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Author(s): J. Stanley Lemons

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The Sheppard-Towner Act: Progressivism in the 1920s

J. STANLEY LEMONS

THE first venture of the federal government into social security legislation—the Sheppard-Towner maternity and infancy protection act of 1921—has been generally ignored in discussions about the persistence of progressivism in the 1920s.¹ The maternity bill was a link in a chain of ideas and actions from Roosevelt to Roosevelt, which began with the White House Conference on Child Welfare Standards in 1909 and ended with the Social Security Act of 1935. In addition, the Sheppard-Towner Act was the first major dividend of the full enfranchisement of women. Women's organizations helped to force the enactment of the bill and later fought to preserve it from repeal. Although passed in the first year of the Harding administration, it was a product of the progressive movement.

The United States Children's Bureau developed from the White House Conference in 1909, and the Bureau's first major investigations were into the causes of infant and maternal mortality. The studies revealed that the nation had unusually high rates. For example, in 1918 it ranked seventeenth in maternal and eleventh in infant mortality. The Bureau found a correlation between poverty and the mortality rate. For families earning less than \$450 annually, one baby in six died within the first year; for the income range of \$650-\$850 annually, the rate was one in ten; and for those earning about \$1,250 annually, the rate was one in sixteen. Even the latter rate compared unfavorably to the average of a nation like New Zealand,

Mr. Lemons is assistant professor of history in Rhode Island College.

¹ General treatments of the 1920s fail to mention the Sheppard-Towner Act: Eric Goldman, *Rendezvous with Destiny: A History of Modern American Reform* (New York, 1952); John D. Hicks, *Republican Ascendancy, 1921-1933* (New York, 1960); William E. Leuchtenburg, *The Perils of Prosperity, 1914-1932* (Chicago, 1958); Arthur M. Schlesinger, Jr., *The Crisis of the Old Order: 1919-1933* (Boston, 1957); Richard Hofstadter, *Age of Reform: From Bryan to F.D.R.* (New York, 1955). More specialized studies have almost neglected the measure: Clarke A. Chambers, *Seedtime of Reform: American Social Service and Social Action, 1918-1933* (Minneapolis, 1963); Roy Lubove, *The Struggle for Social Security in America, 1900-1935* (Cambridge, 1968). The most extensive treatment is in James G. Burrow, *AMA: Voice of American Medicine* (Baltimore, 1963), 161-64.

which had a thorough program of care and an infant death rate of one in twenty-one. The studies found that 80 percent of America's expectant mothers received no advice or trained care.² To remedy this situation, Jeanette Rankin, who was the first woman to serve in Congress, introduced in 1918 a measure which was to provide public protection of maternity and infancy. It had been sponsored by Julia Lathrop, chief of the Children's Bureau. Democratic Senator Morris Sheppard of Texas and Republican Congressman Horace Towner of Iowa reintroduced the bill in the Sixty-sixth Congress. Little progress was made toward its passage until the full enfranchisement of women in 1920.

The National League of Women Voters, the direct offspring of the leading woman suffrage association, urged the national parties to approve of the maternity bill in their 1920 platforms. The Democratic, Socialist, Prohibition, and Farmer-Labor parties endorsed the proposal; the Republican platform ignored it, but Warren G. Harding came out squarely for it in his Social Justice Day speech on October 1, 1920.

Harding called a special session to begin the Sixty-seventh Congress, but reformers feared that the Sheppard-Towner bill might be ignored in the press to deal with tariff and budget matters. They urged the President to single out the bill for passage in his message to Congress, but Harding responded with a one-sentence endorsement: "I assume the maternity bill, already strongly approved, will be enacted promptly, thus adding to our manifestation of human interest."³ Sheppard and Towner resubmitted the bill in April; it passed the Senate on July 22, 1921, by a vote of 63 to 7. But the measure seemed destined to perish in the House Committee on Interstate and Foreign Commerce, whose chairman, Samuel Winslow, was an ardent anti-suffragist. For months he refused even to hold hearings; and only after women who were influential in the Republican party, such as Harriet Taylor Upton, vice-chairman of the Republican National Committee, warned Harding that the delay was alienating women did the President prod Winslow into action.⁴ Harding's endorsement of this bill was important because many members of Congress not only opposed this "new fad

