

Casting An Evil Eye on the Youth of the Nation: Motherhood and Political Subversion in the Wartime Prosecution of Kate Richards O'Hare, 1917-1924

Kathleen Kennedy

When Woodrow Wilson mounted the podium on April 2, 1917, to ask Congress for a declaration of war, his plan faced opposition from peace advocates, socialists, and some immigrant groups. By defining American participation in the war as a crusade to preserve an endangered liberal democratic tradition, Wilson sought to pre-empt this opposition. As the caretakers of this tradition, Wilson argued, Americans had a responsibility, a mission if you will, to venture into the battlefields of Europe.

Historians argue that Wilson's success in defining the war as a democratic crusade quelled much of the potential opposition to his plans, especially among liberals and progressives.¹ For those unpersuaded by the merits of his mission, Wilson promised "a firm hand of stern repression." Without absolute loyalty and unity of opinion, Wilson believed that his mission, if not the war itself, would be lost.²

How the Wilson administration contained domestic dissent through propaganda and repression is one of the most important legacies of World War I. While originally understood as a hysterical response to the conditions of war, historians now contextualize wartime repression within longstanding American political traditions such as nativism and anti-radicalism.³ Such traditions emerged from a political culture that in the words of one historian, "had from the first been . . . extraordinarily preoccupied with the problem of like-mindedness."⁴

The federal wartime emergency laws—a series of wartime laws passed to control domestic dissent—gave statutory power to this desire to create like-mindedness. The federal wartime emergency laws were key to the formation of the national security state. Historians argue that fear of disorderly or criminal behavior by immigrants and radicals crystallized during the war as state authorities and local patriotic groups blamed disloyalty on “alien” influences.⁵ Responding in part to these fears, state authorities developed internal agencies and a legal structure that criminalized particular political ideas. The war permanently changed the tempo and character of the anti-radical crusade. Unlike the pre-war years, wartime repression used federal troops and judicial trials, committing the state to a permanent program of destroying domestic subversion. By the end of the war, both federal and state governments had in place an apparatus designed solely to control domestic dissent.⁶

This study examines the case of Kate Richards O’Hare, who the Justice Department indicted under the Espionage Act after she gave an anti-war speech in Bowman, North Dakota. A popular leader in the American socialist movement, O’Hare was the first major socialist leader charged under the Espionage Act. For this reason historians have argued that O’Hare’s conviction, “helped set the tone of conservative expectations for espionage prosecutions.”⁷ They define its importance exclusively in terms of its impact on civil liberties and anti-socialist discourse.⁸ Yet these interpretations neglect precisely the issue that makes O’Hare’s case fascinating. While anti-socialism played a role in her conviction, the charges against O’Hare did not ultimately focus on her argument that the war served the interests of capitalism. Instead, the Justice Department indicted her for alleging that the war corrupted motherhood.

The impact of wartime repression on women’s political activity has been absent from historical accounts of wartime anti-radicalism. Nor have historians of women addressed the relationship between the rise of the national security state and women’s wartime and post-war politics.⁹ The emergence of the national security state came at a critical moment in the history of women’s politics—a moment in which women played a significant role in early twentieth-century state building.¹⁰ Recent studies on the formation of the welfare state have argued that white, middle-class women ushered in many of the political changes associated with Progressivism. As middle-class white women carved out their political dominion, they identified themselves as acting on behalf of a special interest group: mothers and their children. The state, these reformers argued, should reward mothers for their service and protect mothers and their children from the worst effects of industrial society. In short, they contended that the state should take over some of the functions of the home. Such state building, historians contend, both stemmed from and helped reinforce women’s roles as citizens-mothers.¹¹

These studies on the relationship between white, middle-class women’s politics and maternalist state building have demonstrated unequivocally the

importance of gender deconstruction and reconstruction in the process of state formation. Yet their emphasis on social reform and the welfare state tell only part of the story. This essay explores another dimension of early twentieth-century state building: how the wartime legal system and its attendant definitions of loyalty, patriotism, and subversion shaped the relationship between maternalism and issues of national security.

Historians have long noted that Americans discussed participation in World War I within a specifically gendered language that valorized traits in men believed lost in the process of industrial society. Yet until recently historians have not examined this language in relation to the changes brought about by women's participation in public life beyond the simple observation that feminism had produced in middle-class men anxiety over the status of their sons.¹²

By the time the United States entered the war, Americans were engaged in a protracted debate over the influence of women's participation in politics and the consequences of that influence on national security. Members of the Woman's Peace Party, for example, argued that women's political influence implied a new form of citizenship—one that rejected military service and competition among nations. Before American participation in the war, the Woman's Peace Party parlayed this belief in women's innate pacifism into an important political movement that linked feminism and peace politics. Yet by the outbreak of war "policy makers and administration officials were particularly concerned that women, especially those in the women's peace movement, might constitute a subversive element in the nation."¹³

Women's wartime responsibilities were understood in relation to the draft and the nation's need to produce soldiers. Pro-war rhetoric emphasized women's role in preparing men for military service; patriotic mothers used their authority to persuade men to go to war. But even more fundamentally, patriotic mothers prepared their sons to undertake their civic responsibility.¹⁴ At stake in O'Hare's case was how women's violation of patriotic motherhood endangered the state's production of loyal citizens in general and soldiers in particular.

