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978-0-521-59743-2 - Votes without Leverage: Women in American Electoral Politics, 1920-1970

Anna L. Harvey

Excerpt

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The Legacy of Female Disfranchisement

Women in the United States have labored under the long shadow cast by a history of disfranchisement. Even after approximately seventy years of organized efforts simply to win the vote, efforts that finally paid off with the passage of constitutional female suffrage in 1920, American women were to endure fifty more years of the consequences of not having had that right in the first place. In what we can now identify as a predictable sequence of events, women's exclusion from the suffrage created conditions that were to lead to distinctive patterns of postsuffrage female electoral politics. Those unique electoral dynamics can in turn ultimately be held responsible for the oft noted decline in the political influence of women's organizations by the mid-1920s, a decline that would last until 1970. Only by this latter date would a significant feature of the institutional context of women's electoral politics have changed sufficiently to allow women's organizations once again to exercise influence over the course of public policy.

These are relatively startling findings, particularly after decades of scholarship in which the difficulties of women's organizations in the political arena were ascribed to the allegedly timid, self-effacing, and unambitious characteristics of women themselves.¹ For too long scholars assumed that because men and women possessed equal rights to vote after 1920, they possessed equal opportunities to influence political outcomes. Any differences in those outcomes by gender must therefore be attributable in some way to women themselves. But recent theoretical developments in the fields of political science and economics have focused scholarly attention on the lasting consequences of institutional arrangements, even after those arrangements have been altered. Because

¹For a review of such scholarship, see Susan C. Bourque and Jean Grossholtz, "Politics an Unnatural Practice: Political Science Looks at Female Participation," *Politics and Society* 4, no. 2 (Winter 1974): 225–266.

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institutional rules guide the investment by instrumentally rational political actors in particular kinds of knowledge and organizations, those rules can have enduring effects.² This new scholarship has enabled us to take a fresh look at the problems faced by women in American electoral politics.

More specifically, this book argues that the differential treatment of women by electoral laws prior to 1920 created incentives for reform-seeking women's leaders to invest in organizations to attain suffrage as a first step to achieving other policy benefits for women. When women were finally granted the vote, those leaders required time to adapt these organizations to pursue a broader legislative agenda through conventional electoral politics. During this time, however, the major party organizations were able to initiate the electoral mobilization of women, giving the parties significant advantages in imperfectly competitive markets for women's electoral loyalties. Those advantages would prove insurmountable to postsuffrage women's organizations, which would within a few years leave the markets for women's electoral mobilization. And without women's votes, those organizations ceased to be able to win policy concessions from vote-minded legislators. This state of affairs would not significantly change until the accelerated decline of the parties as mobilization organizations in the 1960s.

This chapter lays out the historical puzzle that this study seeks to solve, namely the odd nature of the rise and fall of the political leverage of women's organizations, and briefly surveys the existing literature that has addressed this puzzle. Later chapters will evaluate both the theoretical and the empirical merits of these explanations in greater detail. This chapter also discusses the way in which the argument made here may provide fresh insights into thinking about the role of gender in politics, and the extent to which those insights can be generalized to other groups and/or women in other countries. The chapter concludes by discussing the methodology and data employed to test the book's arguments against competing explanations in the subsequent empirical chapters.

THE HISTORICAL PUZZLE

The decade of the 1970s in the United States saw a dramatic increase in the success rate of women's organizations pursuing congressional support of legislation designed to remove barriers to the progress of women in economic, political, and social arenas. Although women's organiza-

²The theoretical claim is well made in a number of works, of which one of the most prominent is Douglass C. North, *Institutions, Institutional Change, and Economic Performance* (Cambridge: Cambridge University Press, 1990).