² *Senate Report*, 66 Cong., 2 Sess., No. 650, pp. 7-8; *Reports of the Dept. of Labor*, 1918, *Report of the Secretary of Labor and Reports of the Bureaus* (Washington, 1919), 183-88; *Reports of the Dept. of Labor*, 1920, *Report of the Secretary of Labor and Reports of the Bureaus* (Washington, 1921), 177-79; Sylvia Hardy, "The Children's Year," *Life and Labor*, VIII (July 1918), 139-40; Mary Sumner Boyd, "Let's Stop, Now, the Casualties of Motherhood," *Good Housekeeping*, LXXI (Dec. 1920), 43.

³ Women's Committee on Sheppard-Towner Bill to Warren G. Harding, March 5, 1921, Box 157, folder 117-1; Address to Congress, April 13, 1921, Box 773, folder 1921, Warren G. Harding Papers (Ohio Historical Society, Columbus, Ohio).

⁴ Harriet Taylor Upton to George B. Christian, May 31, 1921; Upton to Harding, June 18, 1921; Upton to Harding, July 30, 1921; Harlean James to Harding, May 17, 1921; James to Christian, May 30, 1921, Box 157, folder 117-1, *ibid.*

appropriation" but also feared the unknown power of the women's vote. And members evaded the protests of the aroused medical profession by saying: "I am an organization republican and await instructions."⁵ When the House finally voted, the bill passed easily 279 to 39. Ironically, the only woman member in Congress, the anti-suffragist Alice Robertson, voted against it. Harding signed the measure on November 23, 1921.

A principal force moving Congress was fear of being punished at the polls. The women's vote was an unknown quantity at the time. For years, the suffragists had promised to clean house when they got the vote, and they claimed that women would be issue oriented rather than party oriented. Politicians feared that women voters would cast a bloc vote or remain aloof from the regular parties. The leaders of the major women's organizations hoped to mobilize the female vote for reform. Passage of the maternity bill was the first goal of the newly enfranchised women, and it took precedence over all other efforts. In 1920, the League of Women Voters helped to create the Women's Joint Congressional Committee (WJCC), which coordinated lobbying activities in Washington for nearly two dozen national women's organizations and claimed to speak for 20,000,000 members. The WJCC lobbied vigorously, while the constituent organizations drummed up grass roots support and deluged Congress with a torrent of letters, telegrams, and personal delegations. If a woman read any of the mass circulation women's magazines—*Good Housekeeping*, *Pictorial Review*, *McCall's*, *Woman's Home Companion*, or *Delineator*—she was exposed to many articles which favored the Sheppard-Towner bill.

Florence Kelley, executive secretary of the National Consumers' League, chaired the subcommittee of the WJCC which worked for the enactment of the measure. She later said: "Of all the activities in which I have shared during more than forty years of striving, none is, I am convinced, of such fundamental importance as the Sheppard-Towner Act."⁶ Testifying before Congress, she suggested that if Congress refused to pass the bill it would, like King Herod, condemn infants to death. "What answer can be given to the women in a myriad of organizations, who are marveling and asking, 'Why does Congress wish women and children to die?'"⁷ Pressing for passage of the bill, her subcommittee interviewed congressmen at the rate of

⁵ "The Senate Discusses the 'Maternity Bill,'" *Capital Eye*, I (Oct. 1921), 4; "News Notes of the Fortnight," *Woman Citizen*, VI (July 30, 1921), 6; Clipping from *Illinois Medical Journal* (Sept. 1921), enclosed in E. Forrest Herdieu, M.D., to Harding, Sept. 9, 1921, Box 157, folder 117-1, Harding Papers.

⁶ Quoted in Josephine Goldmark, *Impatient Crusader: Florence Kelley's Life Story* (Urbana, 1953), 93.