Kate Richards O'Hare was born in Ottawa County, Kansas, in 1876 to a homesteading family. After an economic bust in 1887, O'Hare's father moved his family to Kansas City, where he found work as a machinist and later opened a machine shop. Influenced by the poverty she saw in Kansas City and her family's religious values, O'Hare considered a career as a missionary. Like many politically active white women of the late nineteenth century, O'Hare joined the temperance and settlement house movements. Unlike many of the middle-class reformers who participated in these movements, O'Hare worked in her father's machine shop and participated in union politics. After meeting Mother Jones, O'Hare converted to socialism and joined the Socialist Party in 1901. With her husband, Frank O'Hare, she stumped the Midwest and Southeast. Particularly popular among farmers, the O'Hares helped establish the Socialist Party as a major political force especially in Oklahoma. Like many socialist women of her

generation, O'Hare adapted her socialist message to moral reform, often defining socialism as a moral crusade.¹⁵

As O'Hare's biographer Sally Miller argues, O'Hare's ability to blend a public life dedicated to political change with a conventional private life distinguished her from many of the public women of her time.¹⁶ A central component of O'Hare's socialist crusade was her maternalism. Seldom pictured without her family, O'Hare consciously portrayed herself as the ideal socialist mother. Her book, *Sorrows of Cupid*, reaffirmed the glories of motherhood; she condemned capitalism because it destroyed the family.¹⁷ In part because of her own investment in maternalism, O'Hare's case contained the most explicit debate of those women charged under the federal wartime laws over the meaning of motherhood and its relationship to loyalty and patriotism. O'Hare's popularity in the socialist movement guaranteed that this debate would gain a national audience.

In June 1917, O'Hare delivered an anti-war speech to a small audience consisting primarily of women and children. Afterward, she attended a reception hosted by the founders of the Nonpartisan League of Bowman, North Dakota.¹⁸ A few days later, acting on a tip from opponents of the League, federal authorities arrested O'Hare, charging that she had made seditious remarks during her speech. Stunned, O'Hare noted that she had given the same speech well over one hundred times with Justice Department officials present. Nonetheless, relying principally on the testimony of a local banker, Jim Phalan, the government indicted her for intending to interfere with the draft, a violation of the Espionage Act.¹⁹

Political disputes resulting from the strength of the Nonpartisan League in North Dakota motivated O'Hare's arrest. Founded by former socialist organizers, the League demanded government ownership of commercial enterprises which affected farmers. The party was especially strong in North Dakota, capturing several local and state offices and for a time controlling state government. In Bowman, the local leaders of the League, Edward P. and Lillian Totten, the postmistress, were under attack by the party's opponents. The opposition believed, and the Tottens agreed, that if O'Hare were indicted under the Espionage Act, it would discredit the Nonpartisan League, which had sponsored O'Hare's talk.²⁰

Pointing to this controversy, historians argue that O'Hare's arrest did not result from her speech but rather from events that were beyond her control.²¹ Yet the Justice Department based its charges on remarks O'Hare allegedly made about the effects of the war on women, remarks that formed only a brief portion of a two-hour speech that primarily focused on how the war benefitted capitalism. What O'Hare actually said was disputed. O'Hare's indictment accused her of calling American mothers "brood sows" and American soldiers "fertilizer":

any person who enlisted in the Army of the United States for service in France would be fertilizer, and that was all that he

was good for, and that the women of the United States, were nothing more than brood sows to raise children to get into the Army and made into fertilizer.²²

O'Hare denied making these remarks. She instead offered the following version of the disputed paragraph:

When the governments of Europe and the clergy of Europe demanded of the women that they give themselves in marriage, or out, in order that men might 'breed before they die,' that was not the crime of maddened passion, it was the cold blooded crime of brutal selfishness, and by that crime the women of Europe were reduced to the status of breeding animals on a stock farm.²³

The specific wording seemed important. Unlike the government's version, O'Hare's passage avoided the direct criticism of the American war effort forbidden by the Espionage Act. As the courts interpreted the Espionage Act, however, prosecutors did not have to prove that O'Hare actually criticized the war effort but rather that she intended her remarks to interfere with the draft.²⁴

O'Hare's guilt rested on a broad understanding of "bad tendency doctrine" that defined speech as seditious if it simply had a "bad tendency to cause unrest in an impressionable public."²⁵ The presiding judge, Martin J. Wade, employed this broad understanding of the bad tendency doctrine throughout O'Hare's trial. He instructed the jury that if her remarks even potentially interfered with the draft, they violated the Espionage Act. "You have the right to take into consideration," he instructed the jury,

the general purpose of and feeling of the great majority of the American people that this war must be won; that no other result would be tolerated. You have a right to take into consideration the general knowledge which you must have, as everyone else, that there is only one way to win a war, and that is to have soldiers.²⁶

O'Hare's remarks and the reaction they engendered underscore the importance of patriotic motherhood to the war effort. As Judge Wade instructed the jury, "the only way to win a war [is] to have soldiers." As patriotic mothers it was women's responsibility to produce citizens-soldiers. O'Hare's remarks explicitly challenged this understanding of women's wartime role. O'Hare argued that