigenen Kinder dazu viel zu gut sind.“ Ibid, 11263.

²²² “Was ist das für ein Christentum, das diese Herren zeigen? Dieser Verein besteht fast nur aus Geistlichen... und dieser Verein scheut sich nicht, die österreichischen Kinder in der Heimat gewissermaßen aufzukaufen und nach Bayern, Württemberg, Baden, u.s.w. hinauszuverhandeln...” Ibid, 11262.

²²³ “In der That, ich war bald wieder zurück, den ich sah in Ravensburg einen Sklavenmarkt *en miniature*.“ Carl Theodor Griesinger, “Der Jungens- und Mädchensmarkt,” *Humoristische Bilder aus Schwaben* (Stuttgart: Verlag der Griesinger’schen Verlags- u. Antiquariatshandlung, 1844), 215 – 216.

Africa and America cannot be denied.”²²⁴ For that anonymous *Gartenlaube* contributor, the *Schwabenkinder*’s location in German-speaking Central Europe, recognized as a place of “...educational renown (*Bildungsruhm*), [and] great accomplishments in art and science...,” only further excited the author’s sense of outrage and shock. “... It is shameful to say: this child-trade blooms in Germany!”²²⁵ Despite their similarities, these critics never focused on either the Swabian Children’s border-crossing or their status as Austrian subjects.

This is not to say that observers from these earlier decades expressed no interest in these children’s mobility. On the contrary, Tyrolean Swabian Children’s proclivity for begging and vagrancy while moving through Vorarlberg aroused consistent anxieties about rights to legitimate movement.²²⁶ But as we saw in the previous chapter, regional journalists considered the migrations problematic because they signaled an influx of *Tyrolean* children into *Vorarlberger* communities - their shared Austrian-ness mattered little. Many contemporaries considered it absolutely crucial that local authorities devote more energy to verifying that incoming children were in possession of valid travel documents and resources necessary to support their journey.²²⁷ One 1868 *Vorarlberger Zeitung* journalist even suggested that local police should not “...permit entrance to Vorarlberg unless they [the children’s adult guides] were able to provide proof of sufficient travel funds...”²²⁸ Concerns about mobility prior to the

²²⁴ “Wir haben eine Art von Menschenhandel vor uns, dem einige Aehnlichkeit mit dem einst zwischen Afrika und Amerika schwunghaft betriebenen Negerhandel nicht abzusprechen ist.“ In “Ein Kinderhandel,” *Die Gartenlaube*, H. 4 (Leipzig: Verlag von Ernst Keil, 1866), 55 – 56.

²²⁵ “Und – es wird Einem, der so gern auf den Bildungsruhm, die Großthaten in Kunst und Wissenschaft, die Fortschritte auf jedem Culturfelde seines Volkes stolz sein möchte, sehr schwer, so Beschämendes auszusprechen – dieser Kinderhandel blüht in Deutschland!“ Ibid, 55 – 56.s

²²⁶ “Kommen sie in einen Ort, so fallen sie gleich Wanderheuschrecken Alles bettelnd an, was ihnen unterkommt.“ As reprinted from the *Bote für Tirol und Vorarlberg* in *Die Debatte*, “Die ‘Schwabenkinder,’” *Die Debatte* (23 März, 1867), 2.

²²⁷ See, for example, “Innerbregenzerwald, Ende Febr. (Die Schwabenkinder,” *Feldkircher Zeitung* (März 1, 1873), 3.

²²⁸ “...kommen sie nun aus Tirol oder Graubünden, den Eintritt nach Vorarlberg nicht zu gestatten, ohne daß sie sich mit einem angemessenen Reisegeld ausweisen...” in “§Vom Unterland,” *Vorarlberger Landes-Zeitung* (16 Januar, 1868), 1.

turn of the twentieth century tended to focus on migration between Tyrol and Vorarlberg rather than between Austria and Germany.

The discourse emergent in the years straddling 1900 also differed from these earlier utterances in terms of sheer scale, and it was this factor which distinguished the preponderance of statements at that time as a moral panic. In his foundational work on the subject, sociologist Stanley Cohen correctly noted the mass media's role in stoking the interest necessary to sustain public outrage. He also pointed out how the sense that "something should be done" has often implied a call for state rather than private intervention.²²⁹ More problematic, however, is the central place Cohen allotted to "disproportionality" as a delimiting feature.²³⁰ As he argued, moral panics are characterized by an exaggerated, even distorted sense of the material conditions surrounding a particular practice. The threshold that distinguishes a moral panic from other discourses, in this way, relies on a rupture between facts on the ground and "stylized and stereotypical" understandings disseminated in the press.²³¹ To be sure, some scholarship has utilized this framing to great effect.²³² But because of its assumption of a factual rupture between public discourse and material practice, this approach implicitly castigates the contributors to panics as both hysterical and mistaken. Elegantly condensing the various critiques leveled against Cohen's framing in recent decades, criminologist Philip Jenkins once rhetorically asked, "Whoever heard of a *legitimate* panic, or of *well founded* hysteria?"²³³ As Jenkins noted, the pejorative implications undergirding Cohen's model can frustrate attempts at

²²⁹ Stanley Cohen, *Folk Devils and Moral Panics: the Creation of the Mods and Rockers*, 3rd edition (Routledge Classics, 2002), xxvi – xxviii; for Cohen's notion that "something should be done," see Ibid, xxvii.

²³⁰ Ibid, xxxiv – xxxvi.

²³¹ Ibid, 1.

²³² Consider, for example, Keely Stauter-Halsted's insightful exploration of the racialized and conspiratorial tropes underlying the "white slavery" panic in partitioned Poland. See Keely Stauter-Halsted, "Moral Panic and the Prostitute in Partitioned Poland: Middle-Class Respectability in Defense of the Modern Nation," *Slavic Review*, Vol. 68, No. 3 (Fall, 2009), 557 – 581.

²³³ Philip Jenkins, "FAILURE TO LAUNCH: Why do Some Social Issues Fail to Denote Moral Panics?" *The British Journal of Criminology*, Vol. 49, No. 1, Moral Panics – 36 Years on (January 2009), 36.

using moral panics as an analytical lens for practices lacking such a contradiction.

And critics writing around 1900 were not wrong in their assessments of the Swabian Children. While motivated by a variety of interconnected issues, from the need to enforce compulsory schooling laws to anxieties about Austrian sovereignty, the contributors to this discourse were correct in castigating these migrations as manifesting real harm for these children. Some migrants, accounts suggest, returned home permanently maimed.²³⁴ The hours of work usually had children waking early before sunrise and lasting till well after sunset. Boys purportedly slept in the same stables with the animals they tended and, especially in these years, agricultural machinery was a common feature on many of the region's farms.²³⁵ This was hard, dangerous work, and it should be little wonder that contemporaries outraged by the conditions of factory labor were no less concerned by the spectacle of the Swabian Children. While, as their claims of a "child trade" and "slavery" reveal, critics often erred on the side of hyperbole, it remains that many of the features they described comported to the regime's material practices.

What made the discourse around these migrations a moral panic was, rather, the way it managed to escape the narrow confines of polarized political discourse to achieve a degree of genuine consensus in the public sphere by 1908. Beginning in 1897, with a contribution by Frankfurt SPD politician Max Quarck in the *Freie Lehrer Stimmen*, Social Democratic periodicals on both sides of the Austro-German border started to run a growing number of articles decrying the Swabian Children as a slave-like "child trade."²³⁶ In 1902, Austrian

²³⁴ The case of Otto Barfus, a boy who lost his hand to a straw-cutter, was easily the most cited of the former. See "Oesterreichischer Kinderexport," *Arbeiter-Zeitung* (22 April, 1900), 6; for one reference to girls returning pregnant, see "Ein Vortrag über Kinderarbeit," *Zeitschrift für Frauen-Stimmrecht. Organ für die politischen Interessen der Frau*. Heft 9, Jahrgang 3 (Dezember 1913), 3.

²³⁵ For a perspective on this, see Simon Abram's famous account. Simon Abram, "Die Heimkehr der Tiroler Hüttekinder aus dem Schwabenland," *Innsbrucker Nachrichten* (31 Oktober, 1908), 17; this, as Colin Heywood has shown in his *Classes Populaire*, was itself not extraordinary for children engaged in agricultural child labor.

²³⁶ As reprinted in "Der Kinderhandel in Tirol und Vorarlberg," *Arbeiter Zeitung* (25 September, 1897), 5.

representative Karl Seitz enhanced the issue's public profile in his searing diatribe on the floor of the *Reichsrat* - a speech which, notably, drew the sardonic response of Vorarlberger Christian Socialist Martin Thurnher.²³⁷ Then, in his 1904 survey of child labor in lower Styria, Siegmund Kraus singled out the Swabian Children as a questionable practice linking the two Central European states.²³⁸ In the years following, the migration regime enjoyed a drastic expansion of interest in the press, featuring in newspapers from across the political spectrum in places as distant as Klagenfurt, Marburg (Maribor), and Graz.²³⁹ In 1907, Innsbruck educator Bruno Webhofer brought the migrations up in his address to the child protection congress in Vienna.²⁴⁰ Then, in the following year, a handful of German-American newspapers issued their own scathing rebukes, ultimately leading the Foreign Office of Imperial Germany to demand an explanation from Stuttgart.²⁴¹

The findings of the massive Austrian child-labor survey of 1907/08, which collected information on nearly 300,000 children, suggest the degree of impact this increased interest might have had both for bringing the Swabian Children into the public consciousness and for characterizing it within the broader tent of *Kinderarbeit* (child labor).²⁴² Respondents from four districts in Vorarlberg and Tyrol saw fit to mention these children, with several focusing on the moral and physical harm the migrations posed to participants. One *Schulleitung* from

²³⁷ For Seitz's comments, see *Steographische Protokolle über die Sitzungen des Hauses der Abgeordneten des Österreichischen Reichsrathes im Jahre 1902: XVII. Session. 116. Bis 128. Sitzung (§10959 bis 11908)*, 11262 – 11263; for Thurnher's response to them, see *Ibid*, 11403.

²³⁸ Siegmund Kraus, *Kinderarbeit und Gesetzlicher Kinderschutz in Österreich*. (Wien und Leipzig: Franz Deuticke, 1904), 167 – 173.

²³⁹ "Die Schwarzen Schulverderber," *Marburger Zeitung* (8 März, 1906), 1; "Der 'Arbeiterwille' und die Schwabenkinder," *Kärntner Zeitung* (5 April, 1909), 3; "Das Kind als Ausbeutungsobjekt," *Arbeiterwille* (1 August, 1907), 3.

²⁴⁰ Bruno Webhofer, "Über die Ursachen, Erscheinungsformen und die Ausbreitung der Jugendverwahrlosung in Tirol." *Schriften des Ersten Österreichischen Kinderschutzkongresses*, Bd. 1 (Wien: k.k. Hof- und Staatsdruckerei, 1907), 247 – 270.

²⁴¹ Copies of several of these articles, along with the associated diplomatic correspondence responding to them, can be found in Nachlass Otto Uhlig, VLA Bregenz.

²⁴² For a breakdown of the surveys received, see K.K. Arbeitsstatistisches Amt im Handelsministerium, *Erhebung über die Kinderarbeit in Österreich im Jahre 1908. II Teil. Textliche Darstellung. I Heft*. (Wien: K.K. Hof- und Universitäts-Buchhändler, 1911), XIII.

Vorarlberg, for example, noted that “Their bodily and intellectual development is stunted, [and] their morality endangered.”²⁴³ Just as important was the Ministry of Commerce’s decision to situate these migrations as representative of agricultural child labor practices in their summary assessments. As these authors specified, “many *Schulleitungen* were convinced that, due to very strenuous work abroad, the *Schwabenkinder* had come to significant bodily harm...”²⁴⁴ By the time these surveys were conducted, Social Democrats and scientists had been railing against these migrations for over a decade. The initiative taken by Alpine school-principles in criticizing the Swabian Children in these survey responses reveals the degree to which even authorities at the local level had begun to internalize the notion that these migrations were relevant to the context of child labor.

The moral panic was organized around three broad themes, each of which centered the Austrian state’s lack of action as both a source of underlying concern and a possible pathway for redress. The first of these concerned the idea that Austria’s legal structure should, whether via novel legislation or the reinterpretation of existing statutes, be molded around the state’s moral obligation to protect and oversee child-aged subjects. This perspective helps explain both the persistent emphasis on legal reforms and the diversity of suggested solutions. Some, like Frankfurt SPD representative Max Quarck, argued that the Swabian Children’s absence from school over the summer gave the lie to the “sixty-eighter” (1868) Imperial Public School Law’s promise of eight years of compulsory schooling. This situation, he argued, was most outrageous due to the impact such absences had both for returning migrants and, once they attempted to reintegrate back into school, their fellow classmates. “Every teacher knows how such a child, in both spirit and body, looks when they spend seven to eight months of the year

²⁴³ “Die körperliche und geistige Entwicklung ist gehemmt, die sittliche stark gefährdet.“ Ibid, 213.

²⁴⁴ “...den Schulleitungen wurde wahrgenommen, daß ‘Schwabenkinder’ infolge der zu sehr anstrengenden Arbeit im Ausland in körperlicher Beziehung arg zu schaden kommen...,” Ibid, 200.

in the company of crude farmworkers and maids... There isn't really any remaining sense of schooling [in them]."²⁴⁵ The point, for Quarck, was not simply that the Swabian Children contradicted the statutes of the Imperial Public School Law, but rather that the Austrian state had failed in its obligations to protect Austrian subjects.²⁴⁶ One 1900 *Arbeiter Zeitung* contributor, in exploring how the interplay between provincial and imperial statutes created the legal space necessary for the Swabian Children, opted for a slightly more nuanced approach. As the author noted, the preference granted to provincial statutes in the 1883 revision to the imperial law effectively legalized provincial edicts granting season-long school dispensations - even when these seemingly contradicted Imperial stipulations surrounding compulsory schooling. Thus, the contributor argued, the state could intervene either through the introduction of new legislation or, if they so chose, by attempting a reinterpretation of existing statutes.²⁴⁷

Even those not directly part of the political fray, social scientists, consistently took this approach of linking the moral outrage around the Swabian Children with the existing legal structure and the need to alter it to facilitate the state's intervention. It was in this fashion that demographer Siegmund Kraus discussed these children in his influential 1904 study. While emphasizing the "notorious poverty and plight" that characterized many children's situations, he also observed that "the school law has no power in Tyrol."²⁴⁸ His point, made by a careful

²⁴⁵ "Jeder Lehrer aber weiß, wie es mit so einem Kinde geistig und meistens auch körperlich aussieht, das sieben bis acht Monate im Jahre... in Gesellschaft der meist rohen Bauernknechte und Mägde zugebracht hat.... Eigentlich sind das schon keine Schulverhältnisse mehr." As reprinted in "Der Kinderhandel in Tirol und Vorarlberg," *Arbeiter Zeitung* (25 September, 1897), 5.

²⁴⁶ Contributors to SDAP newspapers *Salzburger Wacht* and *Freie Stimmen* made similar points. The former rhetorically asked "what meaning does the school law (*Schulgesetze*) have" when children are "sold" to Swabians. The latter quoted an "old Catechism from Vorarlberg: 'In the school, one recognizes the *Schwabenkinder* at first glance. They are almost impossible to civilize in such a short time of schooling.'"

²⁴⁷ "Oesterreichischer Kinderexport." *Arbeiter Zeitung* (22 April, 1900), 6.

²⁴⁸ This first reference was yet another one of Kraus's carefully selected quotes, in this case of a local district school board. "die notorische Armut und Zwangslage," in Siegmund Kraus, *Kinderarbeit und Gesetzlicher Kinderschutz in Österreich* (Wien und Leipzig: Franz Deuticke, 1904), 172; "Die Schulbehörde ist sich auch dessen bewußt, daß die Schulgesetze in Tirol keine Geltung haben." *Ibid*, 171.

selection of quotes drawn from school authorities and legal statutes in the two Alpine Crownlands, was that the Austrian state bore a responsibility for the provision of schooling, which the extant legal situation had abrogated. Per Kraus, “It can, however, not be denied that it is a... violation of the law (*Gesetzverletzung*) when children from their twelfth birthday... are pulled out of school and contracted abroad over the summer months...”²⁴⁹ This perspective surfaced as well in Heinrich Reicher’s landmark study of so-called “neglected children” (*Verwahrloste Kinder*) of the same year. Quoting the *Tiroler Tageblatt*, Reicher noted that these “school-aged (*Schulpflichtiger*)” children were “freed” over the summer “if they went to Swabia.”²⁵⁰ As he then clarified, the Austrian Ministry of Education had itself “recognized” in 1883 that a child’s long-term absence from school exerted a “negative influence.”²⁵¹ Despite this, the Ministry apparently concluded that it lacked the legal authority to issue a blanket ban on the migrations against the wishes of provincial authorities.

The second element underpinning this moral panic focused these children’s international mobility from Austria to Germany - an emphasis that marked a shift from the prior tendency to emphasize subnational categories like Swabia or the Oberinntal. Karl Seitz’s aforementioned *Reichsrat* speech, with its invocations of the “Black-Gold border posts,” was easily the most explicit articulation of this view. While in a perhaps less overt manner, other SDAP agitators as well made clear their disgust with the Swabian Children’s border-crossing by characterizing the migrations as a “child export” of Austrian children into Germany. This was precisely the position that one 1900 *Arbeiter Zeitung* reporter took, noting that “In relation to [incidents of] child-mistreatment (*Kinderelend*), the following should be discussed... : the

²⁴⁹ “Es kann aber noch nicht geleugnet werden, daß es eine – leider nicht unter genügende Strafsaktion gestellte – Gesetzverletzung ist, wenn Kinder schon nach voll-endetem elften Lebensjahre, also nach fünfjährigem Schulbesuche, während des Sommermonate (März bis Oktober) dem Unterrichte entzogen und ins Ausland verdingungen werden.“ Ibid, 170 – 171.

²⁵⁰ Heinrich Reicher, *Die Fürsorge für die Verwahrloste Jugend, Zweiter Teil* (Wien: Manz, 1904), 301.

²⁵¹ “nachteilige Einfluß anerkannt,” Ibid, 301.

CHILD EXPORT IN TYROL.”²⁵² For this journalist, the “Swabian Children’s Association” bore the blame for facilitating the “export of young workers” abroad to “Baden and Württemberg.”²⁵³

Even those not associated with the SDAP, and who were therefore less motivated by rivalry with the Christian Socialists, showed an increasing tendency to embrace such state-based categories. This, for example, comes through in the Ministry of Commerce’s summary report on the Austrian Child Labor Survey of 1908, which described the Swabian Children as a “...special [practice] out of Tyrol and Vorarlberg to south-Germany...” in one place and a phenomenon through which “...working children suffer bodily impairment due to their term in Germany...” in another.²⁵⁴ At least three of the survey respondents utilized similar language, noting the *Schwabenkinder*’s destination in “Württemberg” without, crucially, ever mentioning Swabia outside of the migration’s own nomenclature.²⁵⁵ For many contributors to the moral panic around these children, whether provincial or imperial, what really mattered were state-based categories – concepts which, as we shall see, had legal implications for rights to legitimate movement.