⁷ House, *Public Protection of Maternity and Infancy*, Hearings on H. R. 10925 before the Committee on Interstate and Foreign Commerce, 66 Cong., 3 Sess. (Dec. 20-29, 1920), 29.

fifty per day. The result was a handsome margin and full credit from friends and foes alike. The *Journal of the American Medical Association*, which had strongly opposed the bill, stated that the lobby for the measure was "one of the strongest lobbies that has ever been seen in Washington." Congressmen reported that they were told that if they voted against the measure every woman in their district would vote against them in the next election. "Members of Congress of years' experience say that the lobby in favor of the bill was the most powerful and persistent that had ever invaded Washington."⁸ Senator William S. Kenyon, a supporter of the bill, confirmed the effectiveness of the lobby: "If the members could have voted on that measure secretly in their cloak rooms it would have been killed as emphatically as it was finally passed in the open under the pressure of the Joint Congressional Committee of Women."⁹

Although the Children's Bureau had revealed high maternal and infant death rates and despite the modest character of the Sheppard-Towner bill, the measure was assailed as a threat to the very institutions of the nation. Because suffragists favored the bill, anti-suffragists opposed it. Extreme conservatives condemned the plan as part of a Bolshevik conspiracy against America. States rights advocates alleged that it threatened the integrity of the states. Finally, the bill was caught in the cross fire between the American Medical Association and a collection of quack medical cultists. Sheppard-Towner was one of the first pieces of federal legislation to catch the brunt of the AMA's new fear of state medicine. The arguments advanced by the opponents at the time of the original debate and passage of the measure were repeated when the proposal came up for renewal in 1926 and in 1929.

The principal advocates of the theory that the Sheppard-Towner bill was a communist invention were the National Association Opposed to Woman Suffrage and its legacy, the Woman Patriots. For years, they had maintained that feminism and woman suffrage were the same as socialism and communism. Mary Kilbreth, a leading anti-suffragist, wrote Harding a six-page letter which condemned his signing of the bill. "It is not brought forward by the combined wisdom of all Americans, but by the propaganda of a self-interested bureau associated with the Feminist Bloc." "There are many loyal American men and women," she warned, "who believe that this bill, inspired by foreign experiments in Communism, and backed by the radical forces in this country, strikes at the heart of our American

⁸ *Journal of the American Medical Association*, 77 (Dec. 10, 1921), 1913-14; *ibid.*, 78 (Feb. 11, 1922), 434.

⁹ Quoted by Charles A. Selden, "The Most Powerful Lobby in Washington," *Ladies' Home Journal*, XXXIX (April 1922), 95.

civilization. . . ."¹⁰ The Woman's Municipal League of Boston, the American Constitutional League, the Constitutional Liberty League of Massachusetts, and the Massachusetts Public Interests League agreed. Senator James Reed of Missouri echoed Kilbreth's words when he charged that the bill was communist inspired and that the standards drawn up by the Children's Bureau were made by crackpots.¹¹

Certain "medical liberty" organizations (they opposed any state regulation in medicine: vaccination, quarantine, the Wasserman test, licensing of doctors, hospitals, and medical schools) viewed the Sheppard-Towner Act as another brick in the wall being erected by the regular medical profession to eliminate all but orthodox practices.¹² But the most significant opposition to the bill came from physicians who expressed themselves through the American Medical Association. The AMA had marched within the broad ranks of progressivism from 1900 to World War I and vigorously campaigned for pure food and drugs, protection of the public from medical quackery, a federal department of health, and the elevation of standards in medical practice and education.¹³ Nevertheless, the AMA had always been silent on other great health problems: slums and tenements, factory hazards, child labor, and the exploitation of women in sweatshops and dangerous trades.

The AMA first broke away from progressivism over the issue of compulsory health insurance; and after its house of delegates condemned health insurance in 1920, the association came to see the Sheppard-Towner Act as only another form of the same thing.¹⁴ State medical societies in Massachusetts, New York, Illinois, Ohio, and Indiana spearheaded the opposition to health insurance and the Sheppard-Towner proposal. In its attack on the Sheppard-Towner bill and other public health measures, the *Illinois Medical Journal*, official organ of the Illinois State Medical Society, declared: "Today Washington, D. C., is a hotbed of Bolshevism. . . . Where will it all end? We know where it ended in ruined Russia. . . . Can the people of America set up Bureaucratic Autocracy in Washington without a resulting

¹⁰ Mary G. Kilbreth to Harding, Nov. 25, 1921, Box 157, folder 117-1, Harding Papers; Senate, *Protection of Maternity*, Hearings on S. 1039 before the Committee on Education and Labor, 67 Cong., 1 Sess., No. 61, pp. 7-13.

