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PROTECTING THE PUBLIC OR PROTECTING BARBERS?

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INTRODUCTION

Barber licensure is often defended as a way to protect the public from unsafe services. During the Progressive Era, states adopted licensing laws for barbers in part because shaving could transmit "barber's itch," a contagious skin condition associated with rashes, itching, and pain. The laws set entry requirements such as registration, examinations, apprenticeships or barber-college attendance, and sanitation rules. The stated goal was straightforward: make it harder for an unsafe barber to operate.

But regulation can serve more than one purpose. The same rules that raise minimum standards can also make it harder for new competitors to enter a market. This distinction matters because a law that raises prices or reduces the number of providers is not necessarily protecting consumers; it may simply be protecting incumbent providers from competition. We examine this question using historical evidence from the states that adopted barber licensure during the Progressive Era and states that did not. The central question is whether licensing actually improved public health or whether it mainly restricted competition.

Our study examines 31 states—15 that adopted and maintained barber licensure and 16 that did not—from 1887 through 1930. We constructed new measures from historical newspapers, including reported cases and outbreaks of barber's itch, advertisements for treatments, and mentions of barber colleges. We combine these data with U.S. Census information on the number of barbers and newspaper reports of shaving prices. We examine both why states adopted licensing and what happened after they did.

POLICY RECOMMENDATIONS

1. Review existing barber licensing requirements and repeal requirements that restrict entry without a demonstrated public-health benefit.
2. Separate sanitation and health protections from unnecessary barriers to entering the profession. Where a health risk is the concern, regulate the risky practice directly rather than imposing broad entry restrictions.

KEY FINDINGS

States did not adopt barber licensing because they were experiencing more barber's itch. Reported cases and advertisements for treatments were not statistically related to the timing of licensing.

Newspaper mentions of barber colleges were strongly associated with adoption. Higher levels of barber college coverage were correlated with a substantially higher likelihood of adopting a licensing law. This relationship is descriptive, not causal, but the timing is telling: competitive pressure from barber colleges was building before licensing was adopted.

We find no evidence that licensing reduced barber's itch. Our estimate implies an average increase of about three reported cases per million people, although the average effect (not statistically significant). Focusing only on reported outbreaks, the estimated effect is about one additional outbreak per 12.5 million people and is statistically significant.

Licensing made barbering more expensive and less open to new providers. Census data suggest that the supply of barbers grew more slowly in licensing states. Newspaper reports also show statistically higher shaving prices in licensing states.

Taken together, the evidence points to a familiar pattern: regulation restricted competition without producing the public health improvement used to justify it.

3. Require evidence that licensing rules improve consumer outcomes before expanding them. In particular, evaluate whether proposed requirements reduce service-related health problems rather than assuming that more training or licensing will do so.

4. Periodically review occupational licensing rules for unintended effects on competition, prices, and the supply of providers. Licensing should not become a mechanism for incumbent providers to shield themselves from new competitors.

SUMMARY

The main lesson is simple: a regulation can be justified in the language of public health while producing very different effects. In the Progressive Era, barber licensing was presented as a way to protect customers from barber's itch. Yet the evidence shows no improvement in that outcome. Instead, licensing was associated with fewer barbers, higher prices, and competitive pressure from barber colleges before adoption. Policymakers should therefore treat occupational licensing as a policy choice that requires evidence, not as a default form of consumer protection. Rules aimed at genuine sanitation risks may have a place, but laws that reduce entry and raise costs should face closer scrutiny. If the objective is to protect consumers, policy should target the health risk itself while leaving room for new providers to compete.

The history of barber licensing offers a broader warning. When organized interests have something to gain from regulation, their interests can become intertwined with a plausible public concern. Policymakers should ask not only whether a problem exists, but whether the proposed regulation actually solves it—and who benefits when it does not.

Source

Alvarez, Sean-Patrick, Macy Scheck, and Daniel J. Smith. Cutthroat Competition: Barber Licensure in the Progressive Era. Journal of Law and Economics. Forthcoming.

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