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tions, including both older organizations such as the National Federation of Business and Professional Women's Clubs (NFBPWC) and newer organizations such as the National Organization for Women (NOW), had lobbied Congress before 1970, that year saw their first major lobbying success. House passage of the Equal Rights Amendment (ERA) in 1970 was followed by full congressional passage of the ERA and Title IX of the Educational Amendments Act (prohibiting sex discrimination in education) in 1972, the Equal Credit Opportunity Act and the Women's Educational Equity Act in 1974, the Pregnancy Discrimination Act and the (unprecedented) congressional extension of the ratification period for the ERA in 1978, and a host of measures prohibiting sex discrimination in federal programs. The legislative success of women's organizations has continued, albeit with some fits and starts, into the 1980s and 1990s with pension equity reform, child support enforcement legislation, child care subsidies, and parental leave legislation as important examples. As documented by numerous scholars, in all these cases women's organizations provided the primary lobbying support for the successful legislation.³

In addition to these congressional policy initiatives, women's organizations also won benefits for women within both political parties shortly after 1970. Under pressure from the National Women's Political Caucus (NWPC), the Democratic National Committee (DNC) as of 1972 required state parties to select women as national convention delegates roughly in proportion to their presence in the state's general population. If the number of women in a state delegation did not match this proportion, then the burden of proof would be on state party officials to prove that they had not discriminated in the delegate selection process.⁴ The rule had immediate effects; in 1972, the percentage of Democratic National Convention delegates who were women rose to 40 percent

³On the pre-1970 lobbying activity of women's organizations, see Betty Friedan, *It Changed My Life: Writings on the Women's Movement* (New York: Random House, 1976), pp. 80–86, 101. On their post-1970 lobbying activity, see Helene Norma Silverberg, "Political Organization and the Origin of Political Identity: The Emergence and Containment of Gender in American Politics, 1960–1984" (Ph.D. dissertation, Cornell University, 1988), pp. 153–206. More generally see Anne N. Costain, "Women's Claims as a Special Interest," in Carol Mueller, ed., *The Politics of the Gender Gap* (Newbury Park, Calif.: Sage, 1988), pp. 150–172; Anne N. Costain, *Inviting Women's Rebellion* (Baltimore: Johns Hopkins University Press, 1992); W. Douglas Costain and Anne N. Costain, "The Political Strategies of Social Movements: A Comparison of the Women's and Environmental Movements," *Congress & the Presidency* 19 (Spring 1992): 1–27. These studies document what I call the "success rate" of women's organizations.

⁴Byron E. Shafer, *Quiet Revolution: The Struggle for the Democratic Party and the Shaping of Post-Reform Politics* (New York: Russell Sage Foundation, 1983), pp. 138–142, 169–172, 465–486.

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from 13 percent in 1968. Explicit quota provisions for women in the Democratic Party were then further expanded in subsequent years. Republican Party elites acted similarly: a national committee on party reform authorized by the 1968 Republican National Convention recommended the expansion of affirmative action language in the selection of national convention delegates. The 1972 national convention, at which female delegates composed 30 percent of the delegates compared with 17 percent in 1968, approved this recommendation and created a committee to work with state parties to implement this reform.⁵

Although seldom remembered, this surge of legislative and party activity conferring benefits upon women as a group had a precedent, namely a similar albeit shorter-lived trend that occurred between 1920 and 1925. In fact, the entrance of women into the electorate in 1920 had been heralded as a momentous event in American electoral politics. The passage of the Nineteenth Amendment, guaranteeing to American women the constitutional right to vote, had appeared to many contemporaneous observers as only the first step in what would be an inevitable shifting of the political landscape to accommodate the demands of newly powerful women's organizations.

And for the first four to five years after suffrage, the anticipated political clout of women's organizations in national politics appeared to be realizing itself. As historians have amply documented, women's organizations led by the National League of Women Voters (NLWV) were the primary lobbyists for several successful congressional bills immediately after the passage of constitutional female suffrage.⁶ The first and most visible of these congressional victories occurred in 1921 when a coalition of women's organizations led by the NLWV successfully lobbied Congress for the Sheppard-Towner Maternity and Infancy Protection Act.⁷ Sheppard-Towner, which provided matching grants to states

⁵Winifred Wandersee, *On the Move: American Women in the 1970s* (Boston: Twayne Publishers, 1988), pp. 20, 25; Denise Baer, "The National Federation of Republican Women: Women's Auxiliary or Feminist Force?," paper delivered at the Annual Meeting of the American Political Science Association, Chicago, August 31–September 3, 1995, p. 3.