¹¹ *Cong. Record*, 67 Cong., 1 Sess., Appendix, lxi, 8759-69.

¹² Such groups included the Citizens Medical Reference Bureau, the American Drugless Association, the American Medical Liberty League, Inc., and the New York Anti-Vivisectionist Society. "The Lobby Discusses the 'Maternity Bill,'" *Capital Eye*, I (Oct. 1921), 6-8; Grace Cole to Harding, May 16, 1921; Lenora B. Simpkins to Harding, May 18, 1921, Box 157, folder 117-1, Harding Papers.

¹³ Burrow, *AMA*, 65-67, 105, 157-58.

¹⁴ *Ibid.*, 157-58.

industrial slavery?"¹⁵ The *Journal of the American Medical Association* launched its campaign against Sheppard-Towner on February 5, 1921, and it continued to oppose the act until it was repealed.¹⁶ The 1922 AMA house of delegates condemned Sheppard-Towner as an "imported socialistic scheme."¹⁷

In the 1920s the AMA did not speak for the whole medical profession. The Mayo brothers and other prominent medical figures from hospitals and universities endorsed Sheppard-Towner. The Medical Woman's National Association was a steadfast proponent of the program throughout the 1920s. This association called for federal aid to maternity in 1917, joined the WJCC in 1920, and promoted Sheppard-Towner in its own journal throughout the decade.¹⁸ The *Medical Woman's Journal* hailed Dr. Josephine Baker as one of the world's great citizens for her work in reducing by 50 percent the infant death rate in New York City.¹⁹ Baker testified repeatedly for Sheppard-Towner, was a constant ally of the National Consumers' League and the League of Women Voters, and became president of the Medical Woman's National Association in the early 1930s. While the AMA lamented its failure to prevent the passage of the Sheppard-Towner Act, the women physicians spoke of the fine work being done.²⁰

In retrospect, this pioneering bill seems pitifully small. The act authorized an appropriation of \$1,480,000 for fiscal 1921-1922 and \$1,240,000 for the next five years ending June 30, 1927. Of this sum, \$5,000 would go to each state outright; \$5,000 more would go to each state if matching funds were provided; and the rest would be allocated on a population percentage and matching basis. The cost of administering the program could not exceed \$50,000, and the money was channeled by the Children's Bureau through the state child welfare or health divisions. Before a federal

¹⁵ *Illinois Medical Journal* (May 1920), quoted in Citizens Medical Reference Bureau, *Bulletin* No. 33 (May 30, 1920), Box 157, folder 117-1, Harding Papers.

¹⁶ *Journal of the American Medical Association*, 76 (Feb. 5, 1921), 383.

¹⁷ *Ibid.*, 78 (June 3, 1922), 1709.

¹⁸ Kate C. Mead, "Is Infant Mortality an Index to Social Welfare? Scandinavia's Reply," *Woman's Medical Journal*, XXVII (Jan. 1917), 10-15; Esther Lovejoy, "Democracy and Health," *ibid.*, XXIX (June 1919), 116-24; Laura L. Mearns to Editor, *Medical Woman's Journal*, XXVII (Feb. 1920), 62; "The Sheppard-Towner Bill," *ibid.*, XXVIII (Jan. 1921), 13-14; Editorial, *ibid.*, 22.

¹⁹ "One of the World's Great Citizens," *Medical Woman's Journal*, XXIX (Aug. 1922), 180-82.

²⁰ "What Legislators are Doing for Mothers and Babies," *ibid.*, XXVIII (July 1921), 189; Frances Sage Bradley, "The Sheppard-Towner Bill As it is Worked Out by Arkansas Women," *ibid.*, XXIX (Aug. 1922), 196-97; Mary Riggs Noble, "Prenatal Work in Pennsylvania," *ibid.*, XXXI (March 1924), 69-70; Ellen Stadtmuller, "Promotion of Maternal and Infant Welfare in California," *ibid.*, 66-67; Frances Sage Bradley, "What is Hoped and Planned in Arkansas," *ibid.*, 67-68; William H. Peters, "Cincinnati's Participation in Sheppard-Towner Work," *ibid.*, 72-73.

grant would be made, a state had to pass enabling legislation, provide a satisfactory plan for implementing the program, and vote matching funds. Both the state and the individual retained the right to reject aid. The law expressly denied agents or representatives of either state or federal government the power to enter a home uninvited or to take charge of a child without legal consent. It provided for instruction in hygiene of maternity and infancy through public health nurses, visiting nurses, consultation centers, child care conferences, and literature distribution.