The third and final frame motivating the discourse around the Swabian Children concerned the clergy’s role in leading the “Swabian Children’s Association.” In many respects, unlike the other features described here, this aspect remained a largely Social-Democratic talking point. However, the sheer quantity of denunciations that SDAP agitators leveled against the association, when combined with the increasing tendency of Christian Socialists to take up

²⁵² “Von einer Seite des Kinderelends soll in dem Folgenden erzählt werden... ‘DER KINDEREXPORT AUS TIROL.’“ from “Oesterreichischer Kinderexport.” *Arbeiter Zeitung* (22 April, 1900), 6.

²⁵³ “...export jugendlicher Arbeitskräfte...” Ibid, 6.

²⁵⁴ “Was speziell die aus Tirol und Vorarlberg nach Süddeutschland...” K.K. Arbeitsstatistisches Amt im Handelsministerium, *Erhebung über die Kinderarbeit in Österreich im Jahre 1908. II Teil. Textliche Darstellung. I Heft.* (Wien: K.K. Hof- und Universitäts-Buchhändler, 1911), 257; “...daß die während der Saison in Deutschland beschäftigten Kinder körperlich benachteiligt sind...” Ibid, 200.

²⁵⁵ Ibid, 116.

in its defense, effectively politicized any consideration of the clergy's involvement moving forward.²⁵⁶ As one 1900 *Salzburger Wacht* article made clear, the clergy at the association's head bore the most blame for the slave-like practice: "Catholic Clergy lead these children to the market at Ravensburg, and so help to sell not only their bodies but their souls as well."²⁵⁷ A 1906 *Arbeiter Zeitung* contributor made a similar point, arguing that the clergy had abetted the "exploitation" (*Ausbeutung*) of these children by "play[ing] the role of slave-traders."²⁵⁸

It should be noted, here, that the SDAP's anti-clericalist stances on the "Swabian Children's Association" operated in a much broader political context that implicated their rivalry with the Christian Socialist party.²⁵⁹ Two contemporary developments, the *Los von Rom* movement of 1897 – 1901 and the growing influence of the "Verein 'Freie Schule'" after 1906, speak to the wider stakes underlying discussions of the "Swabian Children's Association." The former never attracted direct SDAP support due to its origins as a pan-German, evangelically Protestant political movement that sought to inhibit the Church's influence in Austria's domestic politics.²⁶⁰ Yet, many of the movement's basic arguments about the significance of Austrian sovereignty found echoes in later controversies between the SDAP and the Christian Socialists, including the so-called *Wahrmund Affäre* of 1908.²⁶¹ This minor controversy, aroused by Professor of Religious History Ludwig von Wahrmund's publication of a pamphlet

²⁵⁶ An example of this Christian Socialist defense can be found in the series run by the *Vorarlberger Volksblatt* in 1913. See

²⁵⁷ "...katholische Geistliche führen diese Kinder auf den Markt nach Ravensburg; helfen also nicht bloß deren Leib, sondern auch deren Seelen zu verkaufen..." from "Das clericale Vorarlberger 'Volksblatt'," *Salzburger Wacht* (30 November, 1900), 4.

²⁵⁸ "...spielen die Rolle des Sklavenhändlers." *Arbeiter Zeitung* (22 April, 1906), 6.

²⁵⁹ For two helpful overviews of this rivalry in, respectively, Vienna and in the broader history of the Christian Socialist party, see Dan Unowsky, *The Pomp and Politics of Patriotism; Imperial Celebrations in Habsburg Austria, 1848 – 1916* (West Lafayette, Ind: Purdue University Press, 2005); John Boyer, *Culture and Political Crisis in Vienna: Christian Socialism in Power, 1897 – 1918* (Chicago: Chicago University Press, 1995).

²⁶⁰ Helmut Walser Smith, "Los von Rom: Religious Conflict and the Quest for a Spiritual Pan-Germany," *German Nationalism and Religious Conflict: Culture, Ideology, Politics, 1870 – 1914* (Princeton: Princeton University Press, 1995), 206 – 232.

²⁶¹ Relevant documents about the Wahrmund Affäre, including details about the student protest movement and correspondence between authorities in Vienna and Innsbruck, can be found in Nachlass Gustav Marchet, 16, AT-OeStA/HHStA.

critical of the Papacy, led Christian Socialists and clergy throughout Tyrol to demand that his recent appointment to the University of Innsbruck be rescinded. A broad coalition of Social Democrats and student protestors rallied to Wahrmund's defense, arguing that efforts to remove him threatened the "freedom of scientific research."²⁶² While, in the end, the Christian Socialists prevailed in preventing Wahrmund's appointment, this entire discussion brought fears about the church's ability to infringe on Austrian sovereignty right into the center of public debate in 1908 and '09.

The *Verein 'Freie Schule'* played a similar role, though with objectives that focused more on elementary than college education. By 1910, some four years after its founding, the association had managed to attract 30,000 dues-paying members – an amount which, while only half that of its Catholic counterpart, nevertheless demonstrated a significant amount of support across Cisleithanian Austria.²⁶³ Its basic platform effectively amounted to the church's total expulsion from elementary schools, including the two hours of religious education specified in the Imperial Public School Law. As such, the association was understandably all too pleased to seize on the "Swabian Children's Association's" role in guiding the children abroad. It was actually for this reason that, at one chapter meeting in Innsbruck in 1908, the *Verein 'Freie Schule'* castigated the Swabian Children as a "Christian institution," so suggesting the clergy's patent unfitness to oversee questions of child welfare and education.²⁶⁴

When viewed in aggregate, the deluge of statements on these migrations between 1897 and 1915 contain several recurrent concerns and arguments. The first of these was the notion that the migrations manifested a public ill. This idea was multifaceted, as it both focused on the

²⁶² "...freie wissenschaftlicher Forschung..." from "Verein 'Freie Schule' in Bregenz," *Vorarlberger Volksfreund* (17 März, 1908), 3.

²⁶³ "Verein 'Freie Schule,'" *Pädagogisches Jahrbuch 1911*, Jahrgang 34 (Wien: Verlag von A. Pichlers Witwe und Sohn, 1911), 171.

²⁶⁴ "Versammlung der 'Freien Schule,'" *Vorarlberger Volksfreund* (12 Oktober, 1907), 1.

direct bodily and developmental harm suffered by the children themselves and on an understanding that the practice's very existence evidenced the state's failure to fulfil its obligations to child-aged subjects. Second and relatedly, contributors to this panic consistently emphasized these children's Austrian subjecthood. While, sometimes, critics saw fit to invoke the Austro-German border by name, it was more common for them to merely imply the significance of the transnational movement from Austria to Germany. Perhaps the best evidence of this is that, even when using the provincial categories of Vorarlberg or Tyrol, many nevertheless chose to focus on the migrant's destination as Germany or Württemberg rather than Swabia. Furthermore, this emphasis on Austrian subjecthood, when correlated with the consistent calls for legal action by Austrian rather than German authorities, meant that many of these agitators attached Austria's sovereignty to these children's very bodies. Many therefore entertained the possibility that the state's authority followed the migrants right on to their places of employment in Upper Swabia.

Reaching Across the *Bodensee*: Extraterritoriality and Austro-German Collaboration

In 1913, the South Tyrolean school board of Schlanders wrote to the Upper Office in Wangen that, "For the purpose of combatting the dreadful Swabian Children situation (*Bekämpfung des Schwabenkinderunwesens*), I request the immediate return (*Rückbeförderung*) of school children from the district of Schlanders who are not found in possession of a visa certificate."²⁶⁵ By stating that the school district bore a responsibility to combat the migrations, the Schlanders school board demonstrated that any prospective extradition orders were not intended merely to censure incidents of noncompliance, but were instead meant to exert a

²⁶⁵ "Zwecks Bekämpfung des Schwabenkinderunwesens ersuche ich um sofortige schubweise Rückbeförderung von Schulkindern aus dem politischen Bezirke Schlanders, wenn schon sich nicht im Besitze eines Paßzertifikates befinden sollten." StASig, Wü 65-42 T4: Bn 609.

prohibitory influence. Schlender's was one of numerous such letters issued by authorities in Tyrol and Vorarlberg to Upper Offices (*Oberämter*) in Swabia between 1910 and 1914. Most of them utilized similar terminology positioning the Swabian Children as a public ill that the state bore the responsibility for mitigating.

This approach by regional officials arguably found its genesis in two survey requests issued by the upper offices of Wangen and Ravensburg in 1908. The first of these were a reaction to a handful of American articles in newspapers like the *Tägliches Cincinnati Volksblatt* and the *Fort Worth Star Telegram*.²⁶⁶ As a result of a rather byzantine series of communications between an outraged Washington D.C. resident named Noah Lewis, the office of Chancellor von Bülow, the German Ministry of the Interior, and the Württemberg Ministry of the Interior, authorities in Berlin and Stuttgart came to demand that administrators in Swabia furnish an answer to the claims of "slavery" presented in these newspaper articles.²⁶⁷ The upper office of Ravensburg drafted a series of letters to the townships in its jurisdiction requesting an accounting "...of the type and manner of the contracts concluded (*Vertragsabschlusses*) between employers (*Arbeitgebern*) and representatives of the so-called Tyrolean *Hüttekinder*..."²⁶⁸

A few months later, the upper offices of Wangen and Ravensburg authored a second, more expansive survey request to its townships. In this case, the motivating factor was Social Democrat Simon Abram's oft-reprinted eye-witness account of the children's return from Friedrichshafen. As the upper office of Ravensburg put it,

"...in the *Schwäbisches Tageblatt* on the 9th of this month, an article from Austrian

²⁶⁶ Two of these articles currently reside in Nachlass Otto Uhlig, VLA Bregenz.

²⁶⁷ This entire exchange is collected in Nachlass Otto Uhlig, VLA Bregenz.

²⁶⁸ "...die Art und Weise des Vertragsabschlusses zwischen den Arbeitgebern und den Vertretern der sogen. Tiroler Hüttekinder..." in StASig, Wü - 65-26 T 1-2: Bn 348.

Reichsrat representative Simon Abram appeared, in which it was said that the Tyrolean *Hüttekinder*... must fight for their wages on the way out, that one can read a striking degree of crudeness (*Roheit*) and moral neglect from their eyes, ... that they go to work each day with little sleep ... and that this year a few became... [physically impaired] after being put in the service of dangerous agricultural machines.”²⁶⁹

Each of these letters concluded with a demand that every mayoral magistrate (*Schultheissenamt*), in collaboration with that township’s parish (*Pfarramt*), conduct “surveys” (*Erhebungen*) of all resident Swabian Children.

These two survey initiatives reveal the extent to which broader public discourse had begun to color the way state officials in the region understood these migrations. First, local administrators had begun, however tacitly, to accept the notion that they could inflict harm or otherwise impair children in various respects: physical, developmental, economic, moral. Consider, for example, the second survey’s claim that one could “read a striking degree of crudeness (*Roheit*) and moral neglect from (the *Schwabenkinder*’s) eyes.” This formulation corresponded to representative Abram’s specific charges that, in tending the livestock, children were “forced to learn much too early the mating habits of the animals” (*Geschlechtsleben der Tiere*) and that many were exposed to “crude language” in their work with “adult domestics.”²⁷⁰ These claims, it should be stressed, were heavily contested by some Christian Socialists, including a *Vorarlberger Volksblatt* contributor who considered it quite unlikely that children

²⁶⁹ “In Nr., 262 der Schwäbischen Tagwacht vom 9. ds. Mts. ist ein vom den österr. Reichsratsabgeordneten Simon Abram verfaßter Artikel erschienen, in welchen von den Tiroler Hüttekinder u. a. gesagt ist, daß sie sich trotz Vertrag... beim Austritt oft erstreiten müssen, daß man einen erschreckenden Grad von Roheit & sittlicher Verwahrlosung vielen Kindern von den Augen ablesen konnte, daß sie alle jeden Tag um 3½ Uhr früh... jeden Tag unausgeschlafen zur Arbeit, meist im Stall kommen & daß auch in diesem Jahr einige der Kinder dadurch zu Krüppeln geworden seien, daß man sie zur Bedienung gefährlicher landwirtschaftlicher Maschinen verwendet habe.“ Letters located in StASig, Wü - 65-26 T 1-2: Bn 348.

²⁷⁰ Simon Abram, “Die Heimkehr der Tiroler Hüttekinder aus dem Schwabenland.“ *Innsbrucker Nachrichten* (31 Oktober, 1908), 17.

were not already familiar with the “relations of the animals,” considering that “99 percent have peasant parents.”²⁷¹ In highlighting Abram’s account but not the corresponding discussion it aroused, the authors of this request imbued his claims with a degree of legitimacy. Second, by the simple fact of invoking the risk of abuse or mistreatment in the context of state-sponsored surveys, officials suggested that such issues lay within the purview of the state. This is especially notable when one considers that the authors of these requests did not limit their demands to the mayoral magistrates but also required explanations of moral and spiritual treatment from each district’s parish.

In all, Swabian authorities conducted three internal surveys of resident *Schwabenkinder* in this period. As already noted, the first two were issued in the summer and fall of 1908 in response to particular press articles. The third, which was ordered in 1911, was more expansive than the others on account of its issuance by the Catholic School Board of Württemberg.²⁷² This last one was likely motivated by the Austrian foreign delegation’s requests that Württemberg expand compulsory schooling to these migrants in that year.²⁷³ Nevertheless, the responses and conclusions to each of these surveys were similar in tone and organization. First, each of these surveys characterized the Swabian Children as “Tyrolean,” regardless of whether the children’s place of birth or legal domicile was actually in that Crownland. As the Catholic School Board’s 1911 request stated, “The community’s upper office is instructed to report, as soon as feasible, how many so-called *Tiroler Hütekinder* currently reside... in its district...”²⁷⁴ The two requests from 1908 employed identical terminology, demanding an accounting from the

²⁷¹ “Der ‘Sklavenhandel mit den Hütekindern,’” *Vorarlberger Volksblatt* (10 November, 1908), 9.

²⁷² These surveys are located in StASig, Wü - 65-26 T 1-2: Bn 348.

²⁷³ For Uhlig’s account of these negotiations and their possible influence on the Catholic School Board’s survey, see Uhlig, 252 – 257.

²⁷⁴ “Das gemeinschaftliche Oberamt wird beauftragt, in tunlichster Bälde zu berichten, wie viele sogenannte Tiroler Hütekinder sich in den einzelnen Orten seines Bezirks zur Zeit befinden...” StASig, Wü - 65-26 T 1-2: Bn 348.

“representatives of the so-called *Tiroler Hütekinder*” and a response to Simon Abram’s article on the “*Tiroler Hütekindern*.”²⁷⁵

Survey respondents, of course, utilized this same nomenclature regardless of whether children hailed from Vorarlberg or Tyrol. In his response to a survey request in 1908, the mayoral magistrate of Niederwangen composed a table of “*Tiroler Hütekinder*” that included entries straddling both sides of the provincial border. From these findings, we see that a boy named Eugen Walser (b. 1895) from Landeck and another named Alois Fink (b. 1896) from Andelsbuch had each taken up residence in Niederwangen that year. Yet, whereas Walser came from Tyrol, Fink came from Vorarlberg. Likewise, responding to the later 1911 request, the mayoral magistrate of Vogt informed his superiors that five children had been resident there that year, four of whom normally resided in Vorarlberg.²⁷⁶

The term *Tiroler Hütekinder* was usually only absent in situations where respondents chose to include information on children from communities within Württemberg or from countries other than Austria. It was probably for this reason that the mayoral magistrate of Deuchelried titled its response “*Hütekinder* in the community in 1908.”²⁷⁷ Unlike others, Deuchelried’s survey results declined to specify in which village each child normally resided. Entries noted merely whether migrants came from Vorarlberg, Tyrol, or elsewhere. This table, as such, noted that one child each hailed from the Swiss canton of Graubünden and from Italy. A rather different purpose likely motivated the mayoral magistrate of Immenried to title its findings “Relations of the *Hütekinder* (*Dienstkinder*) in the school district of Immenried.”²⁷⁸ So the contents of this survey reveal, numerous children from within Württemberg acquired labor

²⁷⁵ Ibid.

²⁷⁶ The absence of any information regarding the fifth, an Anton Grabherr (b. 1894), may just indicate a lack of information. Ibid.

²⁷⁷ StASig, Wü 65-42 T4: Bn 609.

²⁷⁸ “Verhältnisse der Hütekinder (Dienstkinder) in der Schulgemeinde Immenried.” Ibid.

terms with local farmers in that season. Boys like Ferdinand Ebenhoch, Otto Prinz, and Franz Wucherer were even born or still lived in Immenried. Immenried's survey is particularly illuminating considering that the original request from Wangen's upper office specified that it required information on *Tiroler* children – an identifier that this respondent chose to omit.

The particular situations in which officials characterized the Swabian Children as *Tiroler* mattered because they suggested the degree to which the longstanding division between Vorarlberger and Tyrolean children was beginning to break down at this moment. Recall, for example, that in the 1870s and 1880s, it was this very border – and not the international one at Bregenz - that aroused the most concern.²⁷⁹ The decision to omit this terminology when discussing children from outside Austria evidences the degree to which the authors of these surveys understood *Tiroler Hüttekinder* as Austrian subjects. Two possible explanations may, nevertheless, be offered for the terminology's persistence despite its seeming inapplicability for those from neighboring Vorarlberg. On the one hand, it may be simply that the German state officials involved in these surveys had chosen to focus on the jurisdictional purview of the Austrian Imperial *Statthalterei von Tirol und Vorarlberg*. While, in the years following Vorarlberg's legal declaration as a separate Crownland from Tyrol in 1861, most offices and organizations were spun off into separate divisions, this office maintained its jurisdiction over both Crownlands right up to the Dual Monarchy's dissolution. This possibility should, however, be cautioned on account of the recurrent reference to Vorarlberg as a distinct Crownland in numerous survey responses. On the other hand, it should be remembered that the *Tiroler Schwabenkinderverein* (the Swabian Children's Association), which also was alternately known as the *Tiroler Hüttekinderverein*, had significantly shaped public discourse around these migrations by 1908. It was by this time exceedingly rare to find a reference to

²⁷⁹ "Die 'Schwabenkinder,'" *Die Debatte* (23 März, 1867), 2.

these migrations which did not, in some fashion, at least mention the association. And indeed, we can see this tendency play out in the first of these survey-requests from 1908, which demanded an accounting of the “work contracts concluded between employers and representatives of the *Tiroler Hüttekinder*.”²⁸⁰ Each of the surviving responses contained copies of written contracts authored by the “Swabian Children’s Association.”

