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Federal Aid to Women and Children: The Children's Bureau, the Social Security Act, and Political Development Victories and Failures

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Abstract

The Social Security Act of 1935 and its 1939 amendments included federal programs for maternal and infant welfare, child welfare services, and Aid to Dependent Children (ADC). Inclusion of these programs is largely owing to women reformers' long advocacy for public assistance to families in need. The Social Security Act nationalized aspects of the program championed by the Children's Bureau, itself a product of women's civic organization and institution building. These advances laid the ground for crucial components of the contemporary American welfare state, which included surveillance and intrusion into the lives of ADC families and the perpetuation of a system of subnational administration that reproduced racial inequality. Yet critics of these female reformers have not fully considered the institutional constraints they faced and the policy transformations they did not control. This article considers the policy achievement of maternalists in terms of its policy failures by considering the bureaucratic struggles of female reformers once they reached access to federal policymaking, culminating in the Committee on Economic Security that led to the Social Security Act. We consider the strategies from a place of both access and marginalization as they jockeyed for bureaucratic territory with others with different claims to expertise.

1. Introduction

The Social Security Act of 1935 and its 1939 amendments included federal programs for maternal and infant welfare, child welfare services, and Aid to Dependent Children (ADC). The Social Security Act nationalized aspects of the assistance program long championed by the Children's Bureau, itself a product of women's civic organization and institution building dating back to the late-nineteenth century. The advances made by women reformers for public assistance to families in need laid the ground for crucial components of the contemporary American welfare state.[1]

From a political development perspective, we can see that, over the course of several decades, a locally based movement had built governmental capacity in social service delivery across many parts of the nation, developed state-level administration in some places, established an institution within the federal government that encouraged programs that supported mothers and children in need, and converted mothers' pensions into a program of the federal government. By 1939, a number of the social services provided in Cook County, Illinois in 1899 were available nationwide, under federal funding and administrative authority. In the calculus of political development, progressive female activists and their allies had birthed noteworthy accomplishments.

A major policy innovation of women reformers was enshrined into federal law, but critical features and goals of the program were lost and the progressive vision that gave rise to this federal law was vanquished.[2] A narrative of achievement in political development is problematic for several reasons. First, mothers' pensions ended up *out* of the hands of the reformers who had birthed the movement and *in* the hands of Social Security Administration (SSA) officials who had neither expertise, nor particular interest in, mothers and children. As far as Children's Bureau reformers were concerned, the wrong agency was charged with implementing the program. Second, what was signed into law was not the program these female activists now serving in government had hoped and tried to design.[3] Children's Bureau leaders

[1]Theda Skocpol, *Protecting Soldiers and Mothers: The Political Origins of Social Policy in the United States* (Cambridge: Belknap Press, 1992).

[2]See Robert P. Saldin's analysis of Community Living Assistance Services and Support, part of the ACA, in *When Bad Policy Makes Good Politics* (New York: Oxford University Press, 2017).

[3]"What about mothers' pensions now?" Speech, 1934, Box 24 folder 13. Edith and Grace Abbott Papers. Hanna Holborn Gray Special Collections Research Center, University of Chicago Library [SCRC].

had hoped, through imposition of federal standards, to broaden eligibility for mothers' pensions, end punitive practices that prevailed in too many counties under local pension administration (a survival from the era of poor relief and charities), and remedy race-based exclusions.[4] The ADC program was not preventative, it separated children's aid and mothers' aid, it cast mothers as unemployables rather than as deserving of earned income for labor performed, and it was not adequately funded. Third, when ADC lodged administration with state agencies, it bypassed the experts in various parts of the country that reformers had spent decades training. A number of New Dealers expected that transferring governance from the local to the national level would result in greater efficiency, more professional agencies, and better and perhaps even more responsive policies; yet with ADC, nationalization was incomplete, perpetuating some of the problems reformers had previously identified. And fourth, maternalist reformers had been working to extend to the entire society values such as nurturance and care, which were associated with women's capacities as mothers.[5] By the mid-1920s, they had expressed aspirations for the creation of a department of labor and welfare that would encompass a more holistic notion of the environmental factors affecting mothers' and children's health.[6] Now, their comprehensive approach to social problems was supplanted as a centerpiece of their efforts was parceled out to other federal agencies.

Getting ADC into the Social Security Act was a deeply flawed victory. This is then, in part, a story about policy failure. The part of the Social Security Act that nationalized family support had critical defects, not only in the eyes of those who had championed the nationalization of such support, but in the eyes of subsequent scholars. Some of the negative consequences were predictable.[7] What became of their public assistance goals provides insight into the limited position these reformers occupied.[8] We investigate here what happened to unravel what had been such a vibrant, and often successful movement, and what this policy history stands to tell us about American political development.[9] Here, we look to the state to consider how it played a role in producing undesirable outcomes and also in shaping maternalist strategy in pursuit of their broader goals. When we focus on political development perspectives, we are reminded of the partial, incomplete, and uneven nature of political change.[10]

2. Addressing critics of maternalists' mothers' pensions

Critics have attributed this policy failure to the policy itself, not to the manner in which services were nationalized or layered. These critics blame the reformers who created mothers' pensions for leaving a legacy of racialized, surveilled, inherently unequal social services. In the 1980s and early 1990s, feminist scholars emphasized gender at the core of the welfare state, locating the crucial importance of gender both in the influence of women in shaping these policies prior to the New Deal and in the design of social policy, which reproduced the subordination of women.[11] Wendy Mink pointed to the standard of womanhood advanced by reformers as one that was based on whiteness, obscuring racial difference and inscribing disparate experiences of recipients based on race, class, and political position.[12] Continued critical race critiques have pointed to the sideswiping of alternatives offered by Black women reformers in the shaping of mothers' pension programs.[13] Dorothy Roberts traces the patriarchal assumptions of Progressive Era white women reformers to the family surveillance authority that has become a tool of the state in the era of mass incarceration, inviting the state to break up Black families in the name of child welfare.[14]

These critics of maternalism trace U.S. policy shortcomings and failures regarding support for women and children to the select group of largely white, middle-class female reformers who spearheaded juvenile court and mothers' pensions movements. They have pointed out the legacy of the early years of mothers' aid—featuring casework, evaluation of fitness of mothers and suitability of homes, and close supervision—and the development of tools of surveillance of the ADC program under Social Security. Under ADC, vulnerable groups faced regulation, paternalism, and stigmatization.[15] Maternalists were blamed for creating a system that policed families rather than one caring for children.[16] Local administration of early mothers' pensions tended to lead to *de facto* exclusion of women of color and poor unwed mothers from receipt of public benefits, casting them as undeserving beneficiaries of this governmental program.[17] These social provisions "tilled the soil of a racialized politics of dependency" in American citizenship[18] and contributed to persistent toxic racialization of the welfare program.[19]

Once enshrined in the Social Security Act, critics argue, these legacies contributed to divided citizenship in the New Deal state.[20] Critics have pointed to the strong emphasis on the home in mothers' pensions, which reified the gendered hierarchy of the family.[21]

[4]Barbara Machtinger, "The U.S. Children's Bureau and Mothers' Pensions Administration, 1912-1930," *Social Service Review* 73, no.1 (March 1999): 110.

[5]See Seth Koven and Sonya Michel, eds. *Mothers of a New World: Maternalist Politics and the Origins of Welfare States* (New York: Routledge, 2013).

[6]1933-34—Part One. Manuscript, Box 93, folder 3. SCRC.

[7]See, e.g., Ruth O'Brien, *Workers' Paradox: The Republican Origins of New Deal Labor Policy, 1886-1935* (Chapel Hill and London: University of North Carolina Press, 1998).

[8]Carol Nackenoff and Julie Novkov, "Statebuilding in the Progressive Era: A Continuing Dilemma in American Political Development," in *Statebuilding from the Margins: Between Reconstruction and the New Deal*, eds. Nackenoff and Novkov (Philadelphia: University of Pennsylvania Press, 2014), 1–31.

[9]We note here the important contribution of Michelle Bezark, who also focuses on structural and institutional factors when looking at the state-building implications of Sheppard-Towner in "'Our arithmetic was unique': The Sheppard-Towner Act and the Constraints of Federalism on Data Collection Before the New Deal," *Journal of Policy History* 33, no. 2 (2021): 183–204.

[10]Karen Orren and Stephen Skowronek, *The Search for American Political Development* (Cambridge: Cambridge University Press, 2004), 108.

[11]See Linda Gordon, ed., *Women, the State, and Welfare* (Madison: University of Wisconsin Press, 1990); Mimi Abramowitz, *Regulating the Lives of Women: Social Welfare Policy from Colonial Times to the Present* (New York: Routledge, 1988).

[12]Gwendolyn Mink, *The Wages of Motherhood: Inequality in the Welfare State, 1917-1942* (Ithaca: Cornell University Press, 1995).

[13]Deborah E. Ward, *The White Welfare State: The Racialization of U.S. Welfare Policy* (Ann Arbor: University of Michigan Press, 2005).

[14]Dorothy Roberts, *Torn Apart: How the Child Welfare System Destroys Black Families—and How Abolition Can Build a Safer World* (New York: Basic Books, 2022).

[15]Martha Albertson Fineman, "Equality, Autonomy, and the Vulnerable Subject in Law and Politics," in 16 *Vulnerability: Reflections on a New Ethical Foundation for Law and Politics*, eds. Martha Albertson Fineman and Anna Grear (Farnham, Surry and Burlington, Vermont: Ashgate Publishers, 2013).

[16]Roberts, *Torn Apart*; See Jacques Donzelot, *The Policing of Families*, trans. Robert Hurley (Baltimore: Johns Hopkins University Press, 1997).

[17]E.g., Linda Gordon, *Pitied but Not Entitled: Single Mothers and the History of Welfare, 1890-1935* (Cambridge: Harvard University Press, 1994); Ward, *The White Welfare State*.

[18]Mink, *The Wages of Motherhood*, 127.

[19]Anna Marie Smith, *Welfare Reform and Sexual Regulation* (New York: Cambridge University Press, 2007); Ange-Marie Hancock, *The Politics of Disgust: The Public Identity of the Welfare Queen* (New York: NYU Press, 2004).

[20]Suzanne Mettler, *Dividing Citizens: Gender and Federalism in New Deal Public Policy* (Ithaca: Cornell University Press, 1998).

[21]Eileen Boris and Jennifer Klein, *Caring for America: Home Health Workers in the Shadow of the Welfare State* (New York: Oxford University Press, 2012), 23.

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Women's citizenship was established as maternal dependence while men's economic security was tied to "fair wages, unions, and social insurance."[22] Men, predominantly white, enjoyed privileges of national citizenship, while women and minority men were relegated to policies and whims of administrators at subnational levels.[23] The existing order was reinforced along lines of both race and gender.[24] As public assistance programs became stingy and stigmatized, social insurance programs were well-funded and became widely respected. This can all be traced back to the maternalist vision; for Linda Gordon, the maternalists' "children first" policy was a net loss for both women and children in the New Deal.[25]

The perspective shifts when we place these reformers in an institutional context, where they encountered a number of obstacles as they sought to enact their visions. In shifting focus to the politics of American federalism, Michelle Bezark finds that the Children's Bureau's lack of authority to collect data on the Maternity-Infancy program presented a structural and political impediment. Data collection rested on states, who delivered uneven data, which drew ready criticism of the program from opponents.[26] Jane Perry Clark found that this political pressure extended to personnel standards for the Maternity-Infancy program, with the Children's Bureau reluctant to be seen as interfering in state administration.[27] Kimberley Johnson, who also focuses on structural and institutional contexts, points to the need for the Children's Bureau to focus on less divisive issues as a strategic choice to avoid political attack.[28] These accounts note that the Children's Bureau, which had achieved a spot in the Department of Labor, "trod lightly" and practiced "self-effacement."[29]

These reformers remained constrained within the very institutions they had access to. Maternalists had race and class-based perspectives and they leveraged their perspective and privileges.[30] Their networks generally remained white, ignoring or excluding Black reformers who were working to provide schools, medical clinics and other services to their immediate communities.[31]

White maternalists used their privilege and connections to gain access, first at the county courts, then with state level mothers' pension programs, and finally in the federal government. Yet at each of these points of entry, they operated at the margins of the state. These women reformers enjoyed enough connections to establish juvenile courts and subsequent maternalist programs. While able to introduce maternal social services as part of governing, they were not equipped to fully advance or control their programs.