By and large, the Sheppard-Towner Act was well received by the state authorities. Forty-one states joined in 1922; and eventually, only Connecticut, Illinois, and Massachusetts remained aloof. In New Jersey, the legislature passed the enabling act over the governor's veto in 1922. In Washington, the governor was unalterably opposed, and only the election of a new chief executive allowed the state to join the program. Louisiana waited until 1924 to enter the program, and Vermont joined in 1926. Unexpected opposition kept Rhode Island out until 1925, and Maine and Kansas finally accepted in 1927.

In New York, Governor Nathan Miller, who had upset Alfred E. Smith in the Harding sweep of 1920, told the opening session of the 1922 legislature that he would veto any bill which would accept Sheppard-Towner. Twenty-eight women's organizations formed the Association for the Sheppard-Towner Act and worked to have New York appropriate \$75,000 for the program. The Association circulated petitions, but Miller declared that he would not be influenced if every woman in the state signed. "The people . . . have no business to interfere with men in office." In keeping with Miller's mood, the legislature formally rejected the Sheppard-Towner Act. While deploring the financial drain of a maternity program, Miller signed a bill which appropriated \$125,000 for a hog barn on the state fair grounds; and he approved of a twin barn for 1923. Kelley remarked: "It does not improve the outlook of a candidate for the governorship of New York to have 28 organizations of women experienced in working together know that swine shelters appeal to him more strongly than dying mothers and babies." Miller lost the next election to Al Smith, who pushed the Sheppard-Towner plan through the legislature in 1923. Smith credited the New York League of Women Voters for the passage of the bill.²¹

The Connecticut legislature rejected Sheppard-Towner money on the

²¹ Nathan Miller quoted in letter to Editor from Harriet W. Laidlaw, March 10, 1922, folder 27, Harriet W. Laidlaw Papers (Schlesinger Library, Radcliffe); Florence Kelley, "The Children's Amendment," *Good Housekeeping*, LXXVI (Feb. 1923), 170; Alfred E. Smith, "Safeguarding Our Assets—the Children," *Ladies' Home Journal*, XLVI (Oct. 1929), 304.

grounds that it infringed on the rights of the state. The state appropriations committee declared that it was time to stop the federal aid process. This reason seemed hollow to Sheppard-Towner advocates when the same committee voted to accept a new federal aid program for an airplane squadron. Nevertheless, the legislature established a state program for maternity and infancy protection with an appropriation of \$55,000. This sum was \$12,000 less than would have been made available to the state under Sheppard-Towner. Furthermore, the appropriation was offset by a \$30,720 cut in the funds for the Bureau of Child Welfare. This bureau, the major achievement of the Connecticut League of Women Voters in the 1921 legislature, was partially sacrificed to the states rights cause.²²

From the outset, Massachusetts spawned most of the organized effort against the Sheppard-Towner plan. A state proposal for maternity and infancy protection had failed to pass three consecutive years, 1919, 1920, and 1921—the last time it received only two positive votes in the legislature. The opposition of the medical profession had been particularly vigorous. One group of critics labelled the measure “*The beginning of Communism in Medicine*. A very unjust, unwise, iniquitous & socialistic bill.” “Vicious, un-American, paternal.” “It is a step toward Sovietism.”²³ When the legislature began consideration of an enabling act for Sheppard-Towner in 1922, the attorney general (an anti-suffragist who had ruled women off the ballot and out of the jury box in Massachusetts) issued an opinion that the Sheppard-Towner Act would misuse the tax money of Massachusetts and was unconstitutional because it violated the reserved rights of the states. The state filed a suit with the United States Supreme Court on behalf of its taxpayers to enjoin the law. Fearing that a state was ineligible to file a taxpayer’s suit, Harriet Frothingham, president of the Woman Patriots, filed another suit in the Supreme Court of the District of Columbia. When this court dismissed her case and the United States Court of Appeals concurred, she appealed to the United States Supreme Court. United States Solicitor General James Beck considered the Sheppard-Towner Act to be unconstitutional and encouraged Massachusetts to pursue the case.²⁴

These suits seriously threatened the whole range of federal programs which provided either direct aid or matching grants. Ironically, at the very time that Massachusetts was challenging Sheppard-Towner for violating the

²² *Woman Voter's Bulletin* [Connecticut League of Women Voters], III (May 3, 1923), 2; *ibid.*, III (July 1923), 1-2.