The lack of information concerning these children’s parents or legal guardians only reinforces the sense that, for the German authorities involved in these surveys, the Swabian Children’s Austrian subjecthood was amongst their most important features. In the village of Taldorf’s response to the 1911 request from Württemberg’s Catholic School Board, the mayoral magistrate noted that “in this community 2 so-called *Tiroler Hüttekinder* were found...” – in this case, the brothers Hermann (age 11) and Karl Bertholo (age 13).²⁸¹ Similarly, the mayoral magistrate of Blitzenreute informed the school board that one thirteen-year old child, whose family name was König and who came from the Tyrolean village of St. Anton, had been resident in the township that year.²⁸² None of these cases even mentioned the children’s parents or guardians. Tabular reports, such as those collected in 1908 by townships in Wangen’s jurisdiction, also consistently collected children’s names, ages, and places of birth or legal domicile but not parental information. Such was the case with that authored in the village of Amtzell, which provided fields for, respectively, one’s name, location of birth, employer, length of employment, contracts concluded with “parents or guardians,” and work period and location. The field mentioning “parents or guardians” only proffered details about the type of contract (oral or written) and the particular form and amount of remuneration.²⁸³

²⁸⁰ See one of the numerous letters titled “Nr. 9626. K. Katholischer Oberschulrat, Stuttgart, den 7 Juli, 1911“ to Ravensburg in StASig, Wü - 65-26 T 1-2: Bn 348.

²⁸¹ Letter of 21 July, 1911 in response to “Nr. 9626...” issued to Taldorf, Ibid.

²⁸² Letter of 14 July, 1911 responding to “Nr. 9626...” issued to Blitzenreute, Ibid.

²⁸³ StASig, Wü 65-42 T4: Bn 609.

There was, however, one outlier to this trend - the survey collected by Immenried in 1908.²⁸⁴ In this case, the magistrate chose to include identifying information about the name and residence of each child's parents. From its findings we learn, for example, that the father of Otto Prinz (b. 1896) was named Josef, while Alois Maucher's (b. 1896) was named Benedikt. The difference, however, between this survey and others in the surviving record was that Immenried's included children from within Württemberg and that its author chose to omit the geographical identifier *Tiroler*. The only situation, then, when Württemberg bureaucrats chose (or, perhaps, were able) to include parental information was the one case in which the children under consideration were German rather than Austrian subjects. In all surviving cases of the latter, children enter the record as independent legal persons rather than extensions of their guardians.

The material implications of this approach to the Swabian Children achieved its fullest expressions in the handful of removals that Austrian authorities ordered beginning in 1911. Via these interventions, school administrators in Vorarlberg and Tyrol claimed the right to apply compulsory schooling statutes even after migrants had left Austrian territory. And in agreeing to facilitate these extraditions while continually demurring to Austrian authorities, German officials validated these claims to extraterritorial jurisdiction. The earliest evidence of this shift in policy may be found in a 1910 missive from the district governor of Bregenz (*Bezirkshauptmannschaft*) to the upper office of Wangen, which notably characterized the government's goal in exerting "limitations" (*Einschränkungen*) on the "dreadful Swabian Children situation" (*Schwabenkinderunwesen*).²⁸⁵ Per this district governor's office, "all those children from the district of Bregenz who are to spend the summer-term abroad (so-called

²⁸⁴ Ibid.

²⁸⁵ See "K.k. Bezirkshauptmannschaft Bregenz. Zl. 1340. Schwabenkinderunwesen. Einschränkung. Bregenz, am 22. Januar 1910." StASig, Wü 65-42 T4: Bn 609.

Schwabenkinder) have been verified by the district governor of Bregenz as having a stamped visa certificate...”²⁸⁶ In other words, the office had taken the preliminary step of verifying which children in their district had been authorized to claim status as legally-participating Swabian Children in that year. With this in mind, the Bregenz district governor then requested that “in order to hinder children from [our] district from leaving school without permission, I ask that... each of the [Swabian Children’s] identification papers be checked and that, in the absence of such, the return (*Heimbeförderung*) of these be undertaken.”²⁸⁷ With this, these Vorarlberger bureaucrats placed the responsibility for enforcing Austrian statutes onto German administrators at Wangen’s upper office. The following year, Wangen’s state-run newspaper *Argenbote* ran an article that included a verbatim reprint of the Bregenz district governor’s request. Then, editorializing, the office “warned” its readers “against taking children into service from the district of Bregenz who do not have a signed visa certificate, as the expulsion and escort home of such will need to be ordered.”²⁸⁸ Note how the use of passive language here offloaded responsibility for any prospective extraditions even as it suggested that such would likely be carried out by German state officials.

The first extradition orders began to roll in by the spring of 1911. Most of these, like that for Herman Bilgeri, were carried out with little fanfare. On April 1 of that year, the Bregenz school board noted that Bilgeri had taken up employment with a farmer named Josef

²⁸⁶ “Ich beehre mich mitzuteilen, daß alle jene Kinder aus dem Bezirke Bregenz, welche auf Grund schulbehördlicher Dispens, während des Sommerhalbjahres in’s Ausland gehen, (sogenannte Schwabenkinder) seitens der Bezirkshauptmannschaft Bregenz mit gestempelten Passzertifikaten versehen werden.“ Ibid.

²⁸⁷ “Um nun zu verhindern, dass Kinder aus diesem Bezirke ungefügt dem Schulunterrichte entzogen werden, gestatte ich mir die Bitte beim Vorkommen derartige ‘Schwabenkinder’ dieselben hinsichtlich ihrer Legitimationsdokumente überprüfen zu lassen und bei Ermanglung solcher die Heimbeförderung des betreffenden Kindes einleiten zu wollen.“ Ibid.

²⁸⁸ “...zu warnen, Kinder aus dem Bezirk Bregenz ohne das vorgeschriebene Paßzertifikat in Dienst zu nehmen und darauf hinzuweisen, daß die Ausweisung und Heimbeförderung solcher Kinder verfügt werden müßte.“ from “Vorarlberger HütKinder,” *Argenbote* (24 March, 1911), Ibid.

Geiger in Deuchelried “without the permission” of authorities in Austria.²⁸⁹ On April 6, Deuchelried’s mayoral magistrate responded that “Herman Bilgeri... is being led back by the farmer Josef Geiger...”²⁹⁰ Others, like that for Fridolin Höfle, could be considerably more complicated. Per a May 23 extradition request, the ten year old had taken a work contract with a farmer Max Rudi in the township of Reipertshofen without the “permission” of authorities in Austria.²⁹¹ Curiously, when informed of the extradition request, the mayoral magistrate of Reipertshofen noted that Fridolin Höfle was actually in possession of a schooling release issued by his hometown of Krumbach for the period of March 15 - November 1.²⁹² Effectively, this meant that Höfle had presumably taken the steps necessary to acquire a schooling release (*Schuldispens*) from his local school board, but then never used that to apply for a visa with provincial authorities. Incensed, the school board at Bregenz issued a missive to Krumbach noting its “strange” (*Befremden*) exchange with German authorities. Per this district office, the period of school release had been given in error - after all, “as the school administrators [in Krumbach] must have known, the school term begins on October 15.”²⁹³ Fortunately for Höfle, the board chose not to order his immediate extradition. Instead, it decided to schedule it in advance so as to ensure his appearance by the beginning of the winter school term in Krumbach.

The case of Johann Konrad Fink, from the village of Bolgenach in Vorarlberg, was similarly complicated. On June 2 of 1911, the upper office of Wangen issued an extradition order for Fink to the mayoral office in the German village of Ratzenried where, evidently, the

²⁸⁹ While the original order noted “Teichlenried” as the village’s name, the Schultheißenamt of Deuchelried responded to the request, indicating that the Bregenz authorities simply got the village’s name wrong. For the original extradition order, see letter of 1 April 1911 (Zl. 145/59), StASig, Wü 65-42 T4: Bn 609.

²⁹⁰ Response was handwritten on the same letter, 1 April 1911 (Zl. 145/59), StASig, Wü 65-42 T4: Bn 609.

²⁹¹ Letter of 23 May 1911 (Zl. 210/106), StASig, Wü 65-42 T4: Bn 609.

²⁹² Letter of 7 June 1911 (unnumbered), StASig, Wü 65-42 T4: Bn 609.

²⁹³ Letter of 9 June 1911 (Zl. 253/117), StASig, Wü 65-42 T4: Bn 609.

boy had accepted a seasonal work contract. So the letter stated, the district school board would need to be informed "...of the child's arrival in Bregenz in a timely manner..."²⁹⁴ According to this missive, mayoral authorities at Reipertshofen were tasked with seeing to the child's return all the way to Bregenz but not, evidently, on to that child's place of legal domicile in Vorarlberg. What really mattered, rather, was simply the child's return to Austrian territory. However, as was often the case with these, this was not the end of the matter. Upon further inquiry, the Bregenz school board discovered that the school term in Bolgenach had already ended and the new one would not begin until October 1. Therefore, it decided that Fink would be permitted to remain in Germany so long as he was returned in time to "attend the aforementioned schooling" term.²⁹⁵

These extradition orders revealed the exact manner in which German and Austrian authorities viewed the *Schwabenkinder's* legal personhood at this moment. First, German authorities centered these children's Austrian subjecthood by consistently deferring to their colleagues on the other side of the border. Consider how, when informing authorities in Bregenz that Fridolin Höfle already possessed an allowance from schooling obligations, the Wangen upper office inquired "if the child must be returned in spite of this."²⁹⁶ While authorities at Wangen were entirely willing to facilitate extradition orders, they were not interested in conducting their own interpretation of Austrian statutes concerning the Swabian Children. It was, for them, sufficient only to know what Austrian authorities wished done. Similarly, as we saw with Johann Konrad Fink's extradition, German bureaucrats proved responsive even when Austrian authorities changed their minds. After first taking steps to facilitate Fink's return, the Wangen upper office halted the process once the Bregenz school

²⁹⁴ Letter of 2. June 1911 (unnumbered), StASig, Wü 65-42 T4: Bn 609.

²⁹⁵ Letter of 8 June 1911 (ZII 252/115), StASig, Wü 65-42 T4: Bn 609.

²⁹⁶ "Ich ersuche um gef. Mitteilung, ob trotzdem das Kind dorthin rückbefördert werden muss." from "Kgl. Württb. Oberamt Wangen. Wangen. den 7. Juni 1911." Ibid.

board relayed that the child could remain in Germany until the start of the school term in Vorarlberg.

Second, Austrian authorities demonstrated that, in their eyes, the question of the Swabian Children's return did not rely on a rigid interpretation of particular legal statutes. None of the correspondence concerning these children referenced individual edicts or laws, even though this process was arguably premised on paragraphs from the Provincial School Law of Vorarlberg (*Landesschulgesetz*), the Revised Imperial Elementary School Law of 1883 (*Reichsvolksschulgesetz*), and the Vorarlberger Summer School Ordinance of 1884 (*Sommerschulordnung*).²⁹⁷ When authorities at Bregenz discovered that Fridolin Höfle likely possessed a schooling dispensation but not a visa certificate, they neither demanded his immediate return nor suggested that the dispensation he possessed constituted sufficient proof of his legal right to residence abroad during the summer. Rather, they focused on the beginning of the school term in Krumbach and argued that, whatever the documents he already possessed may have said, he was required to be present by the first day of school. The same understanding pervaded authorities' approach to the case of Johann Konrad Fink as well. After ascertaining when the actual school term in Bolgenach began, the school board at Bregenz decided that, regardless of the fact that Fink apparently lacked valid visa documents, he would be permitted to remain abroad provided he returned by October 1. In both Fink's and Höfle's cases, authorities in Bregenz indicated that legal statutes and accompanying interpretations of precedence were to be molded around their objectives in seeing to the children's school attendance.

²⁹⁷ For the revisions to the Imperial Public School Law, see "Nr. 15, Gesetz vom 2. Mai 1883) womit einige Bestimmungen des Gesetzes vom 14. Mai 1869, R-G-BI, Nr 62, abgeändert werden." *Verordnungsblatt für den Dienstbereich des Ministeriums für Cultus und Unterricht. Jahrgang 1883*. (Wien: Verlag des k.k. Ministeriums für Cultus und Unterricht, 1883), 117 – 125; For an overview of the Vorarlberger Summer School Ordinance, see "Sommerschulordnung für Vorarlberg." *Vorarlberger Volksblatt* (16 April, 1884), 5.

The flexibility Austrian authorities evidenced in deciding whether and when to extradite noncompliant children must also be understood in light of the agency local communities enjoyed in setting their school terms during the summers. Whereas the landmark 1867 edict concerning the Swabian Children specified that children could be allotted a school dispensation for the period March 15 to November 1, the Vorarlberger Summer School Ordinance of 1884 granted every community the authority to set the dates of instruction in their schools.²⁹⁸ As a result, many schools in Vorarlberg declined to hold school during the summers altogether. Furthermore, the dates of the winter term could vary significantly, with most falling sometime between early October and early November. Certainly, the provincial school board of Vorarlberg, in collaboration with the district governor of each corresponding jurisdiction in the Crownland, could have decided to apply the requirements for return in a standardized manner. That it did not indicates how, for the Austrian state officials involved in administering these children, the principle of school attendance organized their decision-making processes.

Last of all, it should be stressed that, as with the surveys carried out by Württemberg authorities in 1908 and 1911, no surviving extradition orders mentioned the children's parents or legal guardians by name. Rather, for administrators in Bregenz and Wangen, the most essential information was the child's place of legal domicile in Austria, their current place of residence in Württemberg, the name of their employer (who would likely be tasked with facilitating any extradition), and the beginning of the school term in their home district. As these reports suggest, the child's legal guardians or parents were not necessary for the purpose of returning children back to their places of residence in time for school. It is, furthermore, unclear from these records if parents or guardians were even informed about their charge's

²⁹⁸ This summer school ordinance, it must also be remembered, exploited the new legal space opened by the statutes concerning *Schulpflichterleichterung* contained in the revised *Reichsvolksschulgesetz* of 1883. See "Sommer Schulordnung für Vorarlberg." *Vorarlberger Volksblatt* (16 April, 1884), 5.

relocations. The fact that these reports only saw fit to verify a child's return to Bregenz, rather than all the way to their places of legal domicile, also raises the question as to whether responsible kin or relations were even contacted to help children get home. The only animating issue of concern for the state officials involved in these exchanges was, rather, the child's return to Austrian territory.

On the Persistence of “Gap analysis”

In considering the trajectory of child labor practices in nineteenth century Europe, Hugh Cunningham has argued that “One can point to country after country with child labour laws and high levels of child labor; it is not the passage of laws but their enforcement which is important, and enforcement was rarely effective.”²⁹⁹ Like other historians of child labor reform, Cunningham positioned legal change as a question of legislation and its corresponding degree of enforcement – or what legal scholars have characterized as the gulf between “law in the books” and “law in action.”³⁰⁰ It has been from a similar perspective that, because legislative proposals failed to pass when brought to a vote, historians of the Swabian Children have thus far considered the decades straddling 1900 as a period of relative stasis. In their view, the basic laws concerning these migrations, like the Austrian Imperial Elementary School Law and the Vorarlberg Summer School Ordinance, remained in force unless overturned or modified at the legislative level. And considering such failed to emerge, the state's treatment of these children was presumed to have remained much the same as it had been in decades past.

However, as Hendrik Hartog once pointed out, the categories of text and enforcement

²⁹⁹ Hugh Cunningham, “The Decline of Child Labour: Labour Markets and Family Economies in Europe and North America since 1830,” *The Economic History Review*, New Series, Vol. 53, No. 3 (August, 2000), 415.

³⁰⁰ Because it encapsulates one of the central tensions in studies within the broad tent of Law and Society since the 1970s, the literature on this issue is understandably vast. For an introductory overview, see Sida Liu, “Law's Social Forms: A Powerless Approach to the Sociology of Law,” *Law and Social Inquiry*, Vol. 40, Issue 1 (Winter 2015), 1 – 28; and the already cited Jon B. Gould and Scott Barclay, “Mind the Gap: the Place of Gap Studies in Sociolegal Scholarship,” *Annual Review of Law and Social Science* (2012), 323 – 335.

rob legal structure of much of its complexity and nuance.³⁰¹ Just as legal texts are always in dialogue with the corpus of which they are inherently a part, practices of administration and policing continually shape conventional and jurisprudential consensus around individual statutes. A prime example of this can be found in the various interpretations of the Imperial Elementary School Law that proliferated across Cisleithania during the late Imperial period. As the curators of the Austrian Child Labor survey of 1908 noted with some exasperation, each Crownland’s school boards interpreted the stipulations concerning obligatory schooling according to their own criteria.³⁰² To characterize this diversity as a matter of differential “enforcement” would, in the sense recognized by Hartog, distort the real interpretive power wielded by provincial bureaucrats, school board members, and municipal representatives in deciding what the law could mean for the people it governed.³⁰³

The local administrators who launched the reforms of 1908 - 1914 engaged in a process of reinterpretation that changed what existing statutes could mean for the Swabian Children. Rather than manifesting the “enforcement” of laws regulating these children’s migrations, extradition processes evidenced the novel assertion of a form of extraterritorial sovereignty at the local level. Additionally, because these activities were conducted by state officials from both sides of the Austro-German border, this interpretive act acquired a degree of transnational consensus. For all those involved in these interventions, these children were not legal extensions of their guardians or parents, but instead were unmediated subjects of the Austrian

³⁰¹ Hendrik Hartog, “Pigs and Positivism.” *Wisconsin Law Review* (1985), 899 – 935.

³⁰² For this, see the debates over the *Schuldispens* system in K.K. Arbeitsstatistisches Amt im Handelsministerium, *Erhebung über die Kinderarbeit in Österreich im Jahre 1908. II Teil. Textliche Darstellung. I Heft.* (Wien: K.K. Hof- und Universitäts-Buchhändler, 1911), 4 -19; 104 – 105; 146; likewise, for a brief discussion of the significant leeway enjoyed by local school boards in administering schooling issues, see Scott O. Moore, *Teaching the Empire: Education and State Loyalty in Late Habsburg Austria* (West Lafayette: Purdue University Press, 2020), 31 – 35.

³⁰³ This point is influenced by Bourdieu’s classic observation that control over legal texts often manifests the “prize” in interpretive contests. See Pierre Bourdieu, “The Force of Law: Toward a Sociology of the Juridical Field,” *Hastings Journal of Law*, trans. Richard Terdiman, vol. 38 (1987), 818.

state.

It is crucial that one recognize these reforms' newness not least because of the real impact they had for the migrants themselves. Most children were not subjected to extradition by German authorities on Austria's behalf. But those who were might well have believed themselves to be in possession of the legal right to travel to Swabia over the summer. Recall that, while Fridolin Höfle had acquired a schooling allowance from his local school board, Johann Fink's district did not even hold school during the summers. In both cases, authorities in Bregenz decided to schedule these children's removal in advance to ensure their appearance by the first day of school. Local bureaucrats therefore assessed noncompliance – not on the basis of whether a child had followed the procedures laid out in the laws concerning these migrations – but on when school was actually in session in a child's district. Extradition orders effectively established a precedent for what *could* happen to any child who risked failure to appear by the first day of their hometown's winter school term. And in light of the fact that even the procurement of valid documentation provided no guarantee against removal, it is evident that extradition hung like a shadow over every one of these children.