This positionality allows us to consider the political and institutional constraints upon the legacy of women reformers along with some of their notorious consequences. One key dimension in this exploration of policy failure involves transformation of claims to authority and expertise. The kind of expertise Progressive Era maternalists had built up was being increasingly marginalized. They lost hope of housing their programs under one bureaucratic roof. Related to this were struggles for bureaucratic authority—which, under both a Republican and a Democratic president, pitted the leaders of the Children's Bureau against other claimants who had strong support in Washington. In addition, both Hoover and Roosevelt planned for reorganization and rationalization of the executive branch, and their administrations prioritized consolidating what *they* considered related programs into fewer agencies. The legislative branch posed other challenges. During deliberations on Social Security, Congress appeared singularly uninterested in dimensions of new economic security initiatives that involved women and children and were also unwilling to disrupt certain state welfare prerogatives. Not only was the Bureau reduced to narrow functions, but ADC, under the new SSA, became an increasingly stigmatized program, contrary to the aspirations of maternalists.

These female reformers' own place in hierarchies of citizenship affected the kinds of authority claims they could make and figured into their strategic calculations; their influence on the shape of welfare policy underscored women's roles as mothers.[32] The framework, centered around women's experience and knowledge claims about mothers and childcare, had helped them secure their institutional base and maintain claims to expertise. They attempted to guard their source of authority, knowledge claims, and institutional base from erosion and institutional reorganization.[33] Risking exclusion or marginalization in planning for the future, maternalists were not very well placed to exploit the policy window for federal social provision that opened up in the early New Deal. Shifting our emphasis toward the state, we ask how existing institutional constraints shaped bureaucratic tactics and reformers' political strategies.

By locating the context in which reformers operated, particularly when, where, and how they gained access to the federal government, we can appreciate how maternalism posed both an opportunity and constraint. Reliance on the core identity of maternalism and the tools maternalist reformers had developed to gather and disseminate data rooted them and helped them to retain their seat at the table in New Deal policymaking.[34] Yet the basic core of

[22]Mink, *The Wages of Motherhood*, 126.

[23]Mettler, *Dividing Citizens*; Ira Katznelson, *When Affirmative Action was White* (New York: W.W. Norton, 2005); Robert Lieberman, *Shifting the Color Line* (Cambridge, MA: Harvard University Press, 1998); Karen Tani notes the endurance of intergovernmentality, both before and after the New Deal, in *States of Dependency: Welfare, Rights, and American Governance, 1935-1972* (New York: Cambridge University Press, 2016).

[24]Boris and Klein, *Caring for America*, 23.

[25]Linda Gordon, "Putting Children First: Women, Maternalism, and Welfare in the Early Twentieth Century," in *U.S. History as Women's History*, eds. Linda Kerber et al. (Chapel Hill: UNC Press, 1995), 80.

[26]Michelle Bezark, "Our arithmetic was unique," 186.

[27]Jane Perry Clark, *The Rise of a New Federalism: Federal-State Cooperation in the United States* (New York: Columbia University Press, 1938), 197.

[28]Kimberley S. Johnson, *Governing the American State: Congress and the New Federalism, 1877-1929* (Princeton: Princeton University Press, 2007), 140–41.

[29]Johnson, *Governing the American State*, citing Clark, at 148; Bezark, "Our arithmetic was unique," 185. In *States of Dependency*, Karen Tani points to the use of rights by government officials to transition local administrators from the language and authority of locally administered poor relief. David Brian Robertson points to analogous constraints that explain the moderate position of the American Federation of Labor in "Voluntarism Against the Open Shop: Labor and Business Strategies in the Battle for American Labor Markets," *Studies in American Political Development* 13, no. 1 (Spring 1999): 147.

[30]In launching Chicago's juvenile court movement, reformers relied on connections to lawyers and judges to get the bill introduced in the Illinois legislature. See Victoria Getis, *The Juvenile Court and the Progressives* (Urbana: University of Illinois Press, 2000), 28; Florence Kelley, "Women and Social Legislation in the United States," *Annals of the American Academy of Political and Social Science* 56 (November 1914): 62–70; Julia Lathrop, Memorandum, in Lathrop, Julia, Correspondence and Memoranda, 1917, Box 3 folder 18, Juvenile Protective Association Records, Special Collections and University Archives, University of Illinois at Chicago.

[31]Gordon, *Pitied but not Entitled*, 70–71; 114.

[32]Elizabeth Cohen, *Semi-Citizenship in Democratic Politics* (New York: Cambridge University Press, 2010), posits citizenship as a bundle of rights, where there are multiple types of rights, and different combinations and degrees of citizenship rights; Mary Poole, *The Segregated Origins of Social Security: African Americans and the Welfare State* (Chapel Hill: UNC Press, 2006).

[33]Skocpol, *Soldiers and Mothers*, 368.

[34]In *Governing the American State*, 151–152, Johnson makes the point about the role of the Bureau's statistical resources in gaining them a seat at the table when New Deal reformers turned to Social Security.

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maternalism—care of mothers and children—was separated from a larger agenda connecting this care to the environment, the economy, public health, and the home. As this vision was constrained, the United States began to lag behind a number of other advanced industrial democracies in family policies while the program that remained carried racial disparities into American political development.[35]

Maternalists faced competition between different progressive forces within various federal government institutions.[36] Struggles between institutions and between policy entrepreneurs figured importantly in shaping policy fortunes for aid to women and children. Under its first chief, Julia Lathrop, the Children's Bureau expanded its mission, and its support network was solidified. However,

> the strong-minded women selected as bureau chiefs were unable to maintain a consistently expansive mode after the term of the first chief.… In each decade the seeds of transformation were conceived only to be aborted in the bureaucratic and political universe in which the Children's Bureau was situated.[37]

What women advocated for had less traction by the late 1920s; women's moral authority was not as easily deployed as it had been in the run-up to World War I.[38] Some politicians had supported aid to women and children in the Sheppard-Towner Act largely because they thought (and a number of women claimed) that the women's vote would be wielded as a bloc; by the latter part of the 1920s, politicians realized this was a chimera.[39]

Despite the power critics have attributed to maternalism as the root cause of inequality in child welfare, the Children's Bureau lacked bureaucratic autonomy. Dan Carpenter argues that "bureaucratic autonomy prevails when a politically differentiated agency takes self-consistent action that neither politicians nor organized interests prefer but that they either cannot or will not overturn or constrain in the future."[40] The Bureau had support networks with actors outside the agency, but it "lacked the broad coalitional and institutional support that other federal bureaus enjoyed."[41] The grassroots movement that had advocated for its creation and that had supported Sheppard-Towner's passage in 1921 faced a more conservative Congress by the mid-1920s and President Coolidge wanted to curtail formal subsidies to states for Bureau priorities.[42] From this time forward, the Children's Bureau increasingly had to contest policy turf, and it was unable to resist incursions from politicians and ascendant bureaucracies with different policy visions.

Maternalists in the Children's Bureau wanted a single government agency dealing with related economic conditions. They would have preferred that the department in which they were housed be named the Department of Labor, Health, and Welfare.[43] They drew linkages between children's delinquency and economic hardships in the home, and between the chronic exploitation of industrial and immigrant labor and poverty. Children should not, they thought, be split into sociological, educational, and medical parts, and each program should be capable of responding to the entire range of problems that affected children's lives.[44] The Bureau's labor reform agenda had to be couched in terms of specific problems faced by women and children, but the scope of the work was wide. This comprehensive approach was at odds with emerging approaches to science, professionalization, and progress by the time of the New Deal. Newer visions edged out their approach to program design. The shift led to governmental actions that intentionally and unintentionally transformed families.

In an effort to understand what looks like a significant *power shift* and *loss of power* by maternalist reformers, we went back to some archival sources, especially the papers of Grace Abbott, Chief of the Children's Bureau from 1921 to 1934, to track the mechanisms of development in the early days of the New Deal and the shaping of the Social Security Act. Abbott, who had received her B.A. from a small Nebraska college, studied political science and law at the University of Chicago,[45] served on the faculty of the University's School of Civics and Philanthropy, and directed the Immigrants' Protective League before coming to Washington. We drew on various other documents of the period, including reports issued by the Children's Bureau, accounts by Edwin Witte, Executive Director of FDR's 1934 Committee on Economic Security[CES],[46] and congressional records.

3. The early years of mothers' pensions

Finding opportunities within constraints shaped the early years of aid to children and mothers. ADC provisions had roots in the juvenile court movement and the mechanisms used by reformers to re-envision the role of the state so that it developed both the warrant and the means to take on new tasks.[47] With the 1899 establishment of the first Juvenile Court in Cook County, Illinois, reformers began to develop social service provisions within the authority and administrative capacity of county-level courts. Highly critical of political corruption and partisan politics of their time,[48]

[35]For analysis of this phenomenon, see Eileen McDonagh, *The Motherless State: Women's Political Leadership and American Democracy* (Chicago: University of Chicago Press, 2009), especially Ch. 5.

[36]Rogers M. Smith, "The Progressive Seedbed: Claims of American Political Community in the Twentieth and Twenty-First Centuries," in *The Progressives' Century*, eds. Stephen Skowronek, Stephen Engel, and Bruce Ackerman (New Haven: Yale University Press, 2016), 264–88; Marc Stears, *Progressives, Pluralists, and the Problems of the State: Ideologies of Reform in the United States and Britain, 1909-1926* (Oxford: Oxford University Press, 2002); Carol Nackenoff, "Toward a More Inclusive Community: The Legacy of Female Reformers in the Progressive State," in *The Progressives' Century*, eds. Skowronek, Engel, and Ackerman (New Haven: Yale University Press, 2016), 219–42.

[37]Jacqueline E. Parker, "Women at the Helm: Success Politics at the Children's Bureau, 1912-1968," *Social Work* 39, no. 5 (September 1994): 552–53, 558.

[38]Skocpol makes the point about women's pre-suffrage accomplishments in *Protecting Soldiers and Mothers*.

[39]Robyn Muncy, *Creating a Female Dominion in American Reform 1890-1935*. (New York: Oxford University Press, 1991), 101; Bezark, "Our arithmetic was unique," 195.

[40]Daniel Carpenter, *The Forging of Bureaucratic Autonomy* (Princeton: Princeton University Press, 2001), 353, 9 (quote); 255–56.

[41]Bezark, "Our arithmetic was unique," 184.

[42]Johnson, *Governing the American State*, 148–49.

[43]"Memorandum for the Secretary, re The Children's Bureau and Reorganization," August 1933. SCRC; On the naming preference, see 1933-34—Part One.

[44]Muncy, *Creating a Female Dominion in American Reform*, 156.

[45]Edith Abbott, "Grace Abbott: A Sister's Memories," *Social Service Review* 13, no. 3 (1939): 351–407 at 356. Grace studied law with both Ernst Freund and Roscoe Pound and by most accounts, earned a Master's Degree in Philosophy from the University of Chicago in 1909.

[46]We drew on some letters in the Edith and Grace Abbott Papers at the Hanna Holborn Gray Special Collections Research Center, University of Chicago Library, and also Edwin E. Witte, *The Development of the Social Security Act* (Madison: University of Wisconsin Press, 1962).

[47]Carol Nackenoff and Kathleen Sullivan, "The House that Julia (and Friends) Built: Networking Chicago's Juvenile Court," in *Statebuilding from the Margins: Between Reconstruction and the New Deal*, eds. Nackenoff and Julie Novkov (Philadelphia: University of Pennsylvania Press, 2014), 95–117.

[48]See Jane Addams, "Why the Ward Boss Rules," *Outlook* 57 (April 2, 1898), reprinted in Jean Bethke Elshtain, ed., *The Jane Addams Reader* (New York: Basic Books, 2002), 118–24; Carol Nackenoff, "Jane Addams's Democratic Vision," in *The Oxford Handbook*

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progressive reformers turned to the court system, a branch to which they had access through their network of lawyers and judges, and to which they turned to deal with at-risk youth.[49] The doctrine of *parens patriae* gave the juvenile court the authority to intercede on behalf of children, including those who were not being cared for adequately as a result of poverty. The juvenile court could receive children who had been arrested and redirect their sentences, providing social services rather than punishment.