²³ “Why Physicians are Opposing Maternity Bill,” sent to Harding by the Massachusetts Civic Alliance, Box 157, folder 117-1, Harding Papers.

²⁴ Upton to Harding, Dec. 2, 1922, Box 157, folder 117-1, Harding Papers; Marian Parkhurst to Cornelia Bryce Pinchot, Dec. 7, 1922, Box 24, Cornelia Bryce Pinchot Papers (Manuscript Division, Library of Congress).

Tenth Amendment, the state was accepting money under twenty-two other federal programs which extended from soil surveys, county agents, highway building, and state militia to the eradication of the white-pine rust and the European corn borer. Ten states and the Association of Land Grant Colleges filed counter-briefs. On June 5, 1923, the Supreme Court dismissed both suits for want of jurisdiction and without ruling on the constitutionality of the act.²⁵

Sheppard-Towner was considered a permanent law, but its appropriation was scheduled to cease automatically on June 30, 1927. Confident that the program was a success, its proponents moved in 1926 to have the authorization extended. The House of Representatives quickly voted a two-year extension by the healthy margin of 218 to 44, but opponents mobilized to stop the bill in the Senate. The foes included the American Medical Association, Woman Patriots, Massachusetts Public Interests League, Sentinels of the Republic, and the Daughters of the American Revolution. (In 1921, as a member of the WJCC, the DAR had supported the measure, but it was no longer espousing progressive causes.) The opposition was fresh from having recently beaten another progressive proposal—the federal child labor amendment.²⁶ They echoed the usual cries: “socializing medicine,” “nationalizing the children,” and introducing “Bolshevism.”²⁷

Senator Thomas A. Bayard of Delaware read into the *Congressional Record* a thirty-six page petition and letter from the Woman Patriots. It purported to show the Bolshevik origins of the entire progressive program for children, which included the Sheppard-Towner Act, the Children’s Bureau, child labor laws, and the child labor amendment. The petition traced an intricate web which joined the national women’s organizations together in a conspiracy to sovietize the United States. It was a feminist-socialist-communist plot under the leadership of Florence Kelley Wishniewski. She was described as “the ablest legislative general Communism has produced.” The petition also denounced Jane Addams, Julia Lathrop, the women on both

²⁵ *Reports of the Dept. of Labor, 1923, Report of the Secretary of Labor and Reports of the Bureaus* (Washington, 1924), 117-20.

²⁶ Richard B. Sherman, “The Rejection of the Child Labor Amendment,” *Mid-America*, XLV (Jan. 1963), 3-17; J. Stanley Lemons, “The New Woman in the New Era: The Woman Movement from the Great War to the Great Depression” (doctoral dissertation, University of Missouri, 1967), 319-24.

²⁷ *Journal of the American Medical Association*, 86 (Feb. 6, 1926), 421; *ibid.*, 87 (Nov. 27, 1926), 1833-34; “Sentinels Appeal for Rejection of Maternity Act,” *Woman Patriot*, X (Feb. 15, 1926), 32; William C. Woodward, “Further Fallacies of Sheppard-Towner Act,” *ibid.*, X (Dec. 1, 1926), 178-80. Burrow, *AMA*, 161, sees the AMA’s opposition as based on its distrust of federal subsidization and the granting of benefits without clearly defined guidelines.

the Republican and Democratic National Committees, the constituent organizations of the WJCC (such as the Parent-Teachers Association, the League of Women Voters, and the Women's Christian Temperance Union), the Women's Bureau, the Children's Bureau, and the United States Department of Labor. Bayard mailed copies of this petition under his frank to all state officers of the DAR; after which, the president-general of the organization urged the defeat of Sheppard-Towner.²⁸