This dynamic is only legible if one moves past a focus on legislation and instead pays attention to how state officials began to treat these children differently in the decades after 1900. As it turns out, these bureaucrats altered their administrative practices on account of the broader furor then percolating in the press. Invocations of pejoratives like *Schwabenkinderunwesen* were not incidental but instead gestured to a conceptual shift that justified these children's removals. Local state officials strongly sympathized with the assessments of Social Democrats, and these sensibilities shaped the way they did their jobs. For the children themselves, this approach had a profound impact. Although Social Democrats were apt to characterize these children's employers as distant foreigners, the fact remains that

many children maintained a connection with their families precisely because their places of employment were known.³⁰⁴ In other words, because state officials expressed almost no interest in informing families, it was actually extradition – and not the labor terms themselves – that raised the specter of severance from family and community.

Conclusion: the impact of 1915

“Now [the priest] turned to the children and said, ‘It is even more difficult for me to bid my farewell to you, dear children, who in these good years will have to leave your parents, your *Heimat*, and your playmates to move to *Schwabenlande*... It will probably be difficult for you, but your guardian angel will guide you, and lead you back to us well and healthy once again in the spring.’”

Ernst Friedmann (Peter Eiterer), *Das Schwabenbüble*, 1906

In 1915, when the *Statthalter* of Tyrol and Vorarlberg banned the *Schwabenkinder* migrations for the war’s duration, the migrations had enjoyed almost two decades in the public limelight. Writers, journalists, and activists from places as far afield as Leipzig, Berlin, Klagenfurt, Cincinnati and Fort Worth had seen fit to weigh in on this peculiar phenomenon. With the exception of a small handful of Christian Socialists and their allies in the Swabian Children’s Association, the contributors to this discourse consistently portrayed the migrations as unconscionable and deserving of immediate regulation. Between 1908 and 1913, a host of

³⁰⁴ Generally speaking, employer information was collected while still at the “child markets.” The children’s handlers, who tended either to be representatives of the *Hütetkinderverein* or family members of the children, would conduct negotiations with employers. For this reason, they would naturally be familiar with the children’s locations during the summers. For an example of this dynamic, see Regina Lampert’s note that, in her own experiences as a *Schwabenkind* during the 1860s, her father even escorted her on to her place of employment. Regina Lampert, *Die Schwabengängerin: Erinnerungen einer jungen Magd aus Vorarlberg, 1864 – 1866*, herausgegeben von Bernhard Tschofen (Zürich: Limmat Verlag, 1996), 54 – 65. Alternately, one can consider contracts authored by the *Hütetkinderverein*, which noted both the employer’s name and place of residence. Surviving examples of these may be found in, respectively VLA Bregenz, Nachlass Otto Uhlig, VLA Bregenz, Bezirkshauptmannschaft Bregenz, 529, and StASig, Wü - 65-26 T 1-2: Bn 348.

state officials at the local, provincial, and imperial levels gestured in the direction of state intervention. At the Imperial level, the Austrian foreign office made overtures with the Württemberg regime, asking that the latter expand compulsory schooling to Austrian children in its territory. In 1913, Württemberg SPD representatives attempted but ultimately failed to achieve the same through legislation.³⁰⁵ Yet, the only successful effort at reform in these years emerged from a broad collaborative project launched by administrators at the district and municipal levels. And it was this success that manifested the moral panic's material effects on the migrants themselves. By counting and naming the children as Austrian subjects, and then by exerting the right to remove those assessed to have violated the principle of *fleißiges Schulbesuch* in their home communities, these officials tethered the legal obligations around the Swabian Children to these migrants' very bodies. It would therefore be apt to consider this as the period in which the Swabian Children finally emerged as a truly international migration regime – a phenomenon for which the categories of Austria and Germany mattered more than those of Swabia, Tyrol, the Oberinntal, or the Stanzertal.

The migrations did not end in 1915 but were merely suspended at the behest of the *Statthaltere* for a year. When they resumed, the Swabian Children looked somewhat different. The phenomenon's geographical locus, its purpose for prospective migrants, and its forms of remuneration all sustained significant changes. For this reason, the years roughly spanning between the "Swabian Children Association's" founding and the outbreak of the First World War signified a distinct phase in the history of this regime. It was during this time when, due to the association's public outreach efforts and the corresponding interest this inspired amongst Social Democrats from 1897, these migrations entered the wider public consciousness of

³⁰⁵ For an overview of political tensions in Württemberg in the decades straddling 1900, see David Blackbourn, *Class, Religion, and Local Politics in Wilhelmine Germany: the Centre Party in Württemberg before 1914* (Wiesbaden: Steiner, 1980).

German-speaking Central Europe. Such was the Swabian Children's prominence after 1900 that those interested in questions of child labor reform, especially as it pertained to agricultural labor sectors, were likely to be at least passingly familiar with this migration regime.

While political critiques and social scientific studies provided much of the argumentative framework underlying this discourse, it also bears mentioning that these migrations featured as the subject of fictionalized accounts in two children's books and a handful of press articles.³⁰⁶ Unlike the pointed critiques authored in the SDAP press, this literature more often attempted to pull on the reader's heartstrings, painting visceral pictures of "tearful" partings between parents and children. These works drew on the tropes that characterized the broader genre of children's literature at the time. Peter Eiterer, in his *Das Schwabenbüble*, integrated the contemporary fascination with the Alps' "dark spots on the map" and the arresting spectacle of "sweet young" children struggling to traverse snow-strewn mountain passes. Eiterer gestured, in this way, both to Alpinism and to turn-of-the-century trends in what some have considered the "golden age" of children's literature.³⁰⁷ When one considers the broader context of shifts around childhood and child-related topics, it becomes easy to see why the Swabian Children achieved such notoriety in the decades straddling 1900. The regime's features made them an apt fit for a breathtaking variety of ongoing debates and controversies, from the *Kulturkampf* around secularization to anxieties about national integrity, from concerns over depopulation through mass emigration to emergent notions of child sacrality.

³⁰⁶ The first of these was published quite early, in English by Blanche Willis Howard. See Blanche Willis Howard, *A Battle and a Boy* (W. Heinemann: London, 1894); for Eiterer's book, which he published under a pseudonym, see Ernst Friedmann, *Das Schwabenbüble: eine Tiroler Geschichte für Junge und Alte Leute* (Innsbruck: Druck von C. Lampe, 1906).

³⁰⁷ For an account of Alpinism and the related history of the German and Austrian *Alpenvereine*, see Tait Keller, *Apostles of the Alps: mountaineering and nation building in Germany and Austria, 1860 – 1939* (Chapel Hill: The University of North Carolina Press, 2016); for a consideration of this period in the context of children's literature, see Peter Hunt, *Children's Literature* (Oxford: Blackwell Publishing, 2001).

Viewed in its broadest sense, these removals gesture to how shifting notions of territorial sovereignty and child sacrality could intersect at the close of the “long” nineteenth century. This period has long been recognized as one in which internal barriers to mobility withered while external ones thickened.³⁰⁸ In Austria, this corresponded to the decay of the system of internal deportations known as *Schubwesen* and the emergence of a comprehensive border regime.³⁰⁹ For children, these decades also witnessed the rise of compulsory education and public welfare infrastructures that supplanted parental rights with growing state authority.³¹⁰ It is in this latter context that the vast powers enjoyed by Austrian school boards should be understood. Through the mechanism of the school dispensation, Austrian school authorities had the capacity to suspend instruction for days, months, or years for individual children, entire schools, or districts.³¹¹ This meant that the punishments for truancy, which included fines and imprisonment, could be applied with significant discretion.

These contexts help suggest why, in their efforts to take stock of public outrage over these migrations, school authorities consistently identified the Austro-German border as the site of severance from family and country. Most of these children lived at least two days’ journey from the international border, in the rural valleys of the Oberinntal and Vintschgau. However,

³⁰⁸ For one expression of this position, see John Torpey, *The Invention of the Passport: Surveillance, Citizenship, and the State* (New York: Cambridge University Press, 1999).

³⁰⁹ For a classic perspective on *Schubwesen* and its relationship with *Heimatrecht*, see Harald Wendelin, “Schub und Heimatrecht,” *Grenze und Staat: Paßwesen, Staatsbürgerschaft, Heimatrecht und Frembdengesetzgebung in der österreichischen Monarchie 1750 – 1867*, ed. Waltraud Heindl and Edith Saurer (Wien: Böhlau, 2000), 173 – 293; for an account of the Dual Monarchy’s enhanced border controls from the turn of the twentieth century, see Tara Zahra, *The Great Departure: Mass Migration from Eastern Europe and the Making of the Free World* (New York: W.W. Norton and Company, 2016).

³¹⁰ Edward Ross Dickinson’s work on child welfare in Germany remains one of the more comprehensive accounts of this transition. Edward Ross Dickinson, *The Politics of German Child Welfare from the Empire to the Federal Republic* (Cambridge, MA: Harvard University Press, 1996); Meanwhile, Sylvia Schafer has observed how state officials used notions of neglect to justify abrogating parental rights. Sylvia Schafer, *Children in Moral Danger and the Problem of Government in Third Republic France* (Princeton: Princeton University Press, 1997).

³¹¹ The dispensation system was legally constructed by the 1883 revisions to the Imperial Elementary School Law. In particular, the revised form of §21 established local authorities’ rights to release children from schooling duties for “grave reasons.” A brief overview of this system can be found in K.K. Arbeitsstatistisches Amt im Handelsministerium, *Erhebung über die Kinderarbeit in Österreich im Jahre 1908. II Teil. Textliche Darstellung. I Heft.* (Wien: K.K. Hof- und Universitäts-Buchhändler, 1911), 19; 104 – 105.

school boards expressed no real interest in making sure that children managed to return to their places of residence. School officials, similarly, accepted the notion that it was these children's international mobility - not their involvement in the labor market - that rendered the migrations repugnant. Children in the Alps were, after all, granted schooling dispensations to work within Austria as well as abroad. While the Swabian Children's removals were in principle undertaken to compel school attendance, they were premised on a sense that, wherever these children went, they remained Austrian subjects. Their presence at school was, from this perspective, less about the content they learned or the purposes of their education than it was about their relationship to the territorial state.

Chapter 5

From Welfare Recipients to Migrant Workers

“Some have already tried to bring this social misery to an end. In 1891, Priest Schöpf in Tyrol [founded] a *Hütetkinderverein* with its seat in Pettneu... He got support from the authorities, but not enough, since people didn’t then have the necessary understanding of this issue. [But] there isn’t enough happening even now. When 500 children were brought to South Germany during the war, no one looked after them. People only viewed the *Kinderzug* with pity.”³¹²

Curate Wilhelm Walch, 1922

In the decades before the war, Johann Pfeifer went to *Schwabenland* often. On one such journey, he traveled by foot alongside “15 – 20 boys,” making his way from the Vorarlberger village of Galtür to Ravensburg over four days.³¹³ He accomplished the journey with “an umbrella under his arm, a [walking] stick in his hand, and a travel visa in his pocket.” At Ravensburg he joined “200 to 300” children at the market, ultimately finding an employer who offered him “7 Gulden, a double-set of clothing, and two pairs of boots for the summer.” Because he spent multiple seasons in Swabia, he found himself put to different work as he grew. While, at first, he was set to watching pigs or cows, he eventually ended up caring for horses. He slept in the barn with the animals he tended, feared the employer’s “*Hagaschwanz*” (rod), and attended Sunday mass. He never mentioned schooling.³¹⁴

The Great War brought an end to experiences like Pfeifer’s. As a Vorarlberger, Pfeifer

³¹² “Die Hütetkinderfrage,” *Vorarlberger Tageblatt* (19 July, 1923), 1.

³¹³ While Galtür was just over the provincial border in Tyrol, the account was collected by a Professor at Vandans, in neighboring Vorarlberg.

³¹⁴ Account drawn from Letter titled “Aus der Heimatkunde von Vandans v. Schulrat Prof. Hans Barbisch, 1922,” (2 pages), Nachlass Uhlig, VLA Bregenz.

travelled under his own accord rather than under the aegis of the Tyrolean Swabian Children Association. Nevertheless, the tale's recorder invoked the organization as representative of the migrations prior to 1914. The war caused the equilibrium that had locked the Swabian Children in an uneasy stasis for decades to evaporate. While those on the Austrian side of the border stopped approving visas for Swabian Children, German authorities tasked the Bavarian army with halting the ferries crossing Lake Constance. Owing to the border's closure, Alois Gaim dissolved the Swabian Children Association in 1915. By the time the migrations resumed the following year, the seeds of the international passport and visa system had already been planted. Because of the way they encouraged greater intervention by Austrian authorities, these foundations took visas out of the hands of individual Swabian Children. Those travelling after 1917 generally did not, as had Johann Pfeiffer, carry their visas in their pockets.

Between 1917 and 1928, German officials denied Austrian efforts at pitching the Swabian Children as a category of child-welfare. Instead, they counted them as seasonal migrant laborers. Unlike child-welfare recipients, such as the thousands placed on the *Kinderzüge* from Vienna as part of the so-called "child relocations" (*Kinderverschickungen*), migrant laborers were required to furnish entry visas and pay associated fees. Seasonal migrants were also compelled to conclude labor negotiations in consultation with the hierarchy of labor offices (*Arbeitsämter*) that organized labor registration in Württemberg. Taken in concert, these requirements robbed the Swabian Children of their status *as children* by treating them as, in effect, adult migrant laborers. This transformation explains why concerns over schooling and access to religious services, which had garnered so much public interest before the war, fell by the wayside after 1917.³¹⁵

³¹⁵ See, for example, a report that indicates payment in wares instead of currency during the period of hyperinflation in Germany. "Vorarlberger Hütekinder," *Innsbrucker Nachrichten* (21 March, 1923), 4.

The Austro-German border was also a site of significant interest for international child saving initiatives, including the highly publicized “American *Hilfsaktion*” that transmitted clothes, food, and currency to Tyrol in 1919.³¹⁶ Practically no scholars have recognized how the enhancement of visa controls and international child saving efforts could interact to arouse demarcation problems for children straddling the age threshold of 12 – 15. In the postwar landscape, the division between childhood and youth influenced whether travelers were required to furnish a visa, if they could avail themselves of the resources allotted for child saving initiatives, and whether they were permitted to work for wages. Because of the way the Swabian Children straddled these ages, they exposed the possibilities for overlap between child welfare and seasonal labor. In the end, and against the repeated objections of their Vorarlberger counterparts, German officials positioned the Swabian Children as “earners” not “learners,” youths not children.³¹⁷

The transformations of the 1920s witnessed the dissolution of a way of understanding child welfare that had by 1914 grown long in the tooth. The notion that children should be permitted to enjoy certain remunerative and material benefits provided they demonstrate sufficient morality and a desire to work was a phenomenon of the 1860s and 70s. This formulation had only survived to the First World War due to the paralysis wrought by the dual contexts of the Swabian Children Association and the moral panic of 1897 – 1914. By sweeping these bulwarks from the historical stage, the First World War inaugurated a process, divided into three loose phases, that categorized the Swabian Children as seasonal migrant laborers.

³¹⁶ For a contemporary account of this *Aktion*, see “Das Land Andreas Hofers in Not!” *Innsbrucker Nachrichten* (23 December, 1919), 4; for a historiographical overview of international child saving across the threshold of the First World War, see Dominique Marshall, “International Child Saving,” in *The Routledge History of Childhood in the Western World*, ed. Paula S. Fass (Routledge, 2013), 469 – 490.

³¹⁷ See Stephen Lassonde, “Learning and Earning: Schooling, Juvenile Employment, and the Early Life Course in Late-Nineteenth Century New Haven,” *Journal of Social History*, v,29, n.4 (1996), 839 – 870.

The First World War and the end of Tyrolean Swabian Children

In March of 1915, longtime Swabian Children Association head Alois Gaim sent a missive to the labor office (*Arbeitsamt*) of Ravensburg, informing them that the Lieutenant Governor (*Statthaltere*) for the two Alpine Crownlands would henceforth cease issuing travel visas for these children. The point of this letter was to let the Ravensburg office know that forty “association children” remained in its jurisdiction and that Gaim would no longer be able to see to their wellbeing. While, as Gaim argued “the population was indignant” at the Lieutenant Governor’s decision, “the association’s leadership cannot be blamed for this, since it was entirely prepared to organize the migrations once again [for the return].”³¹⁸ With these words, the Swabian Children Association, which had overseen the migrations in Tyrol for twenty-five years, closed down.

While the Great War provided the space for a transformation in the treatment of Vorarlberger Swabian Children, it sounded the death knell for the migrations in Tyrol. In assessing the precise reason for this divergence between the Crownlands, historians and officials alike have tended to look to economic structure. As Uhlig wrote, “The question remains: had the social conditions in Tyrol improved, [in a manner] differently from Vorarlberg, when contemporaries once again invoked the plight of the people (*Notlage des Volkes*) [after the war]?”³¹⁹ Similar observations were made at the time. Curate Wilhelm Walch of Rehm, who from 1919 to his death in 1923 served as the primary guide for the Vorarlberger Swabian Children, noted that the “economic conditions” were hardly improved in Tyrol in comparison to Vorarlberg since 1918.³²⁰ By 1928, when Vorarlberg’s Provincial School Inspector referred to the migrations’ end in Tyrol, this understanding had become

³¹⁸ Letter of 23 March, 1915, “Löbliches Arbeitsamt Ravensburg,” (unnumbered), Nachlass Uhlig, VLA Bregenz.

³¹⁹ Loc. 7908, Uhlig, *Die Schwabenkinder aus Tirol und Vorarlberg*, third edition.

³²⁰ Loc. 7908, Uhlig.

something of a refrain. “There (in Tyrol) it was possible to break with an old tradition despite the fact that those children were economically no better off than our own *Schwabenkinder*.”³²¹ To be sure, Uhlig did briefly entertain the possibility that Tyrol may have exercised greater state control over these migrations than Vorarlberg, and in this way ended them in 1915. But he punctuated this possibility with a question mark.³²²

While evidence is indeed scarce, the most likely explanation for the practice’s end in Tyrol can be found in the dissolution of the Swabian Children Association itself. Recall that by 1915 the Tyrolean state had made the use of the association compulsory. This had granted head Alois Gaim authority over a vast array of details. Alongside the particularities of the journey itself, Gaim and his subordinates handled the acquisition of visas, the negotiation of terms at the market, processes for oversight in collaboration with priests in Swabia, and dates and procedures for return. In cases of mischief by employers, the association stood ready to inscribe names in its “black books.” While some “*Wilde*” may have continued to travel of their own accord, most children from the Crownland traveled with the Swabian Children Association by the turn of the twentieth century. The association’s dissolution in 1915 thus did more than rob potential migrants of a travel method – it produced a hole in the legal structure as well. When the borders eventually reopened, Tyrolean parents, teachers, and school administrators would have been forced to pioneer a new legal consensus regarding schooling releases, the acquisition of visas, public funding for rail travel, and the legal underwriting of labor contracts. Decades of experience had, in other words, rendered Tyrolean parents dependent on the Swabian Children Association to handle an array of practical details necessary for seeking work in Swabia.