⁶For discussions of the legislative activities of women's organizations during the 1920s, see Clarke A. Chambers, *Seedtime of Reform: American Social Service and Social Action, 1918–1933* (Minneapolis: University of Minnesota Press, 1963); J. Stanley Lemons, *The Woman Citizen: Social Feminism in the 1920s* (Chicago: University of Chicago Press, 1975); Nancy F. Cott, *The Grounding of Modern Feminism* (New Haven: Yale University Press, 1987); Robyn Muncy, *Creating a Female Dominion in American Reform, 1890–1935* (New York: Oxford University Press, 1991); and Theda Skocpol, *Protecting Soldiers and Mothers: The Political Origins of Social Policy in the United States* (Cambridge, Mass.: Belknap Press of Harvard University Press, 1992).

⁷This coalition, the Women's Joint Congressional Committee (WJCC), had been

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for pre- and postnatal care under the administration of the Children's Bureau in the Department of Labor, had been the legislative priority of the NLWV and was the first federal social policy measure ever enacted. The act's opposition, led by the influential American Medical Association, called the successful coalition of women's organizations "the most powerful lobby in Washington";⁸ a supporter of the act in the Senate noted that "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 In the eyes of many political elites, the passage of Sheppard-Towner signified that the "woman movement" had gained enormous leverage with the passage of female suffrage.

Subsequent national policy victories appeared to confirm this impression. Also in 1921 women's groups were successful in lobbying for the Packers and Stockyards Control Act, providing for federal regulation of the meat industry (after the passage of which an influential senator wrote the NLWV that the bill "could never have been passed without the work of the women"),¹⁰ and obtained increased appropriations for the Women's and Children's Bureaus in the Department of Labor (regarded by women's organizations as "their particular stake in the government").¹¹ In 1922 the NLWV successfully lobbied for the Cable Act, providing for independent citizenship for married women, and for a bill establishing the U.S. Coal Commission to regulate the coal industry; appropriations for the Women's and Children's Bureaus were again increased. In 1923 the NLWV's successes included a "Filled Milk" bill, prohibiting interstate shipment of condensed or evaporated milk containing oil substitutes for butter fat, and the Sterling-Lehlbach Reclassification Act, which inter alia instituted the principle of equal pay for equal work irrespective of sex in the civil service. The Division of Home

formed at the instigation of the NLWV in November 1920 for the sole purpose of congressional lobbying on measures of interest to member women's organizations. Lemons, *The Woman Citizen*, pp. 55–56. Brief histories of the WJCC's first major success, the Sheppard-Towner Act, may be found in Lemons, *The Woman Citizen*, chap. 6, and Skocpol, *Protecting Soldiers and Mothers*, chap. 9. A full history of the act is available in Joseph Benedict Chepaitis, "The First Federal Social Welfare Measure: The Sheppard-Towner Maternity and Infancy Act, 1918–1932" (Ph.D. dissertation, Georgetown University, 1968).

⁸The congressional liaison for the American Medical Association, in *Journal of the American Medical Association* 77 (December 10, 1921), pp. 1913–1914, quoted in Lemons, *The Woman Citizen*, p. 166.

⁹Senator Kenyon, in Lemons, *The Woman Citizen*, p. 167.

¹⁰Papers of the National League of Women Voters, 1918–1974, microfilm edition (Frederick, Md.: University Publications of America, 1985), Pt. II, Reel 1, Frame 50.

¹¹Belle Sherwin memo, January 28, 1929, Campaign and Transition Papers, Box 43, Herbert Hoover Papers, Herbert Hoover Presidential Library, West Branch, Iowa.

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Economics in the Department of Agriculture was raised to bureau status under lobbying by the league and other women's organizations, and the Women's and Children's Bureaus again received increased appropriations. In 1924 the NLWV was "instrumental" in securing passage of the Curtis-Graham bill, providing for a separate institution for female federal prisoners,¹² and in winning congressional passage of the child labor amendment; yet again appropriations for the Children's and Women's Bureaus were increased.