The bill was blocked in the Senate for nearly eight months, and proponents were forced to accept a compromise which extended the appropriations for two more years but repealed the law itself automatically on June 30, 1929. Supporters of the act hoped that a more progressive political climate would exist by 1929 and that the law would be restored. Efforts to preserve the maternity program were resumed in 1928. The WJCC and other organizations rallied behind a bill which was more liberal than Sheppard-Towner. It specified that the money would be spent in cooperation with the states, but did not require either acceptance by the state legislatures or matching funds. The American Medical Association, the Woman Patriots, and the Sentinels of the Republic led the opposition again. By now, the politicians were less concerned about a woman's voting bloc, and the conservative propensities of Congress had freer play. Although progressive women still lobbied for the bill, it languished in Congress. This time the President would not help. Herbert Hoover issued perfunctory formal statements which urged its enactment; and refusing to press the matter, he allowed the first federal social security law to lapse.

In reviewing the work under Sheppard-Towner, the Children's Bureau reported for the seven years that it conducted 183,252 health conferences and established 2,978 permanent centers of prenatal care. Visiting nurses made 3,131,996 home visits, and 22,020,489 pieces of literature had been distributed. In the final four years, more than 4,000,000 infants and 700,000 expectant mothers had been reached. The infant death rate in 1921 was seventy-five per thousand live births, and the years under Sheppard-Towner saw it fall to sixty-four per thousand. The maternal death rate was reduced from sixty-seven and three tenths per thousand in 1921 to sixty-two and three tenths in 1927, despite the fact that the general death rate of all people had risen slightly for the same period. Obviously, much more needed to be done; New Zealand had an infant death rate of thirty-five per thousand. The Medical Woman's National Association noted that Great

²⁸ *Cong. Record*, 69 Cong., 1 Sess., 12918-52 (July 3, 1926); *ibid.*, 69 Cong., 2 Sess., 1280-81 (Jan. 8, 1927).

Britain's maternal death rate was 50 percent that of the United States; and Britain spent \$3,800,000 at the same time the United States was spending only \$1,240,000.²⁹

The end of the act did not leave a complete void: forty-five states had participated directly after 1926, and Illinois and Connecticut had their own programs. Most states had the apparatus and the awareness of the problem to continue maternity and infancy aid on their own. The removal of federal funds, however, restricted the programs. Only sixteen states appropriated enough money to exceed or equal the previous total. Although some states, at first, greatly increased their efforts, as the depression deepened, the plan suffered badly in the fiscal pinch. Several states dropped it altogether.³⁰ An attempt to revive the federal part in 1931 failed when Senators David Walsh, Millard Tydings, and Elbert Thomas filibustered against it. Consideration of maternity and infancy protection was merged with the broader development of social security legislation within the New Deal. Restoration came with the Social Security Act of 1935. Protection of maternity and infancy was embodied in Title V of the comprehensive measure. Opponents were shocked at the provisions which authorized appropriations for the Children's Bureau of \$5,820,000 for maternity and infancy protection, \$3,870,000 for crippled children, and \$24,750,000 for aid to dependent children.

The Sheppard-Towner Act was both an example of the persistence of progressivism in the 1920s and a link between the progressive period and the New Deal. Its travail demonstrated no lack of effort because progressives secured its passage in 1921, expanded it to include Hawaii in 1924, renewed its appropriations in 1926, and obtained its acceptance in forty-five states. Even though conservative forces were able to eliminate it on the eve of the depression, advocates of the idea finally triumphed during the New Deal.

²⁹ United States Dept. of Labor, Children's Bureau, Publication No. 203, *The Promotion of the Welfare and Hygiene of Maternity and Infancy* (Washington, 1931), 26-37; Dorothy Kirchwey Brown, Speech at Chicago Forum [Winter 1928-1929], Dorothy Kirchwey Brown Papers (Schlesinger Library, Radcliffe); Rosina Wistein, "Maternal Mortality: A Comparative Study," *Medical Woman's Journal*, XXXIV (Feb. 1932), 28-32.

³⁰ United States Dept. of Labor, *The Promotion of the Welfare and Hygiene of Maternity and Infancy*, 38-39; Katherine P. Lenroot to Carrie Chapman Catt, Aug. 1, 1932, Box 1, Carrie Chapman Catt Papers (New York Public Library).