The war did not permanently stop the migrations for those from Vorarlberg because,

³²¹ Letter of 3 March, 1928, “An das Bezirksarbeitsamt in Ravensburg,“ Nachlass Uhlig, VLA Bregenz

³²² Loc. 7908, Uhlig.

correspondingly, an expansive oversight infrastructure never developed there. As the labor commission for the two Crownlands noted with some exasperation in 1911, “In Vorarlberg, the Swabian-migration (*Schwabengeherei*) is perhaps even older and more pervasive than in Tyrol...”³²³ As we saw from Johann Pfeifer’s account, Parents from Vorarlberg were accustomed to helping their children navigate the journey to *Schwabenland*, finding employment once there, and negotiating wages. Because the border’s closure did not correspond with a collapse in migratory infrastructures, attempts to resume the migrations in the 1916 season did not carry as steep a learning curve for Vorarlberger parents as it did their Tyrolean counterparts.

The war’s impact for Vorarlberger Swabian Children may be found, rather, in how it swept aside the Swabian Children Association and the moral panic of 1897 – 1914. It bears remembering that Gaim’s association played a featuring role in the public furor over the Swabian Children in the decades before the war. In his searing critique on the floor of the Austrian *Reichsrat* in 1902, Karl Seitz focused on the organization as the central intermediary for this “child export.” As he put it, “What kind of Christianity is this that these gentlemen show us? This association is composed almost entirely of clergy... [and] does not shy from buying up Austrian children only to barter them off...”³²⁴ Seitz’s criticisms had not gone unanswered. The Christian Socialist from Vorarlberg Martin Thurnher rejected his charges, sarcastically stating that Social Democrat “has regaled this house with a horror story (*Schauermärchen*) from Vorarlberg... [Yet,] These children have been sent out by neither priests nor by a *Verein*, but instead by their parents... There is at present no such *Verein* in

³²³ Präsidium des K.K. Ackerbau-Ministeriums, 11.3.1914, Nachlass Otto Uhlig, VLA Bregenz.

³²⁴ “Was ist das für ein Christentum, das diese Herren zeigen? Dieser Verein besteht fast nur aus Geistlichen... und dieser Verein scheut sich nicht, die österreichischen Kinder in der Heimat gewissermaßen aufzukaufen und nach Bayern, Württemberg, Baden, u.s.w. hinauszuverhandeln...” *Stenographische Protokolle über die Sitzungen des Hauses der Abgeordneten des Österreichischen Reichsrathes im Jahre 1902: XVII. Session. 116. Bis 128. Sitzung (§10959 bis 11908)*, 11262.

Vorarlberg.” In Thurnher’s estimation, this absence was a shame, not a blessing. As he saw it, the Swabian Children Association was a boon to poor Tyrolean parents because it helped “convey children to better families and protect them from exploitation.”³²⁵

This exchange was characteristic of the moral panic’s overall dynamics before 1914. Social Democrats tended to center the association as a manifestation of the ills of the clergy’s involvement in matters relating to child welfare or education, while Christian Socialists were apt to characterize the association’s activities as a palliative solution that helped soften the phenomenon’s hardest edges. This tension even surfaced in Gaim’s own letters to various officials in the final years before the war. In one example, he explicitly rejected Württemberg SPD member Berthold Heymann’s claims about the ills of the “child market,” stating “As servant of the *Hütkindervereines*... I have received no remuneration for these efforts and have even dedicated some crowns *ex propriis* to this purpose.”³²⁶ The point of Gaim’s statement was, of course, to combat Social-Democratic claims that the priests of the Swabian Children Association served as rapacious middlemen in a child trafficking enterprise.

The contest between Christian Socialists and Social Democrats paralyzed possibilities for serious reform in Bregenz in the years before the war. While those in the SDAP sought prohibitory interventions leading to an outright ban, Christian Socialists usually urged the founding of a similar organization or subsidiary branch of the Swabian Children Association in Vorarlberg. A move in either direction by one aroused vehement opposition from the other. This also provides an explanatory context for the introduction of local extradition procedures in 1908 – 1914. They had allowed for a quasi-official response, which did not alter the overall parameters of the migrations or require new legislation.

³²⁵ *Steographische Protokolle über die Sitzungen des Hauses der Abgeordneten des Österreichischen Reichsrathes im Jahre 1902: XVII. Session. 116. Bis 128. Sitzung (§10959 bis 11908)*, 11403

³²⁶ Letter of 10 November, 1913 (unnumbered), 2. Nachlass Uhlig, VLA Bregenz.

While some, like Berthold Heymann in Stuttgart or Simon Abram in Salzburg, attempted to resurrect the issue after the war, many of the most engaged participants in this panic moved on to other issues.³²⁷ In some cases, this lack of interest was a result of the increased profile of former advocates like Michael Mayr and Karl Seitz, each of whom went on to play governmental roles in the First Republic. All of this helps explain why the first state-supported *Kinderzug* in Vorarlberg, which launched in 1917, generated no public outcry.

The First World War was a rupture in the history of the Swabian Children due to the impact it had on public interest rather than any underlying shocks to economic structure. The migrations in Tyrol ended because the organization that had overseen them for decades suddenly dissolved in 1915. In neighboring Vorarlberg, the migrations continued because there had never been a comparable organization there – parents from this Crownland were thus better prepared to resume the migrations when the borders reopened. Likewise, those interested in forging a path for transforming the Swabian Children into a category of public welfare in Vorarlberg could now do so absent the threat of public outrage. This is not, though, to say that they operated in an empty field. Two transformative contexts would complicate and eventually hinder the organization of the *Kinderzüge* after the war – the establishment of stricter visa entry requirements and the *Kinderverschickung* movement.³²⁸

The *Kinderzüge* and Public Welfare

In 1917, Vorarlberger priest from the village of Mäder Georg Reichart filed a request with the Provincial School Board for public funding to administer the “welfare of the

³²⁷ Abram brought the issue up rather late, in 1927. See his reprinted comments in this parliamentary debate overview, “Nationalrat. Tiroler Lehrgesetze – Wann soll die Sozialversicherung in Kraft treten?” *Arbeiter Zeitung* (24 November, 1927), 4.

³²⁸ It bears noting that this refers to the Post WWI relocations and not those before and after WWII. For the latter, one may consider Michelle Mouton, “Missing, Lost, and Displaced Children in Postwar Germany: The Great Struggle to Provide for the War’s Youngest Victims,” *Central European History*, Vol. 48, No. 1 (March 2015), 53 – 78.

Hüttekinder.” In its petition to the Vorarlberger Central Committee, which handled disbursements from the public purse, the school board argued that Reichart deserved an allotment on account of his personal “extraordinary expenses...” The Provincial Committee granted Reichart 600 crowns that season.³²⁹ In the following two seasons, he applied once again, ultimately garnering 500 and 573 crowns, respectively.³³⁰

Between 1917 and 1921, Georg Reichart collaborated with state bureaucrats to organize a series of “child trains” (*Kinderzüge*) that conveyed legally recognized *Schwabenkinder* from Vorarlberg. From at least 1919, Curate Wilhelm Walch of Rehmen worked alongside him, eventually taking over affairs when Reichart resigned duties in 1922.³³¹ The number of children moving with these trains was comparable to those travelling before the war. As Walch reported some years later, there were 250 in 1917, 500 in 1918, 350 in 1919, and 250 in 1920 and '21.³³² Participants traveled mostly by train from Dornbirn, Feldkirch, and Bregenz to Hergatz in Swabia. Despite the numbers of children converging on the train station there to negotiate contracts, none at the time characterized these conglomerations as a “child market.”

Reichart’s terminological and organizational choices evidenced his bid to characterize these efforts in the context of the child relocations, or *Kinderverschickungen*, of 1918 – 1923.³³³ A loose term given to a variety of independent efforts, these were charitable operations meant to convey mostly urban children across international borders to willing foster parents for between six and eight weeks. As a result of the international nature of these initiatives, most

³²⁹ Letter of December 3, 1917, „Dem Vorarlberger Landesaussschusse Bregenz,“ (Zl. 263/2), VLA Bregenz, „Amt des Vorarlberger Landesrat – Sch 32 Normalschulfond 1919 – 1920.“

³³⁰ Letter of Feb. 22, 1918 (Zl. 32/5), Amt des Vorarlberger Landesrat – Sch 32 Normalschulfond 1919 – 1920. VLA Bregenz; Letter of 20 October, 1919, „Dem Landesrate Bregenz,“ (Zl. 879/2), Amt des Vorarlberger Landesrat – Sch 32 Normalschulfond 1919 – 1920. VLA Bregenz

³³¹ “Schwabenkinder-Transport am 8. Mai,“ *Vorarlberger Volksblatt* (30 April, 1922), 2.

³³² When compared with the exact amounts given before the war, these round numbers highlight the organizational gulf between Walch and the Schwabenkinderverein. Uhlig, Loc. 7715

³³³ For one account of these relocations as they related to Austria, see Isabella Matauschek, *Lokales Leid – Globale Herausforderung. Die Verschickung österreichischer Kinder nach Dänemark und in die Niederlande im Anschluss an den Ersten Weltkrieg* (Wien: Böhlau, 2018).

actions were carried out as collaborative efforts between at least two organizations. In one such 1919 operation, the *Katholischen Volksverein* of St. Gallen and the *Katholische Wohltätigkeitsverband* of Lower Austria coordinated to convey 400 Viennese children to Switzerland. Parents were expected to register their children in advance with a branch of the sending association and to bring their children to the train station at the appointed time.³³⁴ After several weeks on rural farms, the children purportedly returned better nourished and freshly clothed. And because these were conceived as a form of welfare and not migrant labor, they did not return with wages or some other form of monetary remuneration.

References to relocations litter the press landscape from 1918 – 1923. In one case, a train carrying 800 children even crashed, killing 33 and arousing questions about the trains' appropriateness for providing child welfare.³³⁵ While most beneficiaries hailed from Vienna, their destinations were more varied and so included rural communities in Italy, Switzerland, the *Siebengebürg* of Romania, Hungary, Holland and Denmark. This phenomenon was so widespread that it dominated contemporary perceptions of child-relocations as a form of welfare in the immediate postwar years.

There were several *Kinderzüge* organized from Vorarlberg to Swabia as well. These had a political valence that differentiated them from the predominantly religious initiatives circling Vienna. While both ultimately came to naught, between 1919 and 1921, two movements vied to sever the land beyond the Arlberg from the nascent Austrian Republic. While the more well-known of these favored Vorarlberg's annexation with Swiss Graubünden and managed to come away with 80 percent support in a limited plebiscite, the other sought to integrate Vorarlberg into a "Greater Swabia" (*Großschwaben*). Though particular boundaries varied, supporters

³³⁴ "Das Schweizer Liebeswerk für Wiener und Tiroler Kinder." *Reichspost* (13 February, 1919), 7.

³³⁵ "Allerlei Unglücksfälle," *Vorarlberger Wacht* (20 September, 1919), 8.

usually advocated for the inclusion of Upper Swabia, Württemberg, southwestern Bavaria (*Bayerische Schwaben*), and Eastern Baden – in other words, those regions often understood as part of *Schwabenland* as well as the so-called *Schwäbisches Meer*, Lake Constance.³³⁶

It was for this purpose that an organization, the *Schwabenkapitel*, was founded in 1919. Over three years, it held meetings where its rolls of priests, educators, and state officials hashed out just what *Großschwaben* should, and conceivably could against the shifting political winds, look like.³³⁷ In 1920 and '21, it organized a handful of *Kinderzüge*, which in aggregate relocated around 1500 Vorarlberger children to Württemberg for periods of six weeks. While some children were housed in Ravensburg or Friedrichshafen, a significant number were also placed much further north, in Biberach and Ulm. In 1920, those who went all the way to Biberach were even greeted with a minor festival, which included a school orchestra to play them in at the station. Once all the children had been placed with their respective foster parents, organizers discussed the *Aktion's* impacts on the *Schwabenkapitel's* overall goals. As a schoolteacher Mr. Maurer argued, the operation's success demonstrated why Württemberg, and not Swiss Graubünden, was the idea candidate for union with Vorarlberg. After all, it was Swabia's superior "economic development" that made the provision of these Vorarlberger children possible in the first place.³³⁸

³³⁶ For a few contemporary assessments of the goals underlying the "Greater Swabia movement," see "Großschwaben," *Vorarlberger Tagblatt* (30 July, 1919), 2 – 3; "Die Los-von-München-Bewegung in Nord-Bayern," *Neue Freie Presse* (7 April, 1919), 2.

³³⁷ For an account from one such meeting in 1920, which included a brief discussion about Vorarlberg's annexation to Germany, see "Erste Hauptversammlung des Vorarlberger Schwabenkapitel," *Vorarlberger Tagblatt* (16 November, 1920), 1 – 2.

³³⁸ "Mit Vorarlberger Kindern nach Württemberg," *Vorarlberger Tagblatt* (16 November, 1920), 1 – 2.

max 1921

Merkblatt

für die Pflegeeltern der Kinder aus Vorarlberg.

Angeichts der andauernden Not in Oesterreich soll mit Zustimmung des württembg. Ministeriums des Innern und mit Unterstützung des diesem angegliederten Landesjugendamts im Laufe des Herbstes eine weitere Reihe von Kindern aus Vorarlberg in Oberschwaben untergebracht werden.

Mit ihrer Aufnahme übernehmen wir den Eltern wie den Kindern gegenüber eine große Verantwortung. Wir treten an die Stelle der Eltern, die ihr Liebstes gewiß nur schweren Herzens und unter dem Drucke bitterer Not in die unbekannte Fremde ziehen lassen.

Das wollen wir nicht vergessen und uns folgendes stets vor Augen halten:

- 1) Die Kinder sind unterernährt, bedürfen daher einer gesunden und kräftigen Kost. Indessen ist in den ersten Tagen Vorsicht geboten, weil die Verdauungsorgane an fettarme Speisen und vielfach auch an geringe Mengen gewöhnt sind. Nicht überfüttern!
- 2) Wohn- und Schlafräume sollen den Grundsätzen der Hygiene entsprechen, also trocken, luftig und womöglich der Sonne zugänglich sein.
- 3) Im Kreise der Familie sollen sich die Kinder behaglich, wohl, zu Hause fühlen, so daß sie aus dem Schwabenlande gute Eindrücke nach Hause mitnehmen.
- 4) Ihrem Alter und ihren Kräften entsprechend dürfen sie zu leichteren häuslichen Arbeiten herangezogen werden in dem Maße, wie vernünftige und gewissenhafte Eltern solche von ihren eigenen Kindern fordern. Man lasse ihnen aber Zeit, dann und wann ihre Heimatgepielen im Orte aufzusuchen.
- 5) Die Pflegeeltern sollen die Kinder anhalten, ihren Eltern, soweit sie das selbst können, regelmäßig (wöchentlich wenigstens einmal) zu schreiben. Aber auch die Pflegeeltern selbst sollten den Eltern in der Heimat regelmäßig über Verhalten und Befinden der Kinder berichten.
- 6) Die schulpflichtigen Kinder besuchen die Schule, sofern der Kräftezustand derselben nicht eine Befreiung vom Schulbesuch geboten erscheinen läßt.
Der Lehrer berücksichtige bei seinen Anforderungen, daß die Kinder unterernährt und daher auch geistig weniger leistungsfähig sind, daß ihnen unser Dialekt fremd ist, daß sie bisher nach einem anderen Lehrplan und anderen Unterrichtsmethoden unterrichtet worden sind.
- 7) Mit Kleidern und Schuhen sind die Kinder nicht auszustatten. Freiwillige Gaben werden natürlich dankbar angenommen. Im Notfalle wende man sich an die Bezirksvertreter.
- 8) Vor ihrem Abgang aus der Heimat werden die Kinder vom Arzt untersucht. Kranke werden zurückgewiesen.
- 9) Im Falle einer Erkrankung rufe man sofort den Arzt und bringe das Kind ins Krankenhaus; gleichzeitig benachrichtige man auf dem kürzesten Wege den Bezirksvertreter, den Ortsgeistlichen und die Eltern des Kindes. Alle Kurkosten (Arzt und Apotheke) übernimmt der Bezirksauschuß.
- 10) Nach Ankunft der Kinder sind die Eltern unter Angabe der Adresse der Pflegeeltern sofort zu benachrichtigen.
- 11) Es wäre zu wünschen, daß eine geeignete Person (Lehrer, Geistlicher) die in einer Gemeinde untergebrachten Kinder von Zeit zu Zeit zusammenrufen, sie mit der näheren Umgebung bekannt machen und sich in zwangloser Weise mit ihnen unterhalten würde.
- 12) Die Herren Ortsgeistlichen bitten wir, mit den Kindern und deren Pflegeeltern stets enge Fühlung zu halten und uns über alle etwa sich ergebenden Anstände Nachricht zukommen zu lassen.

Für die Bezirksauschüsse:

Fernsprecher:		Fernsprecher:	
Dittus, Rechtsanwalt in Riedlingen	36	Locher, Stadtschultheiß in Ehingen	17
Häberle, Kaplan in Tettnang	—	Maurer, Oberreallehrer in Biberach	64 od. 46
Hepp, Hospitalpfleger in Saulgau	6	Storz, Stadtpfarrer in Laupheim	—
Kastell, Vorsitzende des Frauenvereins in Wangen	—	Wagner, Zivilingenieur in Ravensburg	273
Klein, Postmeister in Waldsee	Amt	Weißer, Oberamtsparkassier in Leutkirch	20

Für das Landesjugendamt:

Dr. Blaum, Regierungsrat in Stuttgart Fernsprecher: 8700.

Notice distributed to foster parents. Uhlig Nachlass, VLA.

A notice, distributed to all foster parents, reinforced that these Vorarlbergers were to be

treated as children – as individuals lacking the capacity to care for, clothe, or feed themselves. This point was explicit even from the notice’s opening clause, which informed caretakers that “The children are undernourished and therefore need healthy and hearty food... Do not overfeed!” Other requirements included the furnishing of “clean” sleeping quarters, time for writing letters to parents, and children be made to “feel at home” so that they returned to Vorarlberg with a “good impression of Swabia.” The notice also required that children be sent to school unless already released from duties in their home districts. As it told teachers, some might need tailored plans on account of their “foreign dialect” and different instructional content. The document’s only reference to labor came in the form of a note that children could be put to basic household tasks.³³⁹ They could, in other words, engage in “children’s work” but not child labor.³⁴⁰

Leonie Furst was conveyed on these trains in the 1921 season. When her teacher announced that registration for that year’s *Kinderzug* had been opened, ten-year-old Leonie “enthusiastically” rushed home to ask if she could go. Her parents, however, “wouldn’t hear of it” because they considered Swabia too distant a locale for a child so young. And in any event, the *Kinderzug* was restricted to “undernourished and needy students” – qualifications which Leonie apparently did not meet. This likely would have been the end of the matter had another girl not become “suddenly ill.” As her teacher informed her, the spot was hers if she wanted it. Once again, Leonie “rushed home, hoping they would say yes.” Her mother would have nothing to do with it, but her father agreed on one condition. He would visit after she was settled in and, if “it was not going well,” would bring her home straightaway.