In addition to these policy victories, women made steady advances in the immediate postsuffrage years in winning access to previously all-male party committees. In order to lure new female voters, both parties shortly before constitutional enfranchisement created women's divisions within their organizations, both nationally and in most states, staffed solely by women and, to all appearances, autonomous from the men's organizations. In fact, these women's divisions in both parties were ultimately controlled by male party elites through the latter's powers of personnel appointment and removal. Not content with this status, women in both party organizations sought access to the men's party committees; the NLWV included the demands of female party leaders on its lobbying agenda. And as will be documented in Chapter 5 for the national and New York State party organizations, both Republican and Democratic, between 1920 and 1924 partisan women made consistent if incremental progress in this endeavor.

After 1924, however, the success rate for women's organizations in both Congress and the party organizations diminished dramatically. In both 1925 and 1926 appropriations for the Women's and Children's Bureaus were reduced, and only one substantive bill supported by the NLWV passed, providing for compulsory school attendance for the District of Columbia. A bill to renew Sheppard-Towner's appropriations was held up in the Senate by a filibuster. In 1927 Sheppard-Towner was extended for two more years but with the provision that the law itself would expire in June 1929, an effective repeal of the bill.

In the subsequent two years no more bills passed if their support came primarily from women's organizations, despite continued lobbying activity, and the Women's and Children's Bureaus continued to receive the reduced appropriations of 1926. But the real blow to the legislative progress of women's organizations came under the Hoover administration. Leaders of the major women's organizations that had originally supported the Sheppard-Towner Act had hoped that they would be able to renew the act in 1929 as though it were simply being reappropriated. This same coalition of women's organizations, again led by the NLWV,

¹²"Women Progress under Suffrage," *NYT*, August 22, 1926, VIII p. 10.

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mounted a campaign as early as 1927 to ensure that the existing state programs for maternal and infant health care under Sheppard-Towner would be permitted to continue operations.¹³

But Hoover's administration was firmly on the side of the male medical profession and the surgeon general's predominantly male Public Health Service, which (as it had in 1921) strenuously opposed the administration of a maternal health program by the predominantly female Children's Bureau. Women's organizations were unable to counter this opposition, and Sheppard-Towner was not renewed after its expiration in 1929.

And as will be documented in Chapter 5, the NLWV-supported efforts of female party leaders to win access to the men's party committees stalled abruptly at precisely the same point as did the legislative progress of women's organizations. After 1924 women in neither party organization, New York State or nationally, would make further gains in enhancing the organizational status of partisan women. In fact, in all four of these organizations, women would experience some form of organizational setback by the late 1920s or early 1930s.

There is quite clearly a change in the mid-1920s in the success rate of women's organizations in both the legislative and the party arenas. Moreover, this pattern appeared at the level of state policy making as well, as Theda Skocpol's work on mothers' pensions has demonstrated. Although women's organizations were quite successful during the 1910s and early 1920s in getting mothers' pension enabling legislation passed in several states, by the mid-1920s women's organizations found themselves ineffective in pushing for the programs' funding and expansion.¹⁴ Similar patterns may be found in states' extension of jury service to women and the progress of the child labor amendment's ratification within the same time frame.¹⁵

Even more striking, the severely diminished efficacy of women's organizations after 1925 was to last for approximately forty-five years, until 1970. During this period women's organizations were by all accounts simply unsuccessful in influencing the course of policy. During

¹³Irvine L. Lenroot to Herbert Hoover, February 4, 1929, enclosing memo from Belle Sherwin, president of the NLWV, Campaign and Transition Papers, Box 43, Herbert Hoover Papers. The coalition in 1929 included the American Home Economics Association, the American Association of University Women, the National Women's Trade Union League, the Young Women's Christian Association, the National Council of Jewish Women, the National Consumer's League, the American Nurses Association, the American Federation of Teachers, the Service Star Legion, and the General Federation of Women's Clubs.

¹⁴Skocpol, *Protecting Soldiers and Mothers*, p. 479.

¹⁵On jury service see Lemons, *The Woman Citizen*, pp. 72-73; on the child labor amendment see *ibid.*, pp. 216-225.