Linda Gordon has noted that paternalism and maternalism are hard to distinguish from one another.[50] Indeed, the initial source of authority for the maternalist project was a parental source of authority, with the parenting power of the state modeled on patriarchal authority.

During the first decade of the twentieth century, progressive legal scholars and lawyers believed local courts were key players in the process of making law more responsive to social needs.[51] Reformers built the court's capacity to administer services, and the court became the site for training social workers. Probation officers acted as social workers to study the child's case and home conditions, advocated before the court, and served what they saw as the child's needs. The probation officers of the court, frequently volunteers from the Chicago Woman's Club and the Illinois Federation of Colored Women's Clubs, visited homes, collected data on family members, and removed children from unsuitable surroundings in what sometimes looked like highly publicized raids, accompanied by police. Black children were far more likely to be removed from the home and institutionalized than were white immigrant children.[52] Increasing rates of Black children's incorporation into the juvenile justice system "did not translate into equal black youth and community access to the juvenile court movement's citizen-building ambitions."[53] Black children who came to the attention of the juvenile court usually had markedly inferior access to rehabilitative services than their white counterparts. Even reformers regarded accommodations for semi-delinquent Black youth as inadequate.[54] Officials at northern detention homes serving Black youth generally steered boys toward menial work, with little attempt at rehabilitation. Except for the efforts of Black clubwomen and Black probation officers, the Black constituency cannot be deemed to have been a high priority for white maternalists.[55]

Expanded juvenile court powers to compel school attendance, attack truancy, and sweep up children found on the streets during school hours occasioned complaints of intrusion into family decisions.[56] Opponents asserted that agents of the court were "child snatchers," traffickers in children, and participants in child enslavement.[57] Juvenile court workers gradually became less aggressive in child removal, and Merritt Pinckney, Cook County juvenile court judge from 1908 to 1916, let the legislature know that he was "unwilling to continue to order children moved from their mothers' care and placed in an institution on the ground of poverty alone."[58] Determining that the best situation for children was to be with their mothers, practices shifted toward relying on the established casework of probation officers to assess the suitability of the child's home.

The next step in institutional development was to devise a way for mothers to stay home with their children. President Theodore Roosevelt's 1909 White House Conference on the Care of Dependent Children, attended by a number of Chicago reformers, considered various ideas for mothers' pensions. After the Conference, Edith Abbott's "Women in Industry" surveyed women in the workplace and concluded that "unskilled women could never work their way to economic independence."[59] The resultant policy rested on a realistic economic assessment that mothers who left the home to work would likely be placed in low-wage jobs, possibly with long hours, allowing them little time with their children. If poor mothers could not earn a family wage, then aid to mothers could give mothers the support needed to promote the social, economic, and health needs of children if they were in otherwise acceptable homes.[60] Grace Abbott viewed mothers' pensions as the first social insurance laws, providing mothers whose husbands were dead or incapacitated with aid that was more generous than poor laws.[61]

A frequently repeated claim was that the destitute mother only takes from the state money that is her right for a service provided

of Jane Addams, eds. Patricia M. Shields, Maurice Hamington, and Joseph Soeters (New York: Oxford University Press, 2023), 37–54.

[49]Nackenoff and Sullivan, "The House that Julia (and Friends) Built."

[50]Gordon, *Pitied but not Entitled*, 55.

[51]See Michael Willrich, *City of Courts: Socializing Justice in Progressive Era Chicago* (New York: Cambridge University Press, 2003), xxvii. Louis Brandeis and Roscoe Pound (the latter, more briefly) both had connections to some of the Chicago reformers.

[52]David Tanenhaus, *Juvenile Justice in the Making* (New York: Oxford University Press, 2004), 74–75. According to Charities Service Reports (1913), over 40 percent of English, Austrian, Irish, and Russian families were pensioned by the juvenile court in Chicago that year (Tanenhaus, 75).

[53]Geoff K. Ward, *The Black Child-Savers: Racial Democracy and Juvenile Justice* (Chicago: University of Chicago Press, 2012), 90. He finds evidence of a sharp increase in the Black incarcerated population, including youth, and especially among Black women and girls. Data available for 1904 and 1910 (2 years where data on race and incarceration were collected) shows that "in the 1904 census, black male and female children represented 13 and 15 percent, respectively, of juveniles incarcerated in public institutions nationwide, whether committed to juvenile or adult institutions. By 1910, the proportional representation of black male juveniles in U.S. carceral institutions had doubled to 27.5 percent while that of black girls nearly tripled to 39 percent." (Ward, 87–88; quote 87).

[54]Ward, *Black Child Savers*, 84, 159. Chicago's Black population was about 7 percent of the total in 1927, and Black youth constituted 22 percent of the caseload of the juvenile court (Ward, 84). In 1927, Harry Hill complained of lack of resources for the adequate care of Black children, stating "practically no institutions are to be found in the community to which [black] children may be admitted: (Hill, quoted in Ward, 84). See also Anne Meis Knufer, *Toward a Tenderer Humanity and a Nobler Womanhood* (New York: New York University Press, 1996), 72–74 and "Professionalizing Probation Work in Chicago, 1930-1935," *Social Service Review* 73 (December 1999): 480–81.

[55]Ward, *Black Child Savers*, 160, 105.

[56]See Edith Abbott and Sophonisba P. Breckinridge, *Truancy and Non-Attendance in the Chicago Schools* (Chicago: University of Chicago Press, 1917), 86–87.

[57]Helen Jeter, *Chicago Juvenile Court* (Chicago: University of Chicago Libraries; reprinted from U.S. Department of Labor, Children's Bureau, Publication 104, 1922), 6.

[58]Grace Abbott, "The Social Security Act and Relief," *University of Chicago Law Review* 4, no. 1 (December1936): 48.

[59]Joanne Goodwin, *Gender and the Politics of Welfare: Mothers' Pensions in Chicago, 1911-1929* (Chicago: University of Chicago press, 1997), 46.

[60]Mark H. Leff, "Consensus for Reform: The Mothers'-Pension Movement in the Progressive Era," *Social Service Review* 47, no. 3 (September 1973): 400. See also Merritt W. Pinckney, "Public Pensions to Widows," in compiler, *Selected Articles on Mothers' Pensions*, ed. Edna D. Bullock (White Plains: H.W. Wilson Co., 1915), 140.

[61]Mother's Aid Social Work Year Book 1937, box 25, folder 3. SCRC. The American Association for Labor Legislation, supported by a group of economists, pursued a different kind of social insurance, promoting workers' compensation programs. G. William Domhoff and Michael J. Webber, *Class and Power in the New Deal: Corporate Moderates, Southern Democrats, and the Liberal-Labor Coalition* (Palo Alto: Stanford University Press, 2011); Bruce Kaufman, "John R. Commons and the Wisconsin School on Industrial Relations Strategy and Policy," *Industrial and Labor Relations Review* 57, no. 1 (October 2003), 3–30; John R. Commons, "How the Wisconsin Industrial Commission Works," *American Labor Legislation Review* 3, no. 1 (1913): 9–14. See Goodwin, *Politics of Welfare*, 51–54; Gordon, "Putting Children First." The AALL did not include mothers, and its clear rules lie in contrast to the intrusive case work of mothers' pensions. Barbara Nelson, "The Origins of the Two-Channel Welfare State: Workmen's Compensation and Mothers'Aid," in *Women, the State, and Welfare*, ed. Linda Gordon (Madison: University of Wisconsin Press, 1990), 138, 145.

(maintaining a home), akin to military service.[62] "Pension" suggested reward for past services.[63] Rights language also extended to children, who had a right to the care of a "well-rested and well-nourished mother."[64] Although maternalists sought to valorize mothers' care work, mothers' pension bills did reinforce gendered roles in the labor market and in the family. Local administrators generally excluded households with an able-bodied father.[65] If women worked too many hours, they were often disqualified from receiving pensions for failure to maintain a healthy home environment.[66] Nationwide, families headed by widows were those most likely to receive aid.[67] The practice of awarding pensions also reinscribed racial hierarchy. In 1926, only 24 of the 573 Black women who applied for mothers' pensions in Chicago received them.[68] The Children's Bureau flagged these racial disparities in 1931.[69]

The institutionalization of the first mothers' pensions in 1911 was spearheaded by juvenile court judges and reformers, administered initially by juvenile courts.[70] Within twenty years, all but two states established mothers' aid laws, and in the mid-1920s, juvenile courts administered the program in at least twenty states.[71]

4. The Children's Bureau and its limited reach

The idea of establishing a Children's Bureau was advanced at the 1909 White House Conference on the Care of Dependent Children.[72] The Children's Bureau investigated, collected statistics, wrote reports, and advocated for policies and enhanced state and local resources to aid women and children; yet it exercised "no direct control over finances or administration" of these programs.[73] These design features created a number of frustrations and problems. The New Deal seemingly offered the opportunity to implement a national program, with national funding and uniform standards.

The Children's Bureau, founded in 1912, had to be pitched as a "fact-gathering" bureau "to soften fears that it would become a bureaucracy for child labor laws."[74] Investigation, data gathering, interpretation and reporting were central to its mission; the act creating the Bureau charged it "to investigate and report … upon all matters pertaining to the welfare of children and child life among all classes of our people."[75] Data collection and dissemination had been a central component of female reform efforts since the Hull-House Maps and Papers project was released in 1895.[76] One of the early efforts of the Children's Bureau would be to develop a nationwide system for the documentation of births, bringing it into partnership with the Census Bureau.[77] The new Children's Bureau leaders believed that data had the power to transform social inequality.[78] It was essential to avoid the appearance of fostering a wider labor reform agenda. Julia Lathrop was a viable candidate for first chief of the Bureau not only because of her reputation for strong executive ability but because, upon investigation, she was found not to have signed any petitions for labor organizers who had resorted to violence.[79]

The Children's Bureau did end up administering the short-lived federal child labor law of 1916; Grace Abbott joined the Bureau in 1917 to lead this effort.[80] In preparation for a federal ban on child labor, and with mothers facing the prospect of loss of their children's wages, reformers sought to ensure aid to mothers so that they could remain at home. In 1917, Abbott proposed a federally funded, nationwide program for public protection of maternity and infancy. That funding would come in the Sheppard-Towner Maternity and Infancy Act of 1921, the year

[62]Frederic C. Howe and Marie Jenney Howe, "Pensioning the Widow and the Fatherless," in *Selected Articles Mothers' Pensions*, 122 (quote); B. B. Lindsey, "The Mothers' Compensation Law of Colorado," in *Selected Articles on Mothers' Pensions*, 23.

[63]F. Howe and M. Howe, "Pensioning the Widow and the Fatherless," 122–23. See Eileen McDonagh, "Ripples from the First Wave: The Monarchical Origins of the Welfare State," *Perspectives on Politics* 13, no. 4 (December 2015): 992–1016 for the argument that when care work is seen as state work, welfare states are seen as institutions analogous to the family, and why this analogy failed to take root in the United States.

[64]William Hard, "Financing Motherhood," *Delineator* 82 (April 1913): in *Selected Articles on Mothers' Pensions*, 95. Hard spoke of the child having certain rights during childhood "if he is to grow up to his best" (94).

[65]Merritt Pinckney, "Public Pensions to Widows," in *Selected Articles on Mothers Pensions*, 145.

[66]Leff, "Consensus for Reform," 400; Pinckney, "Public Pensions to Widows," 140.

[67]Libby Gage Moore, *Mothers' Pensions: The Origins of the Relationship between Women and the Welfare State* (Ph.D. Dissertation, Department of Political Science, University of Massachusetts, 1986), 155; *Mothers' Aid, 1931*. U.S. Department of Labor, Children's Bureau, Publication 220, 1933, 12.

[68]Anne Meis Knupfer, "African-American Facilities for Dependent and Delinquent Children in Chicago, 1900 to 1920: The Louise Juvenile School and the Amanda Smith School," *Journal of Sociology and Social Welfare* 24, no. 3 (1997): 193–209 at 195, citing C. Crawley (1927) "Dependent Negro Children in Chicago in 1926," M.A. Thesis, University of Chicago.