On the day of departure, Leonie gathered with the other children at the Bludenz train

³³⁹ “Merkblatt für die Pflegeeltern der Kinder aus Vorarlberg,” in Nachlass Uhlig, VLA Bregenz.

³⁴⁰ For observations on the distinction between “child’s work” and “child labor,” see Colin Heywood, “A Brief Historiography of Child Labor,” *The World of Child Labor: an Historical and Regional Survey* (New York: M.E. Sharpe, 2009), 18 – 19.

station. As the train rolled away, she and the other students sang *Ade, du mein Lieb Heimatland, Ade*. “None of us,” she recalled, “knew our destination.” Furst noticed a shift in the landscape when the train passed Bregenz. “The mountains” gave way to a “flat country.” At Friedrichshafen, all the children disembarked to take other trains bound for “Schussenried, Biberach, Ravensburg, etc.” Leonie took the one headed for Ulm. By the time she reached her stop at the village of Langenau, her group had wilted to a third. At the station, she placed her placard, which had the name of the sick girl crossed out and her own written above it, around her neck so her family could identify her.

As Furst discovered, Langenau was a “Protestant town,” so the nearest Catholic church was an hour away. Anxious to “remain true to my faith,” she uttered her “traditional prayers” when she could steal moments during services. Her father came fourteen days into her term and, after a short visit, went home satisfied that she was well. Leonie also went to school during these nine weeks, where she confronted an “entirely new” curriculum. The geography lessons had been especially novel, as she learned about the *Schwarzwald* and the *Mummelsee*. If she worked during those weeks in Württemberg, she never mentioned it.³⁴¹

In Uhlig’s estimation, the charitable *Kinderzüge* to Swabia were akin to the Swabian Children on account of the shared destination and origins. In terms of labor, he even suggested that, while the children did not return home with specified wages, they had doubtless been put to work anyway.³⁴² And to be sure, it is quite plausible that many of these Vorarlbergers - especially on larger farms where the foster-parents’ own children worked - were put to tasks not all that dissimilar from those of the Swabian Children. But, it also matters that, unlike the Swabian Children, they were understood as child-welfare recipients and not migrant laborers. It

³⁴¹ See Leonie Furst’s account in a document titled “Aktion Schwabenland – Feber/März 1921,” (unnumbered) Nachlass Uhlig, VLA Bregenz.

³⁴² See Loc. 7659, Uhlig.

is for this reason that they were not guaranteed wages, they lacked labor contracts, and the overall purposes of their journey were seen through the lenses of caretaking and nourishment.

Despite such distinctions, Georg Reichart often used language associated with these *Kinderverschickungen* in his applications to state officials for support as well as in various press contributions. These choices evidenced a break with pre-war norms. For example, even the seemingly general term *Kinderhilfsaktion* evidenced his bid to characterize the Swabian Children as welfare recipients rather than migrant laborers. Those operating the prewar *Kindertransporte* were never much concerned with adopting the specific language of welfare. On the contrary, figures like Alois Gaim and Venerand Schöpf had been entirely comfortable with the idea of the Swabian Children as a practice of child welfare that also happened to rely on written labor contracts and specific wages. Because of a general lack of visa requirements, which were applied to adult migrant laborers but not the *Kinderzüge*, German officials evidently accepted Reichart's categorical bid in these early post-war years.

Alwin Huber's experiences can shed light on what it was like for one of the Swabian Children under Reichart's care. To secure a spot on this *Kinderzug*, the twelve-year-old registered in March or April with his local schoolteacher in the village of Alberschwende. On the date of departure, he said his goodbyes to his parents and siblings. The "parting was not easy," but his brother Alois, a former *Schwabenkind* himself, argued that it was all for the best. Alwin "would get enough to eat there." Since the "postwar years were just as bitter for our parents as us kids," many were just relieved to have "one less eater at the table." On April 16, with a potato-sack across his shoulder, his father Konrad took him to the train station at Schwarzach. He had even seen fit to exchange some Austrian crowns for several German Marks beforehand, which his son would later use to buy goods that had since grown scarce in Austria – such as "potatoes, cabbage and apples."

It took four train cars to accommodate all the Swabian Children. Reichart helped him find his place on the carriage bound for Wangen.³⁴³ Labor negotiations occurred at the train station upon arrival rather than, as had formerly been the custom, the town's common market. Reichart ultimately negotiated terms with one Josef Anton Heilig of Wachelsreuthe for a sum of 7 marks per week, which would have totaled 180 by season's end. Since such amounts "were only seldom fully received," though, Alwin only ever received 150 of these. He was invited to return the following season and was even asked to bring along "a girl, because the farmer was expecting a child." While Alwin was able to "find" an interested party, the child's mother ultimately declined to let her daughter go on account of "the unrest in Germany." Alwin's employer never made any effort to send him to school or Sunday services. And so it seems, neither Reichart nor his associates ever checked to see that such needs had been met.³⁴⁴

Wages, especially those withheld by his recalcitrant employer, loomed large in Alwin's memories of Swabia. So did the work itself. As he recounted, he woke at four every morning and rarely got to bed before 21:30. The lack of access to Sunday services, though, stands as perhaps the most glaring difference between the prewar Swabian Children Association and Georg Reichart's *Kinderzüge*. For those traveling under the association in the decades before the war, a child's time in church was a vital mechanism of oversight. As parish priests in the places of employment had generally agreed to keep an eye on the migrants. They were expected to remit particularly concerning cases to Gaim so that he could remove the children and transcribe employer's names in the "black books."³⁴⁵ Church services had also been one of the factors that helped drive home the Swabian Children's status as children rather than migrant

³⁴³ While Walch reported 250 children bound for Swabia that year, it seems that Alwin likely travelled with a smaller number, since Reichart took multiple trips to convey all the children in that year.

³⁴⁴ See the document titled "Schwabenkind ab 1919, Alwin Huber in Alberschwende – Bregenzerwald," (unnumbered), Nachlass Uhlig, VLA Bregenz.

³⁴⁵ For the interactions between local priests in Swabia, including their use of the *Meldungskarte*, and the *Schwabenkinderverein*, see Chapter 3.

laborers in the prewar decades. A large part of the justificatory narrative around the Swabian Children Association had indeed been that the migrations constituted a form of development rather than exploitation. In showing just how stark the differences between Reichart's charges and the association's children could be, Alwin Huber's account therefore suggests why, beginning from 1922, German officials largely rejected the Swabian Children's consideration as child welfare recipients.

Wilhelm Walch and the Border, 1922 - 23

In April 1922, Georg Reichart passed off his duties to Curate Walch of Rehmen on account of "overwork." In truth, though, Walch had already become the *de facto* organizer of the *Kinderzüge* since 1921, as internal correspondence with Vorarlberg's provincial school board reveals. In terms of overall outlook and objectives, Walch was distinguished from Reichart by his interest in resurrecting the practices of the Swabian Children Association in Vorarlberg. Until his death in the winter of 1923, Walch made every effort to expand oversight of the Vorarlberger Swabian Children in close collaboration with state authorities. If his efforts ultimately floundered, it was because of the sudden interest expressed by German officials, who made a series of subtle decisions denying the Swabian Children the same rights as those relocated by the *Kinderverschickungen*. Walch's death in December 1923, then, also marked the last gasp of the idea of the Swabian Children as a form of child welfare.

In his effort to subject the Swabian Children to greater oversight, Walch shepherded three major reforms during his short tenure. The first of these, the practice of granting children placards that listed both the child's name and that of their assigned employer, was drawn directly from the "child relocations." The purpose of this may, at first blush, seem rather straightforward – as with any traveler attempting to find his party upon arrival, it helped facilitate identification. However, by introducing a practice that had already been widely

publicized in reports on the charitable *Kinderzüge*, Walch managed to draw a connection that had heretofore evaded Reichart. Furthermore, it evidenced a break with the repugnant spectacle of the *Kindermärkte*. In order to draft such placards, employment agreements had to be negotiated in advance rather than *in situ*. This is but one of the reasons that Walch, speaking before the “Economic Association of Vorarlberg-Schwaben” in summer of 1923, argued “the current conglomerations cannot be regarded as a *Kindermarkt*.”³⁴⁶ Practically, as Walch wrote to the Vorarlberger School Inspector’s office in November 1922, the placards would also help combat the risk of contracting by “unauthorized” employers, especially since “the [*Kinderzug*] guides would know just where the children were located...”³⁴⁷

Walch’s second major innovation was the introduction of written contracts. In his assessment of these contracts, Uhlig argued that the radical differences in verbiage and clauses made it unlikely that Walch had crafted them with an eye to the Swabian Children Association’s contracts. While Uhlig rightly noted the stark differences between these, his argument that they evidenced a lack of inspiration is contradicted by Walch’s own statements. Perhaps the most notable of the differences between the Swabian Children Association’s contracts and Walch’s are their references to space and remuneration. As we have already seen, one of the pre-war association’s most effective innovations was the attention it paid to Ravensburg and Friedrichshafen. By funneling all its children into these two cities, the association robbed many of the smaller markets, places like Leutkirch and Tettang, of their significance. The association’s contracts had required signers to select at which of these two cities – Friedrichshafen or Ravensburg – the children had been hired. It also compelled employers to indicate to which city their charges would be returned at season’s end. Spatial

³⁴⁶ “Die Hüttekinderfrage,” *Vorarlberger Tageblatt* (19 July, 1923), 1.

³⁴⁷ Letter of 7 November, 1922. VLA Bregenz, Nachlass Uhlig.

references also appeared in these contracts' final, signatory lines as well. Association members were expected to specify, for example, the child's town of employment, its corresponding district (*Oberamt/Bezirksamt*), and the local parish.³⁴⁸

Walch's contracts, by contrast, included no references to cities, places of origin or destination, or even region or state. It is, of course, entirely possible that he considered such details redundant. Under his purview, the trains were restricted to the cities of Leutkirch, Wangen, and Hergatz. However, when one remembers that one of the main reasons pre-war activists placed such a heavy emphasis on place was to guarantee the provision of Catholic religious services, the decision to omit such details raises questions about the maintenance of "*Sittliche Erziehung*." The easiest way to maintain access to religious services, as the organizers of the Swabian Children Association well knew, was to restrict the migrations to locales in which the majority population was Catholic rather than Protestant. As we saw with the foster child Leonie Furst, the place of residence in Swabia could really matter.

The absence of wages in Walch's contract is another major difference from those of the Swabian Children Association. In the postwar period, Swabian Children were often paid weekly rather than a lump sum, as had been the custom previously. In the association's prewar contracts, spaces were provided for signers to include these lump wages as well as several other amounts, including the money to be paid on *Blutfreitag* and that given as *Liedlöhne* – funds provided to cover the return journey. There was, curiously, but one reference to remuneration in Walch's contract, and it was not the amount to be paid for the child's wages. Signatories were required to give the "amount" to be "paid... to the employment broker" (*Dienstvermittler*) upon the "employer's acquisition of the child."³⁴⁹ It may be that this fee corresponded to the

³⁴⁸ These contracts did not make clear if this must also have been the child's place of legal domicile – where they enjoyed *Heimatrecht*. For one example of these *Schwabenkinderverein* contracts, see that for Filomena Patscheider from 1908, Contract Number 122, Nachlass Uhlig, VLA Bregenz.

³⁴⁹ See "Dienstvertrag," (unnumbered), Nachlass Otto Uhlig, VLA Bregenz.

contract's requirement from a contract clause, which stated that employers had to provide "compensation for expenses for the journey from the parents' house to the place of employment and back." However, this was not explicitly articulated in the contract. What can be surmised is that monetary reimbursement was indeed a greater cause for concern for these postwar facilitators than it had been for the organizers of the Swabian Children Association. This is because Walch's postwar activities never benefited from the formal structures of a registered association. Regardless of the reasons, it remains that the children's wages were never specified in Walch's contracts, and this may have had at least something to do with the recurrent incidents of employers holding out on their charges when the bill came due.³⁵⁰

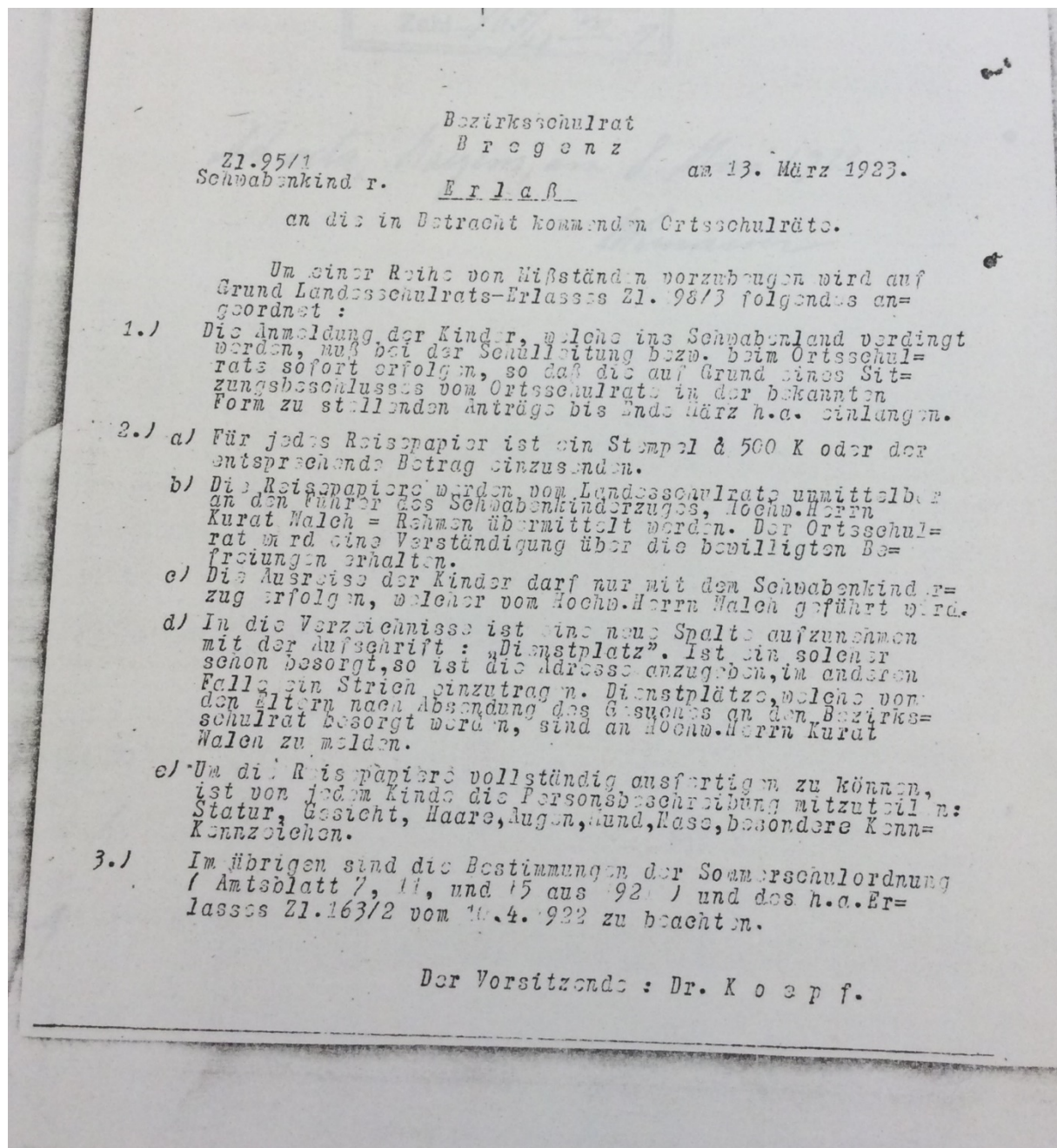
Despite these differences, it nevertheless remains clear that Walch looked to the Swabian Children Association for inspiration. Considering Walch's approbatory references to that association in his speech to the *Wirtschaftsverband Vorarlberg-Schwaben* in 1922, it is evident that he was familiar with its activities before the war and saw them as a model. As he wrote, "In 1891 Priest Schöpf in Tyrol [founded] a *Hüttekinderverein* with its seat in Pettneu... to conclude contracts and thereby to see to it that children were treated properly in moral and religious respects..."³⁵¹ Rather than a lack of inspiration or even awareness, the likely explanation for the differences between the contracts was that, while Walch could have easily learned about the association's activities in the press or in published tracts in the prewar years, he might have never actually laid eyes on one of their contracts. Like many of the organization's internal documents, these were rarely, if ever published – a fact to which Gaim himself even referred in 1913.³⁵² What press readers did learn about the association's contracts

³⁵⁰ Walch himself references this issue in his letter to the Landesschulinspektor in November 1922, (unnumbered), Nachlass Uhlig, VLA Bregenz; an example of Walch's contracts can be found, titled simply "Dienstvertrag," (unnumbered), Nachlass Uhlig, VLA Bregenz.

³⁵¹ "Die Hüttekinderfrage," *Vorarlberger Tageblatt* (19 July, 1923), 1.

³⁵² "Die Jahresberichte über die Tätigkeit des Vereines werden nicht veröffentlicht..." Letter of 10 November, 1913 (unnumbered), 2. Nachlass Uhlig, VLA Bregenz.

was that they guaranteed proper treatment, access to religious services, and that violators were entered in the "black books." And indeed, as Walch assured in 1922, "Whenever bad experiences occur at a place of employment, the concerned farmer is forthwith entered in the blacklist."³⁵³ This is to say, his imitation of the Swabian Children's Association largely corresponded to publicly available information rather than private, internal procedures.



³⁵³ "Die Hüttekinderfrage," *Vorarlberger Tageblatt* (19 July, 1923), 2.

1923 Edict issued by District School Board of Bregenz. Nachlass Uhlig, VLA.

Walch's third major act drives home this sense of indebtedness to the *Schwabenkinderverein's* example. By 1923, the District School Board of Bregenz issued an edict requiring that all legally recognized migrants travel via the *Schwabenkinderzug*. This edict also stipulated the documentary process for a child's admittance to the train. After collecting registration details, local schools would be expected to forward their lists on to the provincial school board, which would then issue schooling releases and procure travel visas. All of these "would be immediately remitted to Curate Walch – Rehmen." In this way, the Provincial School Board named Walch as the sole legal guide for Vorarlberger Swabian Children in these seasons, while also indicating that travel documents would not be handled by the children or parents themselves. Such would instead be distributed between state bodies and Walch. The edict also laid out the procedures for issuing identificatory placards to children as a way of matching with pre-arranged employers.³⁵⁴ Tyrolean administrators had passed similar edicts relating to the Swabian Children Association before the war, and these requirements sometimes played a role in deciding whether a child's application for release from schooling would be approved. Like the Swabian Children Association itself, Walch was more than an interested, charitable third party. He acted with the explicit endorsement and collaboration of the provincial state.