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the New Deal years, for instance, money for maternal and infant health was restored and money for mothers' pensions, in the form of Aid to Dependent Children (ADC), was finally appropriated at the national level. But whereas women's organizations had lobbied for, and had originally won in the case of Sheppard-Towner, non-means-tested programs for women administered by female-led administrative agencies, these were not prominent features of New Deal social programs. The aid for maternal and infant health care under the Social Security Act of 1935 was earmarked for "needy" families only, critically undermining the program's appeal to all women, and, while administered by the Children's Bureau, that bureau was increasingly less able to favor the hiring of female personnel as it had previously done.¹⁶ The administration of ADC, which the Children's Bureau had expected to receive, was given to the Social Security Board (SSB) instead as an income-maintenance program, again undermining the potentially universal appeal of mothers' pensions. Under the administration of the SSB, clear distinctions emerged between this program for needy mothers and children and programs for male "breadwinners" like Social Security and unemployment insurance.¹⁷ The primary explanation given by those who have documented these distinctions in ADC is that the concerns of women's organizations about the program's implementation were easily subordinated to the concerns of more politically powerful groups such as labor unions.¹⁸

¹⁶Muncy, *Creating a Female Dominion*, pp. 154–155; Skocpol, *Protecting Soldiers and Mothers*, pp. 535–536.

¹⁷See Winifred Bell, *Aid to Dependent Children* (New York: Columbia University Press, 1965); Russell L. Hanson, "Federal Statebuilding during the New Deal: The Transition from Mothers' Aid to Aid to Dependent Children," in Edward S. Greenberg and Thomas F. Mayer, eds., *Changes in the State* (Newbury Park, Calif.: Sage, 1990), pp. 93–114; Barbara J. Nelson, "The Origins of the Two-Channel Welfare State: Workmen's Compensation and Mothers' Aid," in Linda Gordon, ed., *Women, the State, and Welfare* (Madison: University of Wisconsin Press, 1990), pp. 123–151; Christopher Howard, "Sowing the Seeds of 'Welfare': The Transformation of Mothers' Pensions, 1900–1940," *Journal of Policy History* 4, no. 2 (1992): 188–227; Skocpol, *Protecting Soldiers and Mothers*, pp. 534–539; Suzanne Bridget Mettler, "Divided Citizens: State Building, Federalism, and Gender in the New Deal" (Ph.D. dissertation, Cornell University, 1994).

¹⁸See, e.g., Mettler, "Divided Citizens." Other setbacks for women during the New Deal included Section 213 of the 1932 National Economy Act, which penalized the federally employed wives of federal employees (repealed in 1937), the approximately 25 percent of the National Recovery Act codes which allowed lesser wages for women, the 1934 decision of the Attorney General that sex discrimination in the civil service was legal, the refusal of the War Manpower Commission to appoint women between 1941 and 1945, and its concomitant refusal to consider the problems of job training, flextime, and day care for women wartime workers. Susan Ware, *Beyond Suffrage: Women in the New Deal* (Cambridge, Mass.: Harvard University Press, 1981), pp. 79, 90; Judith Sealander, "Moving Painfully and Uncertainly: Policy Formation and 'Women's Issues,' 1940–1980," in Donald T. Critchlow and Ellis W.

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In the period between the New Deal years and 1970 only two congressional acts that appeared to be designed to provide benefits to women as a group were passed: the Equal Pay Act in 1963 and Title VII of the Civil Rights Act of 1964, prohibiting sex discrimination in the workplace.¹⁹ However, these two bills are usually distinguished from the wave of legislation that followed in the 1970s because of the odd circumstances surrounding their passage. The Equal Pay Act was in fact originally a demand of male labor union leaders, who feared the displacement of male wage workers by lesser-paid women. Likewise, Title VII of the Civil Rights Act was originally an amendment to the act proposed by southern conservatives in an effort to kill the bill.²⁰ After 1925, we simply do not see a sustained recognition of women as a significant group in policy making until 1970. Moreover, as will be discussed in Chapter 6, women in the national parties fared no better during the New Deal years or later. Not until the party reforms of the early 1970s would women make any more significant advances in the party organizations.