[69]Joanne L. Goodwin, "An American Experiment in Paid Motherhood: The Implementation of Mothers' Pensions in Early Twentieth Century Chicago," *Gender & History* 4, no. 3 (Autumn 1992): 334, 337, pointing up that African American women were more likely to be directed to poor relief and to the Court of Domestic Relations, where in-kind benefits were more prevalent than cash benefits; Children's Bureau, U.S. Department of Labor, *Mother's Aid, 1931*, Publication No. 220 (Washington, DC: Government Printing Office, 1933), quote at 13. Linda Gordon, *Pitied but Not Entitled*, 48 notes that as the African-American population grew in northern cities, they seemed to have received a somewhat higher share of aid.

[70]See, for example, Leff, "Consensus for Reform," 405.

[71]"Mothers' Aid" (draft, for *Social Work Year Book*, 1937). SCRC. At this time (1926), twelve states vested mothers' aid responsibilities in county officials who had authority for granting poor relief.

[72]Edward Thomas Devine, then Director of the School of Philanthropy (and General Secretary of the New York Charity Organization Society) claimed a role in the creation of the Children's Bureau. According to him, Lillian Wald and Florence Kelley, while breakfasting at the Henry Street Settlement, noted an upcoming President's cabinet meeting on the menace of boll weevils. Deploring the fact that "We [the nation] count the boll weevil, or the lobster, or a fish, or a pig as more important than a child," the two women imagined a federal bureau that would be concerned specifically about children. Kelley talked with Devine about the idea. He wired President Roosevelt, who replied: "It's a bully idea. Come to Washington and let's see." Elizabeth G. Meier, *A History of the New School of Social Work* (New York: Columbia University Press, 1954), 27.

[73]Barbara Machtinger, "The U.S. Children's Bureau and Mothers' Pensions Administration, 1912-1930," *Social Service Review* 73 (March 1999): 106.

[74]Skocpol, *Protecting Soldiers and Mothers*, 483.

[75]Children's Bureau, U.S. Department of Labor, "The Children's Bureau: Yesterday, Today, and Tomorrow." Document 344. Washington, DC: U.S. Government Printing Office, 1937, 1 (including quote).

[76]Residents of Hull-House, *Hull-House Maps and Papers: A Presentation of Nationalities and Wages in a Congested District of Chicago* (Boston: Crowell, 1895), the Chicago section of a national study of the slums in four major cities, commissioned by Congress. See Ellen Fitzpatrick, *Endless Crusade: Women Social Scientists and Progressive Reform* (New York: Oxford University Press, 1990), Chapter 6.

[77]An early publication of the Children's Bureau was *Birth Registration: An Aid in Protecting the Lives and Rights of Children*. Monograph No. 1. Washington, DC: Government Printing Office, 1914.

[78]Bezark, "Our Arithmetic was unique," 187.

[79]Parker, "Women at the Helm," 552. Several other candidates, including men, were considered.

[80]Hammer v. Dagenhart 247 US 251 (1918) declared the Keating-Owen federal child labor act unconstitutional; Bailey v. Drexel Furniture 259 US 20 (1922) declared the Child Labor Tax law unconstitutional. The Bureau tipped its hand in Bureau Publication 114, "Child Labor in the United States: Ten Questions Answered" (August 1926) that it supported the federal constitutional amendment since more protection and regulation was needed in light of two failed federal attempts to extend protection to child labor by indirect means (18–19).

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Abbott became Chief of the Bureau.[81] Sheppard-Towner, a bold national social welfare program that was designed to provide prenatal and newborn care and reduce maternal and infant mortality, is often deemed the high water mark of the female dominion in American reform and the apex of the power of the Children's Bureau.[82]

Three features of these Sheppard-Towner services would inform the Children's Bureau during the writing of the Social Security Act. First, the Maternity and Infancy Act was administered by state and local officials, continuing parochialism in welfare administration.[83] This arrangement was in keeping with the intergovernmental policy structure of the time.[84] Sheppard-Towner had retained state authority over administration as a necessity to get the law passed.[85] In 1921 and 1922, when the vast majority of states accepted federal funding under the program, however, a number of these local administrators were trained in keeping with the tenets of the juvenile court movement. As child savers expanded the programs and institutional capacity of services, they built up experienced personnel, allies, and policy stakeholders at the state and local level. Having already enlisted a cadre of social workers in social science research and statistics collection, they envisioned building on these resources and offering new training. However, because federal funds under Sheppard-Towner could not be deployed to augment the maternity and infancy work that voluntary organizations had been doing previously, the Act demoted the very groups on which the Children's Bureau had depended for support.[86]

Second, and related to this, one legacy of Sheppard-Towner proved a liability for Children's Bureau women as they sought influence over the emerging Social Security bill. States retained authority over programming and accounting under Sheppard-Towner, and the Bureau was thwarted in its efforts to provide Congress with nationwide statistics to support claims that the programs were working. The Bureau had no authority to compel uniform federal data reporting in this federal matching grant program; "the tension between the Bureau's need for efficient national data collection and the political need for state autonomy was written into the legislation itself."[87] The Bureau was often accused of federal overreach, and there was a constant barrage of criticism as officials administered funding under Sheppard-Towner.[88] With states sometimes collecting no data, or collecting data differently, Children's Bureau officials could not demonstrate the Act's effectiveness nor that federal funds were being well-spent, and could not defend themselves from detractors in Washington when the program was up for renewal.[89] A bureau charged with data collection and that prided itself on documenting problems facing women and children was left in a deeply embarrassing position. Michelle Bezark argues that the Children's Bureau learned lessons from this frustrating and debilitating problem and were able to build into Social Security federal requirements for data reporting by states.[90]

Third was the collection of adversaries. The Sheppard-Towner Act rendered Children's Bureau reformers at odds with physicians in the American Medical Association (AMA) and officials in the Public Health Service (PHS). Both organizations pointed to poor statistics gathering under the Sheppard-Towner Act.[91] A professional association, the AMA preserved its monopoly on medical knowledge in opposition to women reformers and retained its focus on medicine as a business, not a public service.[92] Opposing Sheppard-Towner from the start and viewing it as an "imported socialistic scheme," the AMA remained consistent when it was time for reauthorization.[93] At the time it was to be renewed, Surgeon General Hugh Cumming, opposed to federal grants to the states and objecting to their management outside PHS (i.e., by the Children's Bureau), joined with the AMA in opposition.[94] The maternal and infancy program ended in 1929.[95]

After Sheppard-Towner was terminated, the Children's Bureau's work continued to overlap with PHS. The PHS—given expanded power to investigate human diseases under the legislation that changed its name the same year the Children's Bureau was created—and the Bureau both reflected progressive era aspirations and expansion of the federal role in health and welfare. Early in the century, the PHS embarked on a rural sanitation campaign, was involved in the identification of the cause and means of prevention of typhoid fever, identified the cause of yellow fever, attacked malaria, conquered trachoma and tularemia, and attacked the North American hookworm problem in the American South. The Service published what became "something of a bible for rural sanitation work as well as a blueprint for the development of county health departments."[96] Though not ultimately successful with influenza during World War I and the 1918 pandemic, PHS's extensive efforts earned them further recognition.[97]

PHS researchers, physicians, and nurses increased their involvement in disease control activities on behalf of children, despite the fact that the Children's Bureau was formally responsible for children.[98] A number of key PHS leaders were at odds with the Children's Bureau as they struggled over turf. Surgeon General Cumming, who served from 1920 to 1936, believed the Bureau was "an unqualified agency, largely comprising social workers infringing inappropriately into the field of health."[99] The medical model of sanitation and disease prevention, seen as a key to the engineering feat of the Panama Canal, and work on diseases in the South, had given a large boost to a physician- and

[81]Skocpol, *Soldiers and Mothers*, 44, 495; Edith Abbott, "Grace Abbott and Hull House—Part II," *Social Service Review* 24, no. 4 (December 1950), 518.

[82]Robyn Muncy, *Creation of a Female Dominion in American Reform*, 93.

[83]On this theme, see Lieberman, *Shifting the Color Line.*

[84]Johnson, *Governing the American State*, 43–45.

[85]Bezark, "Our arithmetic was unique," 191.

[86]Muncy, *Creating a Female Dominion in American Reform*, 121.

[87]Bezark, "Our arithmetic was unique," 185–86, 188 (quote).

[88]Bezark, "Our arithmetic was unique," 184, 189.

[89]Bezark, "Our arithmetic was unique," 192–94.

[90]Bezark, "Our arithmetic was unique," 185. 196–97, 199.

[91]Bezark, "Our arithmetic was unique," 194, 197.

[92]Muncy, *Creating a Female Dominion in American Reform*, 136.

[93]J. Stanley Lemons, "The Sheppard-Towner Act: Progressivism in the 1920s," *Journal of American History* 55, no. 4 (March 1969): 779, 780, 781 (quote from the 1922 AMA House of Delegates).

[94]Fitzhugh Mullan, *Plagues and Politics: The Story of the United States Public Health Service* (New York: Basic Books, 1989), 95.

[95]Skocpol, *Protecting Soldiers and Mothers*, 513; Lela B. Costin, *Two Sisters for Social Justice: A Biography of Grace and Edith Abbott* (Urbana: University of Illinois Press, 1983), 140–48; Kriste Lindenmeyer, *"A Right to Childhood": The U.S. Children's Bureau and Child Welfare, 1912-40* (Urbana and Chicago: University of Illinois Press, 1997), 100–03; Michael B. Katz, *In the Shadow of the Poorhouse: A Social History of Welfare in America* (Basic Books, 10th Anniversary ed., 1996), 148–49.

[96]Fitzhugh Mullan, *Plagues and Politics: The Story of the United States Public Health Service* (New York: Basic Books, 1989), 55.

[97]Gary Gernhart, "A Forgotten Enemy: PHS's Fight against the 1918 Influenza Pandemic," *Public Health Reports* 114, no. 6 (1999): 559.

[98]Mullan, *Plagues and Politics*, 90.

[99]Daniel Sledge, *Health Divided: Public Health and Individual Medicine in the Making of the Modern American State* (Lawrence: University Press of Kansas, 2017), 78.

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science-oriented model of eradicating problems rather than the social environmental approach of the maternalists.

Like the Children's Bureau, the PHS was not immune to efforts to restructure related governmental activities in the 1920s. A 1926 study found that forty government agencies, in five cabinet departments and employing 5,000 persons, were involved in public health work.[100] Some called for consolidation of the PHS, but the Service managed to resist. With a growing sense that biomedical research was a key to progress, the PHS Hygienic Laboratory was renamed and its mission expanded as the National Institute of Health under the PHS in 1930. The 1930 Ransdell and Parker Acts strengthened the PHS consistent with the wishes of the Surgeon General, "while giving little ground to other departments of government." Yet the Service acquired little new work under President Hoover.[101] The tension between physicians and these reformers—perceived to be mere laypeople—followed the Children's Bureau into the Great Depression.

Hoover won the support of Progressives, prohibitionists, the National Woman's Party, and a disproportionate share of women in general in 1928.[102] Most of the maternalist reformers, including Abbott, were Republicans.[103] Political parties, both in the United States and elsewhere, tended not to take up the interests of newly enfranchised women, yet histories of suffrage movements suggest that "organized women endorsed progressive issues and mobilized women on these issues outside candidate-centered contexts."[104] Abbott and her allies engaged in protracted efforts to advance causes, drawing on organizations, networks, and solidarities that sustained these activities.[105] Women's groups of this period remained "knit together by dense patterns of multiple memberships."[106] As the administrative state expanded, the Executive Branch became an increasing focus of movement activity.[107]

A number of networked female reform administrators were concentrated in the Department of Labor, yet Abbott and her Children's Bureau allies increasingly felt ignored or even besieged.[108] Hoover had faith in managerial expertise, believed in the benefits of private–public cooperation, and set up conferences and commissions to address social problems.[109] But reorganization and reconfiguration of agencies were also on the table, to support Executive Branch direction of progressive reform efforts. As Secretary of Commerce, Hoover "saw orderly administration resting on the rational grouping of administrative functions and subjects" and thought all functions pertaining to a subject should be in one department.[110] On the face of it, nothing about policy-driven approach to administration placed him at odds with the Children's Bureau.