Walch's interventions hit a roadblock when German authorities altered visa requirements for the Swabian Children in 1922. The signs of change at the border had been growing since 1916, when Germany established its first visa consulate in Vienna.³⁵⁵ The

³⁵⁴ This edict can be found in document titled "Schwabenkind. Erlaß an die in Betracht kommenden Ortsschulräte." (Zl. 95/1), Nachlass Uhlig, VLA Bregenz.

³⁵⁵ „(Eine Deutsche Paßstelle in Wien),“ *Fremden-Blatt* (9 April, 1916), 13.

following year, Berlin founded subsidiary consulates across Cisleithanian Austria, including at Bregenz and Salzburg.³⁵⁶ These were tasked with applying requirements laid down in the “Verordnung, betreffend anderweite Regelung der Paßpflicht” of 1914 and 1916.³⁵⁷ As interpreted on the ground, this law compelled most foreign travelers to obtain a visa, which was valid for no more than one year, to cross German borders. These required applicants to author physical descriptions, note their places of residence, and provide personal photos. There were, notably, provisions for exceptions - the law granted the *Reichskanzler* (§3), military commanders (§4, 5), and provincial authorities (§4) the power to wave or accept alternative documents at their own discretion. Children under twelve were not required to have a visa, but instead had to furnish an identification document that included their name, age, and place of residence. Those under twelve were also not expected to submit a photo.³⁵⁸

In 1916, the Provincial School Board of Vorarlberg sent a missive to the Upper Office of Tettngang, asking just what these new requirements might mean for the Swabian Children. The board member hoped that, “just as it was last year, the previous documentary forms would be sufficient to cross the border since this applies almost exclusively to very poor people who live in remote valleys, and for whom it is therefore difficult to procure a photo.”³⁵⁹ Tettngang forwarded the letter to the border police at Friedrichshafen, querying whether provisions from the last year would indeed remain in force. The Friedrichshafen authorities, though, offloaded responsibility for the issue onto their Bavarian neighbors, as the border controls across Lake Constance were conducted at Lindau.³⁶⁰ In the end, the Bavarians decided that a *Schulzertifikat*,

³⁵⁶ “Kaiserlich Deutsche Paßstelle in Bregenz,” *Feldkircher Anzeiger* (21 February, 1917), 1.

³⁵⁷ „(Nr. 5290) Verordnung, betreffend anderweite Regelung der Paßpflicht,” *Reichsgesetzblatt*, Nr. 143 (1916), 599 – 601.

³⁵⁸ This can be found in §3 of a subsequent law, “(Nr. 5291) Bekanntmachung, betreffend Ausführungsvorschriften zu der Paßverordnung. Vom 24. Juni 1916.” *Reichsgesetzblatt*, Nr. 143 (1916), 601 - 603.

³⁵⁹ Letter of 10 March, 1916 (Zl. 121/3), Nachlass Uhlig, VLA Bregenz.

³⁶⁰ Letter of 28 March, 1916, „Dem K. Oberamt Tettngang,” (Unnumbered), Nachlass Uhlig, VLA Bregenz.

which for these children amounted to a document verifying the release from instruction over the summers, was sufficient for school-aged Swabian Children.³⁶¹ By 1919, even this requirement seems to have fallen by the wayside. As a report out of Mäder (likely by Georg Reichart) informed, children on the *Kinderzug* would not be required to have visas. As the author went on, “The same applies as well for boys and girls who have aged out of school, [but] who take this train to *Schwabenland*.”³⁶²

This is all to say, until 1922 German authorities effectively treated all traveling Swabian Children as exceptional cases. Depending on age, they were expected either to furnish a *Schulzertificat* or nothing at all. It might even be argued that German border authorities treated the *Schwabenkinderzug* much like any of the other *Kinderzüge* of the early postwar years. They processed these trains as a coherent unit rather than a collection of individuals with separate visa requirements. There is some reason to believe this policy was anomalous for the period. Swiss authorities, for example, required children over the age of twelve to furnish individual visas even when they came on a *Kinderzug*.³⁶³

In any event, the situation changed in May 1922 when German authorities announced that all incoming Swabian Children would be required to furnish a visa. Surviving sources do not indicate whether requirements were assessed on an individual or group basis. It is therefore unclear whether the Swabian Children were treated uniformly according to the provisions for those over or under the age threshold of twelve, or if they were treated as individuals in a manner similar to those crossing the Swiss border. What is clear is that this new requirement carried a monetary burden. Those wishing to enter as Swabian Children had to pay a fee of 200 Crowns. The uproar in Bregenz was immediate and sustained. As one critic noted, “The

³⁶¹ „(Mäder), 8 April (Schwabenkinder),“ *Vorarlberger Volksblatt* (11 April, 1918), 3.

³⁶² „(Mäder), 5 April (Hüttekinder),“ *Der Vorarlberger* (12 April, 1919), 7.

³⁶³ „Die nächste Kinderzug in die Schweiz fährt,“ *Allgemeiner Tiroler Anzeiger* (23 June, 1922), 4.

Schwabenkinder have never as yet needed a German visa, not even during the war when the strongest border controls were in place. Now, a few years after war's end, [there are] these harsh requirements with [associated] costs and conditions."³⁶⁴ It was only after a direct petition from the Vorarlberg School Inspector's office that a German *Sekretar* Weingartner agreed to halve the fee in light of economic hardship. Yet, contemporary reporters argued that even this amount was a burden for those bound for Swabia. To get a sense for what this fee meant, we might recall the 180 marks that Alwin Huber should have received during the 1919 season. In 1922 as in 1919, the Austrian Crown maintained a low value compared to the German Mark. Considering this was still some months before the onset of full hyperinflation, the 100 Crowns would still have amounted to a pittance compared to the windfall of a summer in Swabia.³⁶⁵ More suggestive in this policy shift is that German authorities did not begin to require visas for children conveyed by the charitable *Kinderzüge*.³⁶⁶

It bears noting that an entirely separate development garnered the lion's share of attention at this time. This was a bilateral agreement, concluded between Austrian and Württemberg authorities in 1922, that applied schooling duties to the Swabian Children even when they had been freed from these duties in Austria. This agreement really manifested a holdover from the prewar era rather than a reflection of contemporary postwar developments. It was, after all, resurrected by SPD Württemberg representative Berthold Heymann - the author of an identical 1914 proposal, which had been dropped once hostilities broke out. In his monograph's first edition, Uhlig has even argued that this agreement signaled the end of the Swabian Children outright, as the need to send children to school purportedly robbed the

³⁶⁴ „Von der Ach, 5. Mai (Schwabenkinder),“ *Vorarlberger Volksblatt* (6 May, 1922), 3.

³⁶⁵ For a sampling of contemporary exchange rates throughout the 1920s, see “Foreign Exchange Rates, 1922 – 28,” *Federal Reserve Bulletin* (January, 1929), 35.

³⁶⁶ For one example, in which initial calls for visas were overturned see “[Kinder aus Deutschland in Nordböhmen],” (*Linzer*) *Tages-Post* (18 February, 1923), 5.

migrants of their utility in Swabia.³⁶⁷ And indeed, this is precisely what some at the time feared would happen.³⁶⁸ If Uhlig and contemporary observers from the 1920s were ultimately mistaken in seeing this agreement as the migration's death knell, it was not because of a lack of "enforcement." Even if technically required to attend, compulsory education was never a simple binary between absence and attendance. Just as there were procedures for obtaining schooling releases, there were also a range of remedial schooling options that could meet once a week, on weekends, in the evenings, or only on Sundays. In such a situation, schooling requirements could be entirely manageable for those interested in putting these children to work.

This is precisely the experience of one Alex Metzler, who travelled in the wake of Walch's interventions and these revised German visa requirements. Metzler made his first journey to *Schwabenland* in 1924 at the age of twelve. Like his father and grandfather before him, he began preparations by wandering door to door in his home village in search of "Zehrfennig" (travel funds) for the journey.³⁶⁹ Unlike his forebears, though, Metzler was not subjected to the uncertainties of the "child market." A farmer named Leopold Menig from the Württemberg village of Hauerz had prearranged to employ him over the summer. Likely under the guidance of Priest Ernst Sittenthaler, Metzler took the train to Bregenz before hopping the ferry to the German city of Lindau. The boy then made his way to the Lindau train station, where he slung a small placard around his neck that read "Leopold Menig – Alex Metzler." Once the two were acquainted, Menig led Metzler back to Hauerz, where he set the boy to tending cattle and bringing milk to the farm's dairy plant. The child enjoyed his time so much

³⁶⁷ For this argument in the first edition, see Otto Uhlig, *Die Schwabekinder aus Tirol und Vorarlberg* (1978), 288 – 296.

³⁶⁸ See his letter of Letter of 7 November, 1922. VLA Bregenz, Nachlass Uhlig; alternately, consider this press account worrying about the edict's impact from the same year. „Von der Ach, 5. Mai (Schwabekinder),“ *Vorarlberger Volksblatt* (6 May, 1922), 3.

³⁶⁹ Or, as the saying actually went, "I bitt' um Zehrfennig ins Schwabenland?"

that he returned three more summers. At the end of each, Menig returned Metzler to Lindau, where his parents fetched him and lead him back to his home in the Bregenzerwald. From 1924 - 26, he only stayed with Menig over the summers, but in 1926 – 27 he remained over the winter as well. He only attended school for this last period. Even then, though, it was only a *Fortbildungsschule* that met once a week. Metzler did enjoy Sunday church services, as these were an opportunity to trade tales with other “*Wälderbuben*” – those who, like him, hailed from the Bregernerwald.³⁷⁰

Metzler’s account reveals the impact Walch’s initiatives and the revised German requirements could have had on individual Swabian Children. His account shows that the effect of the 1922 bilateral agreement on schooling duties was by no means clear. And, as his experiences during the 1926 – 27 winter term demonstrate, attendance duties could be met in various ways. In this case, because it was a *Fortbildungsschule* and he would have crossed the age threshold of fourteen that year, this weekly attendance likely corresponded to the trade-off embedded in the Swabian Children’s schooling dispensations in Austria. While children were permitted to leave school during the summers, they were often, though not always, compelled to attend an additional year or two of remedial education.³⁷¹ He did enjoy access to religious services. But, in another notable difference from the Swabian Children Association’s oversight from before the war, he was not required to provide the local priest with a Registration Card. Indeed, Metzler declined to mention the priest or the details of the services at all. It was simply an opportunity to connect with other Vorarlberger Swabian Children.

Most telling, though, is the narrative’s absence of visa documents of any sort. This was not, as we saw with Huber’s account, unique to Metzler, but because his journey occurred on

³⁷⁰ See this account as collected by his “neighbor,” Franz Schelling in Bregenz, s1979. (unnumbered), Nachlass Uhlig, VLA Bregenz.

³⁷¹ This can be easily observed in the stacks of dispensation applications for the *Schwabenkinder* from 1914, which are located in Bezirkshauptmannschaft Bregenz, Sch 529, Schwabenkinder, VLA Bregenz.

the other side of the German policy shift on visa requirements, it highlights the border's disappearance from children's personal experiences. As a handful of press reports from 1924 and '25 indicate, children and their parents had very little to do with the visa. According to one such *Vorarlberger Landes-Zeitung* article in 1925, parents were only expected to apply for "foreign release" to school authorities, which included a stamp fee of 30 *Groschen* and a personal description for inclusion on the visa. From that point on, "If the release is approved, the District School Board will remit the visa certificates... immediately to the travel guide."³⁷² This meant that, after the initial inquiry with their local school representative, the children and their parents had nothing to do with visas or any other documentary controls associated with the border crossing.

To get a full sense for the impact of this new requirement, it is important to recall that, in personal accounts from the pre-war period, travel documents and even the border itself played a prominent role. Johann Pfeifer, after all, held his "visa in his pocket." And in her account about experiences in the 1860s, Regina Lampert recalled her father handing over the visa for authorities to check at Bregenz.³⁷³ For those travelling after the war, though, neither visas nor the border garnered even passing mention. For Leonie Furst, this was likely because German authorities required no travel documents for those on the charitable *Kinderzüge*. But for the two Swabian Children of Alex Metzler and Alwin Huber, this absence should be seen as evidence of the border's thickening. As we can see from correspondence going back to 1916, Austrian authorities expressed continued anxiety over the steady enhancement of visa requirements by German authorities. At first, it was possible to simply collect school

³⁷² This article was reprinted verbatim in numerous papers during the 1924 and '25 seasons. "Schwabenkinder," *Vorarlberger Landes-Zeitung* (4 April, 1925), 3.

³⁷³ „Auch ein paar Kirchen haben wir besucht, dann gings mit Jubel an Hafen, aufs Zollamt, und der Polizei mussten wir unsere Pässe zeigen.“ Regina Lampert, *Die Schwabengängerin: Erinnerungen einer jungen Magd aus Vorarlberg, 1864 – 1874* (Zürich: Limmat Verlag, 2000), 57.

certificates for presentation to German border authorities. This changed in 1922. And all of this happened because German authorities began, however piecemeal, to treat these children differently from their counterparts in the charitable *Kinderzüge*.

The Labor Offices and the Ernst Sittenthaler

When Walch died in December 1922, another priest, Ernst Sittenthaler of Dornbirn, took over his duties as leader of the *Schwabenkinderzüge*. Although, from surviving evidence, it is unclear whether he continued these duties right up to the trains' evaporation in the late 1930s, he remained in charge at least through 1929. Sittenthaler exerted a lighter touch than his predecessor. He made no major revisions to the labor contracts, delivered no major speeches to organizations like the *Wirtschaftsverband Vorarlberg-Schwaben*, and declined to weigh in on the major German policy-shifts of 1927 - 28. The most significant development in these years was the Württemberg administration's decision in 1927 to make it compulsory that all incoming Swabian Children register with its system of Labor Offices. It likewise forced these children, or their handlers, to select employers from the office's rolls of interested employers.

This was not the first time the Labor Offices tried to take on a greater role. In 1921, bureaucrats at the *Landesamt für Arbeitsvermittlung* reached out to Wangen's Upper Office to attain lists of incoming Swabian Children for that year.³⁷⁴ The Upper Office forwarded the request to the *Wirtschaftsverband Vorarlberg-Schwaben*, where it asked organizer Dr. Mauer if he could proffer any details. Mauer responded that, unfortunately, he was "not in a position to inform about the number and accommodations of incoming *Tiroler Hütekindern*."³⁷⁵ He indicated that he "had once made inquiries as to when the children would arrive, so that I could be in Wangen and meet up with the leader of the *Kinderzuges*." He had, however, been

³⁷⁴ Letter titled "Betreff: Tiroler Hütekinder," (Nr. 2025), Wü 65 – 42, T 4 – Bestellnummer 609 Kinderbeschäftigung in der Landwirtschaft 1881 – 1921, Staatsarchiv Sigmaringen.

³⁷⁵ See letter titled "Biberach, den 24, 1921. An das Oberamt Wangen," (unnumbered), Wü 65 – 42, T 4 – Bestellnummer 609 Kinderbeschäftigung in der Landwirtschaft 1881 – 1921, Staatsarchiv Sigmaringen.

“prevented” from doing so for unspecified reasons. This difficulty was even one of the reasons his organization helped organize the *Schwabenkapitel*'s trains of the previous two seasons. None of the surviving correspondence suggests that German officials reached out to Austrian authorities or to then-organizer of the Swabian Children trains Georg Reichart.

This thread would not be taken up again until 1927, when a letter from Vorarlberg's *Landesschulinspektor* to Priest Sittenthaler revealed that the Württemberg Labor Office wished to bring the “entire Swabian Children migration (*Hüttekinderbewegung*)” under its control. For this reason, the School Inspector asked Sittenthaler to provide both the numbers of children expected to join the trains that Spring and those who traveled in the preceding two seasons. While the School Inspector suggests that Bregenz's Industrial District Commission would collaborate, subsequent correspondence reveals just how uninterested the latter was in playing such a role. The fact that this was really a German initiative, about which Austrian authorities were generally indifferent, is further emphasized by the fact that the Ravensburg Labor Office – and not some Austrian office - set the issue in motion in the first place.³⁷⁶

The following year, the *Landesschulinspektor* sent a missive to Vorarlberg's Provincial Governor, in which he described the requirements passed down by the Württemberg Labor Office. As he wrote:

“Until now, the guidance of the *Schwabenkinder* to Friedrichshafen or Ravensburg, the handover of the same to their employers, ... and finally their escort home has been handled by a clergy member (most recently Priest Sittenthaler in Dornbirn). This form of *Schwabenkinder* welfare raises difficulties now, because in Germany the contracting of foreign workers is assigned to the state Labor Offices in collaboration with the

³⁷⁶ Letter of 21 January, 1927 (unnumbered), Nachlass Uhlig, VLA Bregenz.

[Austrian] Industrial District Commission.”³⁷⁷

Later in that very same document, though, the school inspector noted that these migrations would be handled by the Württemberg office “with or without the Industrial District Commission.” Thus, what really mattered was the enhanced role Württemberg authorities would henceforth play in overseeing where, how, and for whom these children could work. German officials’ efforts at roping in a comparable Austrian office therefore manifested a desire to validate their new policy towards the Swabian Children, while simultaneously emphasizing their claims to territorial sovereignty when children crossed the border. Even more revealing is the way in which the letter explicitly characterized these children as “foreign workers” rather than child welfare recipients. It is, indeed, for this very reason that they were to be handled by the Labor Office as opposed to the Württemberg School Commission.

A few months later, a March 14 letter from the Provincial Labor Office of Southwest Germany clarified just what this enhanced oversight would look like. The brief’s author emphasized that German authorities had no interest in the migrations on the Austrian side of the border but were concerned only with the children’s interactions in Germany. To this end, the office was entirely pleased to allow Sittenthaler to organize the trains up to Bregenz. In Germany, though, it required that Sittenthaler select employers from registration lists provided by the Württemberg labor office. As this implies, prospective employers would be required to register with authorities in Stuttgart each season for consideration. The official further drove home the border’s centrality by demanding that, for each stop of the journey in Germany, a representative of the Labor Office must be present to oversee affairs and ensure compliance. Even the distribution of press statements to announce the Swabian Children’s dates and times

³⁷⁷ Letter of 31 January, 1928 (unnumbered), Nachlass Uhlig, VLA Bregenz.

of arrival would need to be overseen by this office and not, as had been the case, whichever priest was in charge of the trains. Or as this bureaucrat put it, “which newspapers did the Chaplain [Sittenthaler] have in mind?”³⁷⁸

These policies completed the Swabian Children’s transformation from child-welfare recipients to migrant workers. While, in the eyes of German officials, this was really limited to the children’s interactions north of the Austro-German border, it had cascading effects that affected their behavior even while still in Austria. The enhanced visa requirements of 1922 – 23 led organizers in Austria to take the matter of travel documents entirely out of children’s hands. For those travelling after 1922, the border effectively disappeared. Yet, these revised visa stipulations, especially when seen in light of early efforts by the Ravensburg Labor Office in 1921, gestured to the same logic employed by labor officials in 1927 – 28. These children were migrant laborers and so should be subjected to the same visa requirements and registration procedures as the thousands of other workers pouring into Southwestern Germany in the first postwar decade. The rationale for this move had much to do with the notion that because they received wages in exchange for work done, the Swabian Children could not be considered in a manner like the charitable *Kinderzüge*. These latter migrants were not, after all, required to furnish visas or pay associated fees. And they were certainly not expected to register with the state labor office or select caretakers from the rolls of recognized employers.