EXPLAINING THE PUZZLE

What accounts for the long hiatus between these periods of congressional and party efforts to accede to the lobbying demands of women's organizations? More broadly, what accounts for the variation in such efforts? Existing accounts, which fall into two distinct classes of explanation, treat only the legislative activity benefiting women, and treat the two time periods separately at that. The first such class of explanation emphasizes the nonelectoral factors that may have influenced the provision of policy benefits for women, of which two have received the most attention in the literature: policy networks and ideological climates. With respect to the first argument, one group of scholars contends that legislators began enacting policies to benefit women both before and immediately after suffrage because of the development of a women's policy network linking the leaders of women's organizations, female academics, and female bureaucrats in the Children's and Women's Bureaus

Howley, eds., *Federal Social Policy: The Historical Dimension* (University Park: Pennsylvania State University Press, 1988), pp. 79–96.

¹⁹On the interim period, see Eugenia Kaledin, *Mothers and More: American Women in the 1950s* (Boston: Twayne Publishers, 1984); Cynthia Harrison, *On Account of Sex: The Politics of Women's Issues, 1945–1968* (Berkeley: University of California Press, 1988); Patricia Zelman, *Women, Work, and National Policy: The Kennedy–Johnson Years* (Ann Arbor, Mich.: UMI Research Press, 1982).

²⁰Jo Freeman, *The Politics of Women's Liberation: A Case Study of an Emerging Social Movement and Its Relation to the Policy Process* (New York: David McKay, 1975), pp. 171–178.

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of the Department of Labor; an analogous argument has been made for the late 1960s.²¹ If policy concessions for women dried up between the mid-1920s and 1970, then there must have been corresponding changes in the strength of these policy networks.²² Another group of scholars argues that the policy victories won by women's organizations during these periods were due rather to the favorable ideological climates of the late Progressive period and the turbulent 1960s; the general ideological climate in the interim must simply have been hostile to reform legislation of any kind, including that sought by women's organizations.²³

The second class of explanations for the variation in policies benefiting women relies upon a simple version of strategic electoral politics: women received policy benefits from legislators when legislators believed that women voted as a bloc. Legislators must have believed that women would vote as a bloc immediately after female enfranchisement, but not have believed in women's electoral distinctiveness between 1925 and 1970.²⁴

How do these explanations fare when we extend them to both periods and to the case of women in the party organizations? The short answer is, not particularly well. (The long answer is the substance of this book.) As later empirical chapters will detail, neither class of arguments, the nonelectoral nor the simple electoral, can account for important facts that remain anomalous and unexplained under these stories.

Moreover, and perhaps not coincidentally, these arguments are also

²¹Two leading advocates of the policy network approach for the 1920s are Robyn Muncy in *Creating a Female Dominion* and Theda Skocpol in *Protecting Soldiers and Mothers*, although Skocpol distinguishes her argument by emphasizing the role that women's organizations also played in mobilizing their members to educate public opinion. Both scholars also rely somewhat on a "climate" explanation for the ebb and flow in the success rate of the policy network. On the late 1960s, see Freeman, *The Politics of Women's Liberation*, chap. 7; Freeman's is also in part a "climate" explanation.

²²Thus, e.g., Skocpol suggests that the women's organizations composing the first policy network grew weaker over the course of the 1920s; *Protecting Soldiers and Mothers*, p. 519.

²³For the 1920s, see William H. Chafe, *The American Woman: Her Changing Social, Economic, and Political Roles, 1920-1970* (London: Oxford University Press, 1972), p. 29; Chambers, *Seedtime of Reform*; Muncy, *Creating a Female Dominion*, pp. 129-135; Skocpol, *Protecting Soldiers and Mothers*, p. 521. For the 1960s and 1970s, see Freeman, *The Politics of Women's Liberation*, p. 229.

²⁴For the 1920s, see Chafe, *The American Woman*, pp. 29-30; Lemons, *The Woman Citizen*, pp. 157, 174; Michael McGerr, "Political Style and Women's Power, 1830-1930," *Journal of American History* 77, no. 3 (December 1990): 882; Muncy, *Creating a Female Dominion*, p. 126; Eleanor Flexner, *Century of Struggle: The Woman's Rights Movement in the United States* (Cambridge, Mass.: Harvard University Press, 1975), p. 338; Skocpol, *Protecting Soldiers and Mothers*, p. 521. On the 1970s, see Silverberg, "Political Organization"; Silverberg argues a more nuanced version of the strategic electoral politics story.