Hoover hosted a White House Conference on Child Health and Protection in 1930. Mentioning the "problems of dependent children" first when announcing plans for the conference a year in advance, the President said it would be "comprised of representatives of the great voluntary associations, together with the Federal and State and municipal authorities interested in these questions."[111] Hoover turned to Secretary of the Interior Dr. Ray Lyman Wilbur to direct plans for the conference, "with the cooperation of the Secretary of Labor," where the Children's Bureau was lodged. Abbott reported, however, that she and the Bureau were shut out of its planning. Physicians with the American Child Health Association played a major role in organizing the conference. Neither the Children's Bureau nor the Secretary of Labor knew about the details until the announcement that a planning committee would be appointed; Abbott was belatedly included after expressing her concerns but was given a minor role as the Secretary of the Executive Committee, which she found a "wholly nominal arrangement."[112]

Abbott suspected (correctly) that Secretary Wilbur, leading conference efforts, wanted to transfer the health work of the Children's Bureau to the PHS, relocating it to the Interior Department, where the PHS would administer maternity and infancy work. "Wilbur supported the AMA's position maintaining that *all* federal health care work should be the responsibility of the PHS."[113] Like Secretary Wilbur, Hoover was persuaded that the health work of the Children's Bureau should be given to the PHS and lodged in the Department of the Interior, since the Service provided expert professional guidance in the fields of maternity, infancy, and child hygiene. Hoover's willingness to support renewal of the Sheppard-Towner maternal and infant health bill was tied to shifting the administration of the program to the PHS.[114] Some of the arguments made both for and against moving this work to PHS centered on data collection and statistics, with continuing criticism of the Children's Bureau's faulty and unreliable maternal and infant health statistics.[115] "Welfare" work would be left with the Children's Bureau. This would strip the Children's Bureau of one of its long-held duties;[116] no longer would the Bureau be in charge of the needs

[100]Mullan, *Plagues and Politics*, 89, citing James A. Tobey, *The National Government and Public Health* (Baltimore: Johns Hopkins Press, 1926).

[101]Mullan, *Plagues and Politics*, 89, 90 (quote), 102.

[102]David E. Hamilton, "Herbert Hoover: Campaigns and Elections," Miller Center, University of Virginia, https://millercenter.org/president/hoover/campaigns-and-elections; Joan Hoff Wilson, *Herbert Hoover: Forgotten Progressive* (Boston and Toronto: Little, Brown & Co., 1975), 131. Jo Freeman, "Gender Gaps in Presidential Elections," *PS: Political Science and Politics* 32 (June 1999): 191–92 argues that the 1928 election produced the first gender gap, with strong female turnout and possibly as much as a ten-point differential in women's support for Hoover over men's.

[103]See https://socialwelfare.library.vcu.edu/organizations/childrens-bureau/abbott-grace/.

[104]Mona Morgan-Collins, "The Electoral Impact of Newly Enfranchised Groups: The Case of Women's Suffrage in the United States," *Journal of Politics* 83, no. 1 (January 2021): 163.

[105]This is the movement definition employed by Chuck Tilly and Sid Tarrow, *Contentious Politics*, 2nd ed. (Oxford: Oxford University Press, 2015 [2007]), 145.

[106]Elisabeth Clemens, *The People's Lobby: Organizational Innovation and the Rise of Interest Group Politics in the United States, 1890-1925* (Chicago: University of Chicago Press, 1997), 191.

[107]See Sidney Tarrow, *Movements and Parties: Critical Connections in American Political Development* (Cambridge: Cambridge University Press, 2021), 19; Robert Lieberman, *Shaping Race Policy: The United States in Comparative Perspective* (Princeton: Princeton University Press, 2005).

[108]DeLysa Burnier, "Erased History: Frances Perkins and the Emergence of Care-Centered Public Administration," *Administration & Society* 40 (July 2008): 403–22 at 413.

[109]David E. Hamilton, "Herbert Hoover: Domestic Affairs," The Miller Center, University of Virginia, accessed August 18, 2019, https://millercenter.org/president/hoover/domestic-affairs.

[110]Peri E. Arnold, "The 'Great Engineer' as Administrator: Herbert Hoover and Modern Bureaucracy," *Review of Politics* 42 (July 1980): 329–48 at 343.

[111]Herbert Hoover: "Statement on Plans for a White House Conference on Child Health and Protection," July 2, 1929. Online by Gerhard Peters and John T. Woolley, *The American Presidency Project*. http://www.presidency.ucsb.edu/ws/?pid=21852.

[112]Lindenmeyer, "*Right to Childhood*," 165. Letter from Grace Abbott to Julius Rosenwald. April 28, 1930 (quote) Box 36 folder 9. SCRC.

[113]Lindenmeyer, "*Right to Childhood*," 165.

[114]Johnson, *Governing the American State*, 151.

[115]Bezark, "Our arithmetic was unique," 193–94, 197.

[116]Letter from Grace Abbott to Julius Rosenwald. April 28, 1930. In April 1930, Rosenwald responded that he was "much distressed by the attitude of certain powers in the Administration." Letter from Julius Rosenwald, Sears, Roebuck & Co. Executive Offices,

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of the "whole child."[117] Women reformers opposed the narrowing of the notion of health.[118]

Hoover, who found Abbott inflexible and self-righteous, was not hostile per se to the Children's Bureau.[119] He wrote his budget director a few days before the stock market crash that he would be obliged "if you would treat with as liberal a hand as possible the applications of … the Children's and Women's Bureaus. I have great sympathy with the tasks they are undertaking." He increased appropriations for the Children's Bureau each year until 1932.[120] The president's depression-era Committee for Employment expanded the Bureau's reporting of relief to cover all cities with 50,000 or more inhabitants, and the collection of these relief statistics continued until responsibility shifted to the Social Security Board in 1936.[121] Yet Hoover seemed unwilling to maintain the Bureau's integrity.[122]

Bureau supporters believed that attendees of the 1930 Conference were discussing the "proposed dismemberment of the Bureau."[123] The Conference did not receive the Children's Bureau minority report.[124] Abbott raised the omission at the conference, noting that she had not been sent a copy of the majority report. When she had asked for it, she was refused at the Central Office. After Marguerite Wells of the National League of Women Voters submitted "a statement signed by representatives of twelve predominately female organizations protesting the transfer of child health work from the Children's Bureau," Abbott was allowed to read her minority report. Both the majority and minority reports were tabled, so no transfer occurred.[125] However, lines were drawn for those who would later gather to consider Social Security.

The Children's Bureau remained vigilant on reorganization efforts. When the President indicated support for continuance of the Sheppard-Towner Act in 1930; he did not make clear to the Children's Bureau his intention to shift this maternal and infancy work to PHS. Heartened, thirteen national women's organizations participated in a legislative committee on Maternity and Infancy Hygiene, of the Women's Joint Congressional Committee, to urge passage of HR 1195, sponsored by John Cooper of Ohio. This bill, known as the Jones-Cooper Maternity and Infancy Bill, was not reported out of House committee, but it promised to revive Sheppard-Towner under the supervision of the Children's Bureau.[126] Female supporters were surprised when Cooper instead introduced a substitute bill, HR 9888, which rested on Hoover's transfer of health administration to the PHS. HR9888 provided that the federal government would cooperate with state and local authorities in the welfare and hygiene of mothers and children as well as the development of local health services.[127] Under HR 9888, funding—and, notably, functions—would be split. While Children's Bureau would have received funding for child welfare (which was undefined in the Act), the bill would have allocated funding to local health organizations—to be administered by the PHS— for mothers' and children's health.[128]

The Children's Bureau increasingly had to contend with different methodological approaches and knowledge claims of newer cadres of male reformers. The PHS, heavily staffed by medical professionals, was disdainful of the Bureau's "whole child" approach.[129] Camilla Stivers argues that bureau men's philosophy—focusing on expertise and "detached scientific investigation aimed at bringing to light administrative misdeeds and shortcomings"—ultimately became the dominant orthodoxy in public administration.[130] The settlement movement's ideas and values became "public administration's buried heritage."[131] One scholar suggests that the Bureau's "study and reporting" mandate and understandable data dissemination gave the impression (false though it was because the collection was scrupulous and rigorous) that anyone could do this kind of work; the lack of mystery helped undermine them by comparison to agencies with less transparent claims to expertise.[132]

Allocating money to the PHS for county health departments that worked chiefly on communicable diseases and sanitation would mean that maternal and child health would no longer be a priority. Further, the PHS generally did not have personnel devoted to maternal and child hygiene.[133] The President had approached the Rockefeller Foundation to temporarily fund child health work with a $1,000,000 donation; it was based on the county unit structure, and Hoover expressed support for this structure in August 1929. Abbott approved, but noted, "I said I was, of course, in favor of a county health organization—but that child health work would not be done, particularly maternity and infancy work unless special provision was made for that … ."[134]

Abbott saw that removing health work from the Bureau would destroy the "unified approach" to the problems of childhood at the

to Grace Abbott, Department of Labor, Children's Bureau. April 24, 1930. Box 36 folder 9. SCRC.

[117]Lindenmeyer, "*Right to Childhood*," 165.

[118]"Memorandum for the Secretary, re The Children's Bureau and Reorganization," August 1933. SCRC; On the naming preference, see 1933–34—Part One. Manuscript. Eileen Boris and S. J. Kleinberg, "Mothers and Other Workers: (re)Conceiving Labor, Maternalism, and the State," *Journal of Women's History* 15, no. 3 (2003): 102, argue that separate bureaus within Labor for women and for children reflected and reified the split between labor and welfare agendas.

[119]Abbott's name was urged as nominee to be Secretary of Labor, Hoover was not supportive.

[120]David Burner, *Herbert Hoover: A Public Life* (New York: Alfred A. Knopf, 1978), 222, including quote.

[121]Children's Bureau, Part I. Virginia Commonwealth University Libraries Social Welfare History Project. https://socialwelfare.library.vcu.edu/programs/child-welfarechild-labor/childrens-bureau-part-i-2/ According to this source, Senators Robert M. LaFollette (WI) and Edward P. Costigan (CO) Colorado introduced a bill in the fall of 1931, "providing Federal appropriations of $500 million for relief to be administered by the Children's Bureau. Although the hearings showed a clear picture of the great distress in all parts of the country, the bill was defeated in Congress in February 1932."

[122]Burner, *Herbert Hoover*, 222.

[123]"Hoover's Attack on the Children's Bureau and the Election of 1932," box 93 folder 2, SCRC.

[124]Lindenmeyer, "*Right to Childhood*," 170.

[125]Lindenmeyer, "*Right to Childhood*," 170.

[126]HR 1195 was not reported out of committee in 1930; the corresponding Senate bill was S 255. The characterization of the Senate bill by the *Journal of the American Medical Association*, in opposition to the bill, stated that the Children's Bureau would be in charge of administration, and can be found at *JAMA*. 1930;94(16):1240–41. doi:10.1001/jama.1930.02710420052019, "Proposed Resurrection of Sheppard-Townerism," April 19, 1930.

[127]Mary N. Winslow, "Uncle Sam's Babies," *Life and Labor Bulletin* VIII, no. 8 (July 1930): 1.

[128]Memorandum on H.R. 9888, Box 36, folder 9, SCRC.

[129]Parker, "Women at the Helm," 557.

[130]See Camilla Stivers, *Bureau Men, Settlement Women: Constructing Public Administration in the Progressive Era* (Lawrence: University Press of Kansas, 2000), 16, 33, 109 (quote).

[131]Stivers, *Bureau Men, Settlement Women*, 49.

[132]The comparison is made to the Social Security Board, which had a high degree of autonomy in part because outsiders tended not to understand its obscure formulas and actuarial bases for wage and tax increases. See Parker, "Women at the Helm," 557; Martha Derthick, *Policymaking for Social Security* (Washington, DC: Brookings Institution, 1979).

[133]Memorandum on HR 9888.

[134]Memorandum re interview with the President. August 29, 1929, box 36, folder 9. SCRC.