The reforms of the 1920s witnessed the dismantling of the Swabian Children as a legal category of child welfare. As we have seen, this category was assembled in the 1860s as a method for distinguishing them from the “work-shy” children of the ambulatory *Jenisch*. The legal right to leave school and obtain exit visas to enter Württemberg was rendered contingent on a child’s capacity to demonstrate willingness to work for specified wages. The Swabian

³⁷⁸ Letter of 14 March, 1928. (Zl. 290/2), Nachlass Uhlig, VLA Bregenz.

Children's legal status was therefore rooted in a distinction that, at least as it concerned children, had long fallen out of favor by the 1920s – that between the deserving and undeserving poor. The logic underlying the moral panic of 1897 – 1914 was rooted in the idea that children belonged at home or in the classroom rather than the workplace. Prominent critics like Karl Seitz and Simon Abram had been outraged because, for them, this constituted a manifestation of child labor. The complication of the border only exacerbated their concerns by introducing the additional possibility of human trafficking. By the turn of the twentieth century, the rise of the “priceless child” had permeated contemporary perceptions to such a degree that a phenomenon like the *Schwabenkinder* could no longer comfortably sit within the categorical constraints of child welfare. For this reason, the Württemberg Labor Office's requirements of 1927 – 28 were really the final nail in the coffin for a conception that already seemed anachronistic by 1918. Austrian authorities, including especially the state-supported triumvirate of Reichart, Walch, and Sittenthaler each seemed to hold on to this conception, but the border's thickening took the decision out of their hands. German authorities asserted their right to handle affairs as they wished for those who crossed their borders. For them, the Swabian Children were migrant workers, not child welfare recipients.

Conclusion

In the significantly revised third edition of his monograph, Otto Uhlig mused on the possible impacts of Vorarlberg's annexation to Germany in 1919 – 21 for the Swabian Children. For him, the border itself, because of the different rules governing compulsory schooling, gave the migrations their coherence. As he put it:

“Had the desired unification of Vorarlberg with Württemberg been achieved, the character of the ‘emigration’ as well as the differences in compulsory schooling would

have been lost... In a 'Greater Swabia' there could have been no internal migration of *Hüttekinder*, [because] the problem would have been resolved by eliminating the opposing factors [of the border and compulsory schooling differences]."³⁷⁹

As we have already seen, shifts in state borders drew governmental eyes to these migrations in the 1820s. Anxieties over the Swabian Children's cross-border movements motivated the first laws to regulate their movements. In terms of legal legibility, at least, it might be argued that the border created the Swabian Children. After all, hundreds or even thousands of children from Bavaria, Baden, and within Württemberg traveled to Upper Swabia to conclude quite similar labor throughout the "long" nineteenth century. But these were never recognized as *Schwabenkinder* by regional government bodies and so were never subjected to the same requirements concerning visas and schooling releases.

The *Schwabenkinderzüge* may have fallen into public obscurity after the flurry of interest in 1927 – 28, but they did not end. A surviving report shows that state-funded "Actions" continued right up to 1937.³⁸⁰ In the 1931 season, a list of 24 participating children from Feldkirch shows that numbers might not have even dwindled all that much.³⁸¹ According to this list, we can see that most children had already selected employers prior to departure – though whether these came from the lists provided by the Württemberg Labor Office or via personal contacts remains unclear.³⁸²

That the last *Kinderzug* traveled in 1937 is, of course, suggestive. For Uhlig, a 1937

³⁷⁹ Loc. 7659, Uhlig.

³⁸⁰ Amidst Uhlig's personal files, it remains unclear whether this was a summary he personally drafted or a file derived from the provincial school holdings. Document titled "Schwabenkinder (1927 – 1940 Landesschulrat)," (unnumbered), Nachlass Uhlig, VLA Bregenz.

³⁸¹ Considering that 24 children hailed from the district of Feldkirch alone, and that the district of Bregenz and Bregenzerwald often had more participants, it may well be that numbers approached 100 in that season, and this would have put it in a similar scale to earlier seasons for which we have numbers.

³⁸² Document titled "Schulbezirkfeldkirch, 1931/32," (unnumbered), Nachlass Uhlig, VLA Bregenz.

report from Vorarlberg Provincial School Board that stated “the customary... *Schwabenkinderaktion* is cancelled this year and will not be restarted...” evidenced the phenomenon’s dissolution after some four centuries.³⁸³ Yet, despite his interest in the possible impact of the movement to constitute a “Greater Swabia,” he declines to muse on the *Anschluss*, which not only inaugurated an internal spatial reorganization but also signaled the disappearance of the Austro-German border. From that Vorarlberger School Board report, even if the rationale were related to a drop in demand or some internal or external policy shift, it remains that the border evaporated in 1938. Absent the *Anschluss*, it is entirely possible that the board’s decision to stop organizing the trains could have been reversed in some later season. After all, we may recall that, to a certain extent, this is exactly what happened during the First World War. The border’s evaporation in 1938, though, made such a trajectory impossible – at least in the sense of resurrecting the Swabian Children as a migratory privilege that used the acquisition of travel visas as a gatekeeping mechanism. Based on the example of the preceding century, it should be little wonder that the Swabian Children passed into history in 1937. While it is entirely possible that children continued to migrate to Upper Swabia for work, it would not be accurate to characterize these as *Schwabenkinder* in the same sense as those hundreds of thousands who followed specific legal pathways that relied on the presence of an international border at Bregenz. Just as the border’s creation inaugurated the Swabian Children’s creation as a legal category, it’s evaporation in 1938 dissolved it.

³⁸³ Loc. 8165, Uhlig.

Conclusion

“What the ‘Saxony Migrants’... are to the German north, the dispatchment of still-growing children from Tyrol and Vorarlberg to the German states along the shores of Lake Constance are to the south. The ‘Swabian Children’ are poor children from the Vintschgau, Oberinntal, and Paznaun, who migrate each year in spring to so-called *Schwabenland*...”

Arthur Achleitner,
Die Gartenlaube, 1895³⁸⁴

It is telling that, in conveying the Swabian Children to readers of Leipzig’s *Die Gartenlaube* in 1895, Alpinist Arthur Achleitner invoked the “Saxony Migrants” (*Sachsengänger*) of East Prussia. He seemed to presume that those unfamiliar with the Swabian Children might at least have heard of these adult migrants who crossed German border for work to harvest beets every year. The assumption makes a certain amount of sense. The “Saxony migrants” were the subject of increasing public concern both regionally and across Germany.³⁸⁵ The specific reasons for this interest also made them an apt point of comparison with the Swabian Children. In 1892, one *Grenzbote* contributor suggested that the “Saxony migrants” would have stayed home if wages in the east were not so low. “Swabian Children Association” *Obmann* Alois Gaim would offer a rather similar explanation over a decade later.³⁸⁶ Like the “Saxony Migrants,” Gaim argued that parents did not choose to send their children abroad – they were compelled to by poverty.³⁸⁷

³⁸⁴ Arthur Achleitner, “Tiroler ‘Schwabenkinder,’” *Die Gartenlaube*, Heft 17 (1895), 281.

³⁸⁵ See “Uebersicht,” *Wiener Zeitung* (4 January, 1891), 1; Heinrich Herkner, *Die Arbeiterfrage. Eine Einführung* (Berlin: J. Guttentag, 1897), 211 – 212; see representative Schöning’s comments in 1891. “Erster Bericht,” *Anlage zu den Stenographischen Berichten die Verhandlungen des Hauses der Abgeordneten. Der 3 Session der 17 Legislatur-Periode. 1890/91. Dritter Band. No. 161 – 377. Von seite 1705 – 2448* (Berlin: W. Moeser, 1891), 1793.

³⁸⁶ “Ein bedenklicher Widerspruch,” *Grenzbote. 51 Jahrgang. Drittes Vierteljahr.* (Leipzig: Wilhelm Grunow, 1892), 584.

³⁸⁷ See his letter of 10 November, 1913, “Euer Hochgeboren!” (unnumbered), Nachlass Otto Uhlig, VLA Bregenz.

After decades of relative obscurity, the Swabian Children have once again become a subject of significant regional interest. The publication of Elmar Bereuter's book *Die Schwabenkinder: Die Geschichte des Kaspananze* (the Swabian Children: the story of Kaspananze) in 2002 sparked this interest. It inspired a 2003 feature film produced jointly by the Austrian and Bavarian public broadcasting companies.³⁸⁸ Then, in 2008, an EU Interreg Project was launched with the goal of collecting information on these children and providing funding for regional museum installations. The project ultimately resulted in a searchable database and rotating exhibits at Wolfegg's *Bauernhausmuseum* (Farmhouse museum) and the Vintschger Museum at Meran/Merano.³⁸⁹ Some places, like St. Anton in Austria, even offer guided trails so that visitors could follow in the footsteps of these children.

The mass of information and interest generated by these efforts has done little to strip the Swabian Children of their reputation as a regional curiosity. Specialists have done little to challenge this status. As far back as Uhlig, scholars of the Swabian Children have generally failed to draw bigger conclusions or attempted to frame this phenomenon in larger analytical contexts. Scholarship on the Swabian Children will reveal little effort to connect them to other migratory phenomena or to contemporary anxieties about uncontrolled mobility, child labor, and compulsory education.³⁹⁰ One would search this scholarship in vain for references to the debates over schooling in Austria, the establishment of the international passport and visa system, or efforts at expanding child labor prohibitions to agriculture.

It is precisely the Swabian Children's peculiarity, however, that renders them such an apt subject for assessing such developments. Plenty of work has been done on, for example, the

³⁸⁸ Elmar Bereuter, *Die Schwabenkinder: die Geschichte des Kaspananze* (Munich: Berig, 2002).

³⁸⁹ The database and other information on the project can be found at <www.schwabenkinder.eu>

³⁹⁰ For two examples other than Uhlig, see Bianca Hahnen, "Hüte- oder Schwabenkinder in Friedrichshafen," *Friedrichshafener Jahrbuch für Geschichte und Kultur*, 3 (2009), 73; Roman Spiss, *Saisonwanderer, Schwabenkinder und Landfahrer: die gute alte Zeit im Stanzertal* (Innsbruck: Wagner, 1993).

so-called “enclosure” thesis of compulsory schooling.³⁹¹ Over the course of the nineteenth century, children were increasingly removed from the private domain of the home at early ages so that they could be segregated into child-centered spaces. In the Austrian case, this can be seen in the paragraphs concerning legal minority from the *Allgemeine Bürgerliche Gesetzbuch* of 1811. While mothers served as the primary guardian for those aged five and younger, fathers took this role for older children. In this way, the father could facilitate the child’s transition from the home to wider world of school and work.³⁹² According to this thesis, as schooling authorities gained in their capacity to compel attendance, this reinforced the notion that the life stages of childhood and youth ought to be spatially demarcated by the school and the workplace, “learning” and “earning.”

The Swabian Children reflect this broader trajectory, but with the added wrinkle of cross-border mobility at a time of growing anxieties about national integrity. The migrations raised questions about state sovereignty for children who move. Should migrants released from schooling in one state be compelled to attend while living and working in another? Most of the efforts to control these children centered on schooling. Visas were granted only to those who could demonstrate dutiful attendance. The extraditions of 1908 - 1911 were premised on unpermitted absences. Meanwhile, the recurrent negotiations between Austrian and Württemberg authorities each centered on standardizing compulsory schooling requirements. The question at the heart of these restrictions was whether, if children were released from schooling in Austria, it was appropriate to compel them to attend while in Württemberg. By 1921, authorities on both sides of the border ultimately agreed that the principle of consistent schooling for those aged fourteen or younger trumped such considerations. Children in Austria

³⁹¹ Stephen Lassonde, “Learning and Earning: Schooling, Juvenile Employment, and the Early Life Course in Late Nineteenth-Century New Haven,” *Journal of Social History*, Volume 29, Number 4 (Summer, 1996), 839 – 870.

³⁹² *Allgemeines Bürgerliches Gesetzbuch für die gesammten Erbländer der Österreichischen Monarchie, 1 Theil* (Wien: Aus der K.K. Hof- und Staatsdruckerei, 1811), 54

would continue to receive schooling dispensations to reside abroad over the summers, but this would no longer excuse them from duties while in Württemberg.

One of this dissertation's central emphases has been on the capacity of local state officials as agents of meaningful legal change. The Swabian Children's specific features – their international mobility, their turn to work in agriculture, and their place of origin in what many considered rural backwaters – help to expose these shifting legal constellations. Historians have long recognized the decades straddling 1900 as a period in which “child labor,” as a pejorative for work outside the home, was applied to an ever-widening array of industries and sectors.³⁹³ Annika Boentert argued that by 1914 most reformers had come to accept that agricultural labor was no less deserving of this nomenclature than its industrial counterpart. How, then, does one understand the fact that critiques of the Swabian Children as *Kinderarbeit* were not accompanied by legislation? And moreover, is a legislative absence tantamount to, in Boentert's words, a legal “blind spot?”³⁹⁴ By viewing these children's material practices over the course of the “long” nineteenth century, it becomes evident that many of the ways they changed were the result of pressures placed on them by local state officials. That no new legislation was passed was inconsequential to the fact that after 1891 parents were no longer able to accompany their children abroad or that, from 1908, children could even be extradited. A focus on legislation would suggest that the state exerted little effect on these migrations, as Uhlig indeed concluded. Yet, this conclusion would obscure just how much the state's regulatory regime changes in the eyes of children and their parents.

The scholarship on child labor reform makes it difficult to say whether similar

³⁹³ See, for example, Heywood's discussion of the differences between “children's work” and “child labor.” Colin Heywood, “A Brief Historiography of Child Labor,” *The World of Child Labor: an historical and regional survey* (New York: M.E. Sharpe, 2009), 18 – 19.

³⁹⁴ For this specific term, see Annika Boentert, *Kinderarbeit im Kaiserreich, 1871 – 1914* (München: Paderborn, 2007) 401; for the wider discussion, see 380 – 414.

dynamics prevailed for children in other places or engaged in other forms of work. Part of this dissertation's intervention has been to suggest that scholars could benefit from an approach that centers shifts in material practice on the ground rather than legislation. Treatments that begin with landmark laws and the ambitious statements of child labor reformers tend to ignore the ways that changes in state policy can emerge from other actors and by other means. Local state officials, like those regional school administrators who initiated the first extraditions, can be moved to act by public outrage even when efforts higher up the chain stall. Such initiatives can have a significant effect for individual children and their families. The overwhelming drive to answer the question of legislative effectiveness has decentered the relationship between child laborers and the state, and this has led scholars to miss the diverse pathways by which legal norms were crafted and changed.

Perhaps the most important reason that the Swabian Children deserve to be viewed in connection with broader developments, though, is because their contemporaries viewed them in this light. As early as 1798, Josef Rohrer compared these children to "North American savages" and he brought them into dialogue with general migration patterns throughout the region. Beginning from the 1830s, outraged observers saw in the "child markets" the slave markets of Turkey, North Africa, and the United States. In the century's middle decades, observers situated the Swabian Children in the context of regional migration patterns – as but one permutation of a "provincial plague" that included the *Jenisch*, Italians bound for the kilns of Bavaria, and those headed to work in the textile manufactories lining the Rhine. Much later, the moral panic of 1897 – 1914 emerged from general discussions around secularization, compulsory schooling, and national integrity. The clergy's role in facilitating these migrations under the aegis of the "Swabian Children Association" made them an apt fit for several ongoing controversies. In castigating the Tyrolean state's role in releasing children from

instruction and into the hands of these priests, Social Democrats invoked concern over the Papacy's influence in Austria's domestic politics. In terms of the church's claims to moral authority, the Swabian Children Association provided an opportunity to accuse "good Catholic" Tyrol of hypocrisy. Lastly, the spectacle of children being trafficked by priests across national borders suggested the clergy's unfitness for teaching or overseeing children.

The Swabian Children's significance to contemporaries also had little to do with the scale of their migrations. For much of the nineteenth century, the numbers of participating children seldom rose above a thousand each year from the two Alpine Crownlands. Moreover, the migrations remained throughout a phenomenon limited to predominantly rural places. Even Friedrichshafen and Ravensburg, the largest settlements through which these children passed, were relatively small cities that, in terms of population as well as cultural impact, were eclipsed by much larger urban centers to the north and east. The entire region remained throughout a periphery in their respective empires. Nevertheless, by 1914, the Swabian Children had become sufficiently notable that they garnered mention in the era's most influential child labor studies, on the floors of parliaments across Central Europe, and in Austria's landmark child labor survey of 1907/1908. No longer a mere curiosity, these migrations became a subject of wider social and political discourse.

This project's observations emerged because an interest in centering these children's experiences. This investigation started with the supposition that changes in route, method, duration, and other conditions relating to the journey are more than superficial - that they should not be dismissed as the mere means by which individuals travelled from origin to destination. The conditions of travel matter because they impact how migrants conceptualize their mobility. For the Swabian Children, traveling by foot meant danger, uncertainty, and material deprivation. But it also meant freedom, adventure, and connection. Those who moved

by foot tended to walk with family or friends. They experienced the hardship of the journey, but also the sense of exploration. Days on the road meant time to take in the landscape, to observe peculiar customs, and to otherwise appreciate the unfamiliarity of each new locale. Travel by rail and ferry was altogether different. The financial costs of such modern means of travel meant that migrants tended to move under the guidance of the Swabian Children Association or, after the war, the priestly triumvirate of Wilhelm Walch, Ernst Sittenthaler, and Georg Reichart. None of these intermediaries permitted parents or other adult family members to accompany their children. For those moving by rail, this meant that the severance from home and family came at the time of first departure. Meanwhile, the speed of the journey itself served to flatten the landscape into a series of hubs; the journey became an experience dominated by train stations, ports, and the “child market.”

The state’s driving role in this work emerged from this interest. Most of the shifts in migratory practice were a result of successful state intervention. The turn to rail came both from the actions of the Swabian Children Association and from the Royal Rail Administration’s willingness to grant tickets at reduced rates. Much the same can be said for the ferries. The inns that the children stayed at were likewise negotiated well in advance. Even the regime’s slow dissolution during the 1920s was a result of state intervention. While the Swabian Children Association’s dissolution ended the migrations in Tyrol, the imposition of visa requirements and the requirement that children register as migrant laborers placed additional burdens on those from Vorarlberg.

This project has suggested that other investigations of child migrations and child labor regimes could likewise help decenter legislation in broader scholarships. Current scholarship on other peculiar phenomena generally questions whether efforts by legislators and reformers in Rome, Paris, or Berlin had much impact on the ground. This framing is too restrictive. Like

the Swabian Children, it would be a mistake to consider these other phenomena as static until shaped by intervention from without. Unfortunately, these answers will have to be provided by other scholars. I have been satisfied to demonstrate the dynamics of change for the Swabian Children.

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