

Labor History: Esau Scrip

By Ed Leavy

The coal fields of West Virginia in the 1930s were bleak, difficult places to work. Isolated geographically and economically from the rest of society, families lived in company-owned homes and shopped at company-owned stores. Mines were horribly dangerous places to work; the few safety regulations that existed were widely ignored. No one has ever doubted that life was hard in the coal fields, especially before the United Mine Workers began organizing the fields. The level of depravation, though, has become more apparent as recent research has acknowledged the existence of the Esau system.

Workers' compensation laws existed as far back as 1908, when the first laws were passed in Wisconsin. Ironically, Wisconsin today is the first state to try to repeal Workers' Compensation laws, fast-tracking a bill that would require workers to show that they are in no way responsible for their injuries. Since workers – especially injured workers who may have no ability to earn a paycheck – lack the resources of the employer that can hold the case up the process indefinitely, workers may end up at the mercy of their employers. The story of the Esau system shows the limits of depending on mercy.

In the rural mine towns of West Virginia, there was no hope of enforcing Workers' Compensation laws. When mine workers got hurt – a regular occurrence – and could not work, the wives or mothers of the workers would be paid by the mine company in Esau scrip. The scrip would allow women who had no other men in their family working to buy goods and food for their family. Almost no women worked, since there were hardly any jobs for women in the mining towns. The mining company owned everything in the town, from the stores to the homes; with the towns so removed from the rest of civilization, US money was viewed as irrelevant.

“Esau scrip” was an Old Testament reference. In Genesis, a starving Esau returns to the tent of his younger brother Jacob. Jacob refuses to feed Esau unless Esau grants him his birthright as the oldest son. Esau agrees, and Jacob inherits his father's wealth for a bowl of food. In the coal mining towns, the agreement was that if the worker returned to the mine within 30 days, the debt for the scrip would be forgiven. If the worker could not return within the 30 days, payment for the loan was due in full. Miners were far too poorly paid to ever accumulate any possessions, the women had to use their bodies as collateral. Mine bosses would overlook the payment of the debt for sex. People have come forward with stories their grandmothers have told them about “having sex with the mine bosses... to get her husband's job back” or even of girls as young as 12 having to “pay off the debt,” and selling their babies if they became pregnant.

For a long time, the history of the Esau system was rumored, but many historians doubted it. They believed that though many of the mining bosses were bad, they weren't *that* bad; they also doubted that the miners would have allowed the system without revolting. Historian Michael Kline began collecting the stories, and found too many similarities among disparate people telling the stories for them not to be true. The women, faced with starvation for their families, believed they had no other choice. The injured miners chose not to ask questions. “The culture was: you do not talk,” says historian Wess Harris. He published his findings in an award-winning article in 2011, and included his findings are included in the book *Truth be Told*. Other historians have since verified his findings. The practice was far more prevalent in some coal mines than others. The coal mines owned by Justus Collins seem to have been among the worst; his Whipple Colliery Company Store near Oak Hill featured a third floor known as the Rape Room; the store is now a museum, providing evidence of the horror.

The Esau system seems to have ended in the early 1930's, when the United Mine Workers organized the mines in the region. The presence of union workers and negotiated contracts created a different climate for mining families. "Once that was in place," says Harris, "the company wasn't going to try to get away with it if you had a union contract." The story of the Esau system, especially seen in light of the unrelenting attacks on unions and the politics that allow Wisconsin today to consider repealing even the most basic protection of Workers' Compensation, show what can happen when employer power is unchecked. It is easy to overlook the power that employers can have over employees when the employee seems to have no other options. In many of the coal mines of West Virginia, that power ran unchecked and was exercised in horrible, depraved ways. Then the union showed up, and empowered people who had been unwilling victims. Let us resolve to make sure working people continue to be empowered by their unions.

Information for this article came from reviews of Truth be Told: Perspectives on the Great West Virginia Mine War by Wess Harris. I have yet to read the book, a failure I hope to rectify soon.