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national level.[135] The Department of Labor "has been, and will be, always concerned with human welfare problems."[136] In June 1932, Abbott convened leaders of national women's organizations to generate a "plan of action" in case the President's reorganization plan went through. The group collected a list of physicians who were favorable to the health mission of the Children's Bureau.[137] As the Election of 1932 neared, the Women's Division of the Democratic Committee urged Abbott to say that President Hoover had not supported the Children's Bureau. She refused, because he had supported the Children's Bureau with funding appropriations.[138]

5. The New Deal: Fighting for a seat at the table

The election of FDR would seem to offer a new era for the Children's Bureau, yet Abbott had to find footing within the Democratic Party. There were new interests and voices in town, vying with the Progressives in the Children's Bureau.[139] To gain access to the Roosevelts, Abbott worked with Mary [Molly] Dewson, Director of the Women's Division of the Democratic National Campaign Committee, who had her own patronage operation.[140] Abbott feared that she might be replaced, but Senator Norris of the Judiciary Committee assured Sophonisba Breckinridge, University of Chicago School of Social Service Administration professor, that he had heard of no attempts to replace Abbott.[141] Abbott retained her position and Frances Perkins, who had worked in Hull-House and shared with Children's Bureau reformers the comprehensive maternalist approach to social problems, was to become the new Secretary of Labor.[142]

The Children's Bureau planned for its participation in the New Deal. Leadership of the Children's Bureau had come to embrace nationalization of some other programs it supported during the 1920s, and now backed national funding and universal availability of mothers' pensions.[143] They supported equalization of aid provision regardless of where a mother lived.

In the Great Depression, county-level administration of children's services was not working well; resources were taxed. Private funds were decreasing as demands for public relief were increasing.[144] By 1933, Abbott estimated that there were 300,000 children being taken care of under mothers' aid provisions, and many more that would be taken care of if there were sufficient funding.[145]

Of more fundamental concern was the structure of county unit administration. The juvenile court movement developed at the county level. Indeed, some counties took charge and implemented and developed social services. Other counties, however, had little to no provision for child welfare. Rural areas and small towns tended to be underdeveloped in the first place. Agricultural and single industry towns, such as mining communities, were "particularly affected" and could not offer child welfare services.[146]

Between 1931 and 1933, there was a net loss of sixty-nine counties no longer able to fund their programs.[147] Some counties cut programs and funds, and some rural counties could not provide services for women and children at all.[148] Abbott thought federal grants-in-aid could overcome the funding problem.[149] With the welfare of children in increasing peril, Abbott hosted a conference on "Present Emergencies in the Care of Dependent and Neglected Children" to emphasize what the Bureau had to offer under crisis conditions. Convening leaders in private and public welfare work from twenty-eight states, Abbott wanted "to hear from all areas so that we shall have a National picture."[150] J. Prentice Murphy, Executive Secretary of the Children's Bureau, prepared a report explaining that the federal government had made a commitment to relief for children, but "[i]n practice, however, in most states and localities it has been extremely difficult to raise standards so as to insure such adequacy."[151]

The earliest federal response, the National Industrial Recovery Administration, worried Abbott. She confided to close Roosevelt adviser, Harvard Law professor and future Supreme Court justice Felix Frankfurter her concern that the NIRA Administrator was empowered to respond to labor crises rather than the Secretary of Labor. The questionnaire the Administrator distributed to industries was "of the most amateurish sort." She found the proposal for a uniform minimum wage "unenlightened." Abbott thought that Secretary Perkins would "be put in the position of having to fight on every issue" with an administrator who, as far as she was concerned, lacked experience in labor issues.[152] It was becoming clear that the experience that Abbott and other child savers had gained over the years was at risk of being given over to New Dealers even though Children's Bureau work was included in New Deal programs and the Bureau expanded in functions, appropriations, and staffing.[153]

[135]Memorandum on HR 9888.

[136]Meeting of the legislative committees on Maternity and Infancy, and Adequate Appropriations for Children's Bureau, of the W.J.C.C. June 15, 1932, box 36 folder 19. SCRC.

[137]Meeting of the legislative committees on maternity and infancy.

[138]Letter to Secretary of Labor Doak, dated October 13, 1932, Box 93, Folder 2, SCRC. Hoover's Attack on the Children's Bureau.

[139]See Johnson, *Governing the American State*, 151–52.

[140]Letter from Mary Dewson to Grace Abbott, dated January 13, 1933. Box 36, folder 13. SCRC; Susan Ware, *Partner and I: Molly Dewson, Feminism, and New Deal Politics* (New Haven: Yale University Press, 1987), 183.

[141]Letter from G.W. Norris, United States Senate Committee on the Judiciary, to Sophonisba Breckinridge. Dated December 23, 1932, Box 93, folder 10, SCRC.

[142]Kristin Downey, *The Woman Behind the New Deal* (New York: Nan A. Talese/Doubleday, 2009), 114; George Martin, *Madam Secretary: Frances Perkins* (Boston: Houghton Mifflin, 1976), 58–61; see, e.g., Frances Perkins, *People at Work* (New York: John Day Co., 1934).

[143]Grace Abbott, *From Relief to Social Security* (Chicago: The University of Chicago Press, 1941), 252–53; Lindenmeyer, *Right to Childhood*, 171. The Children's Bureau bulletins supported raising the standard of practice for midwives (1923) ("The problem of the midwife in the United States is sufficiently important and complex for national concern and responsibility"), supported the Maternity and Infancy Act, and had supported national minimum standards in the case of child labor. See Anna E. Rude, MD, Director, Maternal and Infant Hygiene, U.S. Children's Bureau, June 1923, "The Midwife Problem in the United States"; https://www.mchlibrary.org/history/chbu/20872.PDF. Children's Bureau Publication 114, "Child Labor in the United States: Ten Questions and Answered," August 1926; https://www.mchlibrary.org/history/chbu/20542.PDF See Statements of Secretary Frances Perkins and Chief of the Children's Bureau Katharine Lenroot, Hearings before the Committee on Ways and Means, House of Representatives, 74th Congress, First Session, on H.R. 4120, Economic Security Act, January 25, 1935 (Washington, D.C., U.S. Government Printing Office, 1935).

[144]Letter from Katharine Lenroot to George Hastings, The White House. November 4, 1931, box 36, folder 11.

[145]Grace Abbott, Mother's Aid draft Social Year Book 1937.

[146]Letter from Katharine Lenroot to George Hastings.

[147]"Mothers' Aid."

[148]"Mothers' Aid." See also Jane Hoey, "Aid to Families with Dependent Children," *The Annals of the American Academy of Political and Social Science* 202 (1939): 75.

[149]Department of Labor note. N.d. [1934 or 1935], box 24 folder 14, SCRC.

[150]1933-34—Part One, Manuscript, 3.

[151]1933-34—Part One, 3–4. Murphy was also president of the Child Welfare League of America from 1932 to 1934.

[152]Memorandum for FF (Felix Frankfurter) re the Labor Department and the Administration of the National Industrial Recovery Bill. Dated May 25, 1933. box 36 folder 13. SCRC.

[153]Martin, *Madam Secretary*, 295.

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Fearing loss of access in the new administration, Abbott again enlisted the help of Felix Frankfurter. In June 1933, Frankfurter sent a telegram to President Roosevelt, letting him know that

> Devoted women supporters of the administration representing influential national organizations insist on believing that curtailment of present scope of Children's Bureau is threatened as part of reorganization scheme stop I told them I refused to believe that you would sanction inroads upon extraordinarily fine achievements Children's Bureau because of any alleged claim of abstract logic regarding division of functions between Children's Bureau and Public Health Service stop Venture to believe that not another agency of government has finer record for economy and efficiency than Children's Bureau nor is any more warmly entrenched in loyalty of women and liberal sentiment of country.[154]

Frankfurter told Josephine Goldmark (co-author of the "Brandeis brief" that helped win the campaign for maximum working hours for women) that FDR's response to his telegram "indicates the need of a good concrete inclusive statement of the facts about the Bureau."[155] Dewson told Goldmark that Perkins said, "she would fight for the [Children's Bureau] till the last breath so they had better lay off."[156] Goldmark informed Abbott that FDR responded to Frankfurter's telegram with the "portentous" suggestion that "loose ends will have to be tied up some day."[157] Abbott kept abreast of any steps that would shift Children's Bureau functions to the PHS. Roosevelt would persist in the goal of reorganizing the executive branch and reducing the number of agencies reporting directly to the President.[158]

Under Roosevelt, the PHS became part of the strategy to stimulate the national economy, and programs were designed for malaria control, rat control, constructing rural privies, and sealing abandoned mines to prevent stream pollution.[159] The New Deal and the Social Security Act in particular "invited PHS involvement in the medical and social fabric of the country in a more intense way than ever before."[160] On the eve of the Social Security Act, the PHS had built "a strong reputation for itself as an organization committed to fighting the diseases that plagued the rural South," and organizational reputation helped it shape the development of future policies.[161] The Service forged relationships not only with state and local elected officials but with civic leaders and landowners, and "worked to embed the organization in the governing structures of the region." When Southern Democrats became key players in the New Deal, the Service was a beneficiary in terms of expansion of federal public health efforts under the new Social Security Act.[162]

By August, Abbott had penned a report on the administrative logic of the Children's Bureau. The theory of reorganization on a functional basis was being promoted by Dr. Willoughby, formerly Director of the Institute of Government Research and then Director of the Department of Government of the Brookings Institute. Willoughby envisioned consolidating the Department of Labor with a Department of Commerce and Industry. According to Abbott, such thinking "appeals to those who are not well informed on actual work being done by various administrative units."[163] Under a functional scheme, the Department of Labor would be considered for its economic aspects, and the health work of the Children's Bureau would be transferred to the PHS. Coming to the aid of children in all their interrelated needs, the Bureau's work, Abbott explained, was "based on a population basis" rather than a functional one. Health departments, involved in sanitation, stream pollution, food inspection, and communicable disease, were not equipped for the special health needs of children.[164] The Children's Bureau could coordinate considerations of health, environment, and social and economic conditions if they addressed the child's developmental needs holistically. The Bureau and its advocates sought expanded authority to administer a national health plan with experts from medicine (including pediatrics, nutrition, psychology), dentistry, public health nursing, social welfare, economics, and education.

6. Dealing with the Federal Emergency Relief Administration

In his earliest New Deal programming, FDR relied on Harry Hopkins, who had worked closely with then-Governor Roosevelt on New York's Temporary Relief Administration. Hopkins, who cut his teeth in New York social settlement work as a "friendly visitor," had not gained the confidence of Chicago social work circles. He became Administrator of the Federal Emergency Relief Administration (FERA), whose objectives were to create a diversified and flexible program providing adequate relief and useful work for the able-bodied needy. It issued funds through public agencies. Social workers, accustomed to working with private agencies, were unsupportive. Hopkins believed that he could control the federal administrators in those public agencies, and he was exploring new solutions.[165]

FERA asked the Children's Bureau to serve as consultant in the organization of state-wide nursing projects. Abbott suggested a plan for the employment of nurses working under FERA and the Civil Works Administration, noting the history of cooperative efforts of the Bureau and state health departments in administering Maternal and Infancy programs. The New Deal Child Health Recovery Program could make use of this experience and employ out-of-work nurses.[166] Abbott reiterated that the commissioned medical corps in the PHS tended to be career service and not the best qualified.[167]

Abbott was not actually keen on being included in FERA and felt strongly that the current and developed mothers' aid program

[154]Day Letter, From Felix Frankfurter to Franklin D. Roosevelt. Dated June 10, 1933. Box 36 folder 19. SCRC.

[155]Memorandum from Grace Abbott to the Secretary of Labor. July 26, 1933, box 36 folder 19. SCRC.

[156]Letter from Mary Dewson to Josephine Goldmark. Dated August 21. Box 36. SCRC.

[157]Letter from Josephine Goldmark to Grace Abbott. Dated August 31, 1933. Box 36 folder 19. SCRC.

[158]The Brownlow Committee on Administrative Management was established in early 1936. In 1939, Congress authorized the president's aims in the Executive Reorganization Act, with actions subject to legislative veto.

[159]Mullan, *Plagues and Politics*, 102.

[160]Mullan, *Plagues and Politics*, 102.

[161]Sledge, *Health Divided*, 120 also pointing to Dan Carpenter's *Forging of Bureaucratic Autonomy*; Mullan, *Plagues and Politics*, 62–65.

[162]Sledge, *Health Divided*, 120 (including quote), 121, 195.

[163]Memorandum for the Secretary re: The Children's Bureau and Reorganization. August 1933, box 36 folder 19. SCRC.

[164]Memorandum for the Secretary re: The Children's Bureau and Reorganization.

[165]June Hopkins, *Harry Hopkins: Sudden Hero: Brash Reformer* (New York: St. Martin's Press, 1999), 164, 166, 167.

[166]Memorandum from Grace Abbott to Mrs. Ellen S. Woodward, Women's Division, Federal Emergency Relief Administration and Civil Works Administration, dated December 5, 1933, box 36, folder 14. SCRC. Katharine F. Lenroot, "Child Welfare 1930-40," *Annals of the American Academy of Political and Social Science* 212 (November 1940): 2.

[167]Memorandum from Grace Abbott to The Secretary re; Your request for further information regarding personnel and organization of the Public Health Service. March 21, 1934. Box 36, Folder 15. SCRC.

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should not be administered through FERA.[168] Mothers' pensions, with a policy rationale of caring for children in their homes, should be delivered to mothers before things became dire and led to child removal. Under FERA, "assistance became available only after and not before she had broken down under the double burden of wage earner and homemaker and after the children had become demoralized or delinquent."[169] Furthermore, FERA was emergency relief, a response to crisis, and not a permanent policy; mothers' aid should be delivered long term.[170]

Abbott, who left her post in 1934 claiming health reasons (she had battled tuberculosis), seems to have seen the writing on the wall. From the University of Chicago's School of Social Service Administration, she remained in touch with Katharine Lenroot, the new Chief of the Bureau, and she remained available for consulting. When FDR assembled a Committee for Economic Security to lay the groundwork for the Social Security Act, Abbott participated.

7. In the Committee on Economic Security: Fighting to include child welfare in the Economic Security Bill

The President's CES was appointed in June 1934, convened that autumn, delivered its report to the President in December, and presented the proposal for the Wagner–Lewis Economic Security Bill in January 1935. The Committee was comprised of the Secretaries of Labor, Treasury, and Agriculture; the Attorney General; and the FERA Administrator. It also included FERA staff, USDA and AAA employees, academics in labor and social insurance, women labor activists, and Abbott. Edwin E. Witte, Executive Director of the Committee, remembered that there were "violent differences of opinion" among the specialists, and the president, too, contributed ideas.[171] A smaller advisory council convened on November 15, 1934, with Grace Abbott and Molly Dewson selected by the president; these were "quite close to the committee from the outset."[172]

Executive Director Witte later recounted that Abbott, Lenroot, and Perkins promoted the inclusion of child welfare in conceptions of social insurance. "But for Miss Abbott and Miss Lenroot and Miss Perkins, they would not have been in the bill at all."[173] And "[Grace Abbott] above everyone else, was responsible for the child welfare provisions which occur in the Social Security Act …"[174] That did not reflect the experience of Abbott, Lenroot, and Perkins. The CES skewed heavily toward the Wisconsin School, which relied on a theory of the regenerative power of capitalism, leading to some of the differences in treatment of beneficiaries. The Wisconsin School was focused on unemployment insurance, designated for workers in industrial occupations. Abbott observed that this focus on unemployment insurance left mothers and nonindustrial workers relegated to second-tier programs.[175] Any movement for a merger of social insurance and mothers' pensions never developed.[176]

Children's Bureau advocates submitted a proposal that would have provided adequate, long-term support for mothers. It presented the aid as earned income for labor that mothers performed,[177] a formulation consistent with some early language used to generate support for mothers' pensions. Their proposal was included in the CES report submitted to the President in December.[178] Yet the bill proposed to Congress in January contained a new provision for ADC, authored by the FERA staff members of the CES.[179] Martha Eliot, a doctor with the Children's Bureau, wrote to Abbott: "The FERA is planning to do all sorts of things with the 'Dependent Children' section and anything like a Mothers' Aid program is just going by the board or would if they had their way." As usual, Bureau advocates had to fight back: "It is certainly futile to appear at a hearing thinking that the section on Dependent Children has to do with Mothers' Aid. They [Hopkins and others] may not get their way, but I notice that they have a way of getting it."[180] That is backed up by Witte, who noted that in the final stages, the FERA members of the committee classified aid as public assistance, to be administered by FERA.[181]

The fact that Lenroot was chosen to head the Children's Bureau over physician Martha Eliot may have helped seal the fate of mothers' pensions. Lenroot (supported by social work executives in eastern Catholic and Protestant social services) was seen, even by Abbott, as lacking in imagination and creativity, as a "second-rate person" who was "not resourceful … not original … never has new ideas." This may have been a reason Hopkins intervened in that portion of the Social Security Act that would have assigned ADC administrative responsibility to the Children's Bureau; he did not think Lenroot could successfully administer Title IV.[182]

Although the bill went to Congress with FERA in charge of dependent children's aid, the House Ways and Means Committee refused to have the administrator of emergency aid involved in any part of the Social Security bill. "Accordingly, it unanimously adopted a motion amending this part of the bill to vest the administration of the federal grants in the Social Security Board." This, too, was unsatisfactory to the Bureau women. After the bill moved to the Senate, Labor Department representatives made a last effort to lodge administration of ADC with the Children's Bureau. No amendment to make this change was ever offered, although it was discussed briefly in the Senate Finance Committee.[183]

[168]Grace Abbott, "Hearings before the Committee on Finance United States on S. 1130, Senate 74th Congress 1st session, January 22–February 20, 1935, 1084.

[169]"What about mothers' pensions now?" 1934 speech.

[170]Yet as Michele Landix Dauber argues in *The Sympathetic State: Disaster Relief and the Origins of the Modern Welfare State* (Chicago: University of Chicago Press, 2013), 6 and passim, "disaster relief was [already] soundly established as a nascent federal entitlement program that raised few, if any, constitutional questions." The emergency relief approach was, then, embedded in the American approach to social welfare policy. On Abbott's vision, see also Grace Abbott, "Hearings before the Committee on Finance United States Senate 74th Congress 1st session on S. 1130, 1084–86.

[171]Witte, *The Development of the Social Security Act* (Madison: University of Wisconsin Press, 1962), 36, vii.

[172]Witte, *Development of the Social Security Act*, 47, 49, 50, 51, 53.

[173]The Social Security Act. Box 93, folder 10. SCRC.

[174]Edwin E. Witte to Edith Abbott, October 18, 1839, Edith and Grace Abbott Papers, University of Chicago, quoted in Lela B. Costin, "Grace Abbott of Nebraska," *Nebraska History* 56 (1975): 187. In that same recollection, Witte spoke of how Abbott mobilized public opinion leaders and deserved "much of the credit for getting the measure [SSA] through Congress when it appeared to be lost."

[175]Poole, *Segregated Origins*, 66, 69, 73.

[176]Goodwin, *Politics of Welfare*, 51–54.

[177]Poole, *Segregated Origins*, 161.

[178]This report is discussed in "Review: Economic Security—Report to the President of the Committee on Economic Security: Report of the Advisory Council to the Committee on Economic Security," *Social Service Review* 9, no. 1 (March 1935): 165.

[179]Poole, *Segregated Origins*, 163.

[180]Letter from Martha Eliot to Grace Abbott, including quote. 1935, box 37, folder 4. SCRC.

[181]Witte, *The Development of the Social Security Act*, 162.

[182]Parker, "Women at the Helm," 554., citing Grace Abbott's letter to J.P Murphy of July 6, 1934 (including quote). Parker links his views of the plodding Lenroot to the rewriting of Section IV so that a new agency under an independent Social Security Board (the Bureau of Public Assistance) would administer ADC.

[183]Witte, *Development of the Social Security Act*, 162–163; quote at 163.

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The Children's Bureau was also unhappy with the addition of language about the maximum federal aid for dependent children by the House Ways and Means Committee; Witte concurred that this was extremely unfortunate. The final bill set a maximum federal dollar contribution per child in a family, with no funds for the mother herself. The amount was much less than the original bill, which had stipulated that the federal government would pay no more than one-third of the amount spent by state and local governments for such aid. "There was little interest in Congress in the aid to dependent children. It is my belief," Witte wrote, "that nothing would have been done on this subject if it had not been included in the report of the Committee on Economic Security."[184]

Reformers expected the proposed Act to provide greater uniformity in aid to mothers and children; this did not occur. The report of the Advisory Council to the CES that included Abbott requested that a federal department or bureau of public welfare "be given authority to require a state to consolidate its welfare functions in one satisfactory permanent department with appropriate local units as a condition to the use of state and local machinery in the administration and distribution of federal funds."[185] Yet

> the congressional committees considering the proposals of the Committee on Economic Security stripped from the public assistance provisions of the Social Security Act of [sic] any language that would have allowed federal administrators to supervise the decisions of state and local officials about such vital matters as eligibility for old age pensions or mothers' pensions, or decisions about the adequacy of the benefits offered to those accepted onto the rolls.[186]

Congress failed to impose federal standards that states would have to meet to receive aid, partly on grounds that there was insufficient data to establish standards, frustrating reformers who prided themselves on data collection.[187] Sectional pressures also militated against imposition of federal standards.[188] The Social Security Act differentiated social insurance from public assistance. Unemployment insurance and old age insurance were part of the former, financed by employer and employee contributions. Public assistance programs included immediate old age assistance, ADC, Maternity and Child Welfare, Services for Crippled Children, Child Welfare Services, Vocational Rehabilitation, Aid to the Blind, and additional funds for public health work.[189] Mothers' pensions were now provided via federal grants-in-aid to the states through ADC, and it was to assist the PHS.[190] In classifying ADC as public assistance, Social Security cast mothers as "unemployables" in need of relief.[191] Abbott believed this classification, ignoring the labor mothers performed, would "misbrand them and injure them very much."[192]

The ADC program experienced a number of early obstacles. With Huey Long's filibuster of the Appropriations Bill, old age assistance and ADC funds were not being paid. Social workers knew of unmet needs of various people who were not included in Social Security programs, left in the old, outdated, locally administered poor relief system. Abbott observed the exclusion of farm labor, domestic servants, teachers, and social workers. Wives of male workers were not covered. And public relief needed to be a permanent program.[193] Work programs did not relieve unemployment, which was "not exclusively a depression problem," and they steered federal resources away from developing direct relief.[194]

There were a few encouraging developments—some in the Social Security Act itself. The Social Security Act did effectively reestablish Sheppard-Towner as an intergovernmental program for the support of maternal and child health, and Title V, part 3 left such services, along with those for disabled children and child welfare services lodged with the Bureau. Based on lessons learned about administrative oversight problems deriving from the earlier Act, the Children's Bureau managed to insert into Title V better and stricter regulations for state-level accounting.[195] Supervision of these programs brought a dramatic increase in budget; the Children's Bureau allocated $330,000 in 1930, but by 1940, the figure was $10.9 million, and these programs were attractive to all states.[196] States quickly took advantage of these maternal and child health programs, and by 1936, child health services were available in all forty-eight states, Hawaii, Alaska and the District of Columbia.[197] The Children's Bureau continued to work on some remaining issues in the administration of services.[198] In May 1936, enlisting Abbott's help, the Bureau called a meeting of the Advisory Committee on Child Welfare Services to discuss the development of services under the provisions of Title V. The committee recommended increased maternity and infant care, as well as training for physicians and nurses in this field. It recommended that maternal and child health work be extended by securing federal cooperation with states, to meet economic as well as medical needs, in an effort to restore the linkages between economy, health, and welfare.[199] Katharine Lenroot noted that by 1939, "strong foundations for an effective program had been laid."[200]

Some developments subsequent to the Social Security Act were positive. With the appointment of Thomas Parran as Surgeon General in 1936 and several other staffing shifts, cooperation between the PHS and the Children's Bureau increased.[201] Amendments to the Social Security Act in 1939 increased the share the federal government contributed to the states for ADC under Title IV.[202] And child labor, long a Children's Bureau priority, was now taken care of by the Fair Labor Standards Act of 1938, with sixteen set as a minimum age at which children could work; the

[184] Witte, *Development of the Social Security Act*, 163–64.

[185] "Review: Economic Security," 167.

[186] Theda Skocpol, "African Americans in U.S. Social Policy," in 143 *Classifying by Race*, ed. Paul E. Peterson (Princeton: Princeton University Press, 1995). This was effectively a license to discriminate.

[187] Abbott, *From Relief to Social Security*, 252–53.

[188] Federal administrators of the new social welfare bureaucracy under Social Security, facing local officials who reverted to the older practices of poor law, deployed states' rights language to appeal to these subnational administrators. See Karen Tani, "Welfare and Rights Before the Movement: Rights as a Language of the State," *Yale Law Journal* 122, no. 2 (November 2012): 314–83.

[189] Poole, *Segregated Origins*, 8.

[190] Grace Abbott, *From Relief to Social Security*, 228; "Review: Economic Security," 161, 163.

[191] Poole, *Segregated Origins*, 165–66.

[192] Grace Abbott, "Hearings before the Committee on Finance United States Senate 74th Congress 1st session on S. 1130, January 22–February 20, 1935, 1088.

[193] Abbott, *From Relief to Social Security*, 30, 32, 35, 43, 260.

[194] Abbott, *From Relief to Social Security*, 42, 241.

[195] Johnson, *Governing the American State*, 15; Bezark, "'Our arithmetic was unique'," 199.

[196] Johnson, *Governing the American State*, 152.

[197] Lenroot, "Child Welfare," 2.

[198] Letter from Mary Irene Atkinson.

[199] Meetings of the Advisory Committees on Maternal and Child Welfare, dated April 19, 1937. Box 37, folder 5. SCRC.

[200] Lenroot, "Child Welfare," 2.

[201] Sledge, *Health Divided*, 143–44, 226n8.

[202] U.S. Children's Bureau, *Grants to States for Maternal and Child Welfare under the Social Security Act of 1935 and the Social Security Act Amendments of 1939*, 14. Children's Bureau Publication 253 (Washington, D.C. U.S. Government Printing Office, 1940); https://www.mchlibrary.org/history/chbu/20686.PDF.

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Children's Bureau had long crusaded for the use of government documentary evidence to establish age, since so many of their programs were age-delimited.[203] The Amendments also added survivors' benefits to Old-Age Insurance (offering monthly payments to surviving children and spouses of deceased covered workers), shifting quite a few "worthy widows" of working husbands from ADC and into a social insurance system where they received support as a matter of right from the federal government.[204]

However, as Robert Lieberman has argued, "shifting 'worthy widows' into OAI contributed to the erosion of the 'maternalist' foundations of ADC." It left as ADC-eligible recipients "abandoned or unmarried mothers, women whose husbands were in jail, or widows whose husbands had worked either in noncovered occupations or not at all." ADC, no longer a program for needy widows generally, became associated with a more suspect group of needy women who were often cast as undeserving because of their perceived behavior and race.[205] Cultural constructions of unemployed mothers without husbands changed for the worse.

While 85 percent of ADC recipients were white at its inception, the creation of Survivor's Insurance led to the exodus of most poor white widows from the welfare program; they dropped from 43 percent of welfare recipients in 1937 to just 7 percent in 1961.[206] These widows with school-age children, whose deceased husbands had contributed to Social Security while working, were not expected to apply for welfare or seek work; "the presumption is that these stipends are not handouts, but were earned by dint of their husband's work." Their Social Security payments far exceed the average Aid to Families with Dependent Children (AFDC) award.[207] AFDC (the successor to ADC) would come to aid a disproportionate number of women of color.[208]

The 1935 Social Security Act placed few restrictions on ADC eligibility and envisioned states awarding benefits chiefly on the basis of need, yet it incorporated no protections against discrimination.[209] Even the New Deal lacked the capacity to obliterate the parochialism of some of its foundations.[210] The struggle between national and local authority continued to shape what the program would become. The administrative environment in which the Children's Bureau functioned had always been a blend of federal, state, and local authority.[211] Old Age and Survivor's Insurance more fully integrated people of color than did ADC because the norm in provision of welfare policy had long been state and local control, and there was strong resistance to nationalized action and administration of ADC, particularly in the South.[212] With the Democratic Party trying to maintain an uneasy compromise between northern and southern wings where the racial order was implicated, it is hardly surprising that ADC administration remained localized. And many African Americans were relegated to types of jobs left uncovered by the Social Security Act.[213]

Bureau leaders continued to press for adequate funding to maintain eligible families. At the 1940 White House Conference on Children in a Democracy, Secretary Perkins (chair) and Chief of the Children's Bureau Lenroot (Executive Secretary), recommended that "Aid to Dependent Children should be further developed with the objective of enabling each eligible family to provide adequate care for its children. Rigid limitations on the amounts of grants to individual children or families should be removed from State and Federal laws …"[214] The report insisted that programs needed to be designed and administered "without regard to legal residence, economic status, race, or any other consideration other than the child's need."[215] Yet the Bureau's ability to advance such agendas was largely gone.

While the Social Security Act left women in the Children's Bureau with authority and funding to administer programs for maternal and child health, for children with physical disabilities, and for childcare welfare services,[216] a signature program left their hands. The Bureau itself would be absorbed into the SSA in a governmental reorganization of 1946, and at this time, it lost authority over any remaining labor-related programs that had been central to its comprehensive approach. New Frontier and Great Society initiatives, including Head Start, further marginalized the Children's Bureau, and in 1969, President Nixon further eviscerated the Bureau when he created the Office of Child Development within Health, Education, and Welfare. While both Head Start and the Office of Child Development touted encompassing approaches to early childhood, including nutrition and the "physical, social, and intellectual development of children and their families," in this reorganization, "many of the Bureau's responsibilities were assigned to other areas of the Federal Government, never to be regained."[217]

[203] 29 U.S. §203 covered "employees who are engaged in interstate commerce or in the production of goods for commerce, or who are employed by an enterprise engaged in commerce or in the production of goods for commerce" (quotation is from §207). Some employers could apply for exceptions. Not all child workers were covered by the FLSA. Lenroot, "Child Welfare," 5. On the Children's Bureau, its push for birth certificates and the connection to the campaign against child labor, see Susan Pearson, "Age Ought to Be a Fact": The Campaign against Child Labor and the Rise of the Birth Certificate," *Journal of American History* 101, no. 4 (March 2015): 1144–1165; "A host of Progressive Era reforms restricted access to rights and protections by chronological age …" (1144).

[204] Lieberman, *Shifting the Color Line*, 150.

[205] Lieberman, *Shifting the Color Line*, 150–151 (quotes p. 150). For the argument about perceptions deserving/undeserving beneficiaries of social policies, see Skocpol, "African Americans in U.S. Social Policy," 143–44.

[206] Khiara M. Bridges, "The Deserving Poor, the Undeserving Poor, and Class-Based Affirmative Action," *Emory Law Journal* 66, no. 5 (2017): 1094, 1095 fn 157.

[207] Andrew Hacker, *Two Nations: Black and White, Separate, Hostile, Unequal* (New York: Scribner's, 1992), 91–92. He says (92) that widows could receive up to four times the average that mothers on AFDC received. Dorothy C. Miller claims that "[c]hildren receiving SI receive almost three times what is provided children under AFDC" (Miller, *Women and Social Welfare*, Praeger, 1990, 33, quoted in Janice L. Peterson and Carol Dawn Petersen, "Mother Families and the Dual Welfare State," *Review of Social Economy* 52, no. 3 (1994): 324).

[208] Hacker, *Two Nations*, 91–92; Bridges, "The Deserving Poor, the Undeserving Poor," 1094.

[209] Lieberman, *Shifting the Color Line*, 119.

[210] See Skowronek, *Building a New American State*.

[211] Parker, "Women at the Helm," 556.

[212] Lieberman, *Shifting the Color Line*, 148–49.

[213] Ira Katznelson, *Fear Itself: The New Deal and the Origins of Our Time* (New York: Liveright, 2013); Skocpol, "African Americans in Social Policy," 144; Katznelson, *When Affirmative Action was White: The Untold History of Racial Inequality in America* (New York: W.W. Norton, 2005); Skocpol, "African Americans in Social Policy," 145.

[214] U.S. Children's Bureau, Proceedings of the White House Conference on Children in a Democracy, January 18-20, 1940. Children's Bureau Publication 266 (Washington, DC: U.S. Government Printing Office, 1940). This was the fourth White House Conference on child welfare. General Report Adopted by the Conference, 23. https://www.mchlibrary.org/history/chbu/19024.pdf. The statement that this was the fourth such White House Conference was made in opening remarks by Secretary of Labor Perkins, 2.

[215] U.S. Children's Bureau, Proceedings of the White House Conference on Children in a Democracy, General Report Adopted by the Conference, 23, 64, 68, 71, 74 and passim.

[216] Lindenmeyer, *Right to Childhood*, 193-195, noting the Children's Bureau had significantly more funds to distribute from 1930 to 1940.

[217] Parker, "Women at the Helm," 558; Andrew Karch, *Early Start: Preschool Politics in the United States* (Ann Arbor: University of Michigan Press, 2013), 59 including quote from HEW Secretary Robert Finch; "Children's Bureau Timeline," [1969] quote; https://www.childwelfare.gov/more-tools-resources/resources-from-childrens-bureau/timeline1/. The WIC program, begun in 1972, was made permanent in 1975. WIC was designed to safeguard the health of low-income women, infants, and children up to the age of five

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8. Conclusion

Political contests among strategic bureaucratic actors during the early New Deal—some whose claims to expertise were rising and some who fought to retain what they had established—contributed to an entrepreneurial approach to policymaking. Even as maternalists joined the CES, they did so amid the sustained contestation with other ascendant bureaucratic actors and presidents with competing visions for reform. The Children's Bureau was engaged in chronic struggles to shape the terrain of contest on the issue of children's welfare. Hemmed in and pigeon-holed, despite their more expansive goals, maternalists dug deeper into their connection to women and children. This was the turf that male policy makers had been willing to grant their carve-out claims to expertise in the first place.[218] Fighting rearguard battles, their ambit narrowed to relief for mothers and children, we can see the ways in which institutional constraints shaped this version of maternalism.

Even the type of social science research maternalist reformers deployed to establish their authority and their desire to treat a wide range of causes and consequences of women's and children's poverty were losing luster and appeal while the political coalitions behind an expanded focus on a science of public health as factors in poverty were gaining.[219] Scientific breakthroughs and miraculous results were more seductive than investment for long-term problems generated by capitalism.

Reformers who drew on maternalism established programs that centered on vulnerable children and mothers, although their unmet aspirations extended to attacking the conditions that led to their impoverishment. They embraced traditional views that women with children belonged in the home if possible and argued that mothers should be compensated for this work. Eligibility standards for proper homes, unlike eligibility standards for social insurance, were tied to home surveillance techniques that would be part of the maternalist legacy. After the mothers' pension program left their hands, racial disparities in federal treatment of Black mothers deepened. The establishment of the Children's Bureau rested on an assurance that it would not engage in labor reform. Even as the Bureau tried to effect a comprehensive notion of welfare for children, it ran into conflict with doctors. In serving as the representative of children's interests in the New Deal, their position was already narrowed.

Progressive Era reformers who had created juvenile courts and mothers' pensions were able to sustain only part of their bold vision into the New Deal and the origins of Social Security. Maternalists inside government were participants in a dynamic period of state-building and bureaucratic competition, but the vision, narrative, and methods that had served them well during the first two decades of the twentieth century were less compelling by the Depression. Maternalists worked to create a far more effective program of national aid to mothers and children that the Children's Bureau would have supervised, but the political will to impose conditions on states receiving aid, and interest in robust funding were not there. Maternalists may have had access to the state, but they were increasingly marginalized, seen as sentimental and unscientific women. Aspects of their signature program survived as federal policy, but these women would not want to celebrate what became of ADC and AFDC.

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at nutrition risk; presumably, maternalist reformers would have welcomed this kind of program.

[218]Robyn Muncy, *Creating a Female Dominion in American Reform*, xv, 37.

[219]Sledge, *Health Divided*, 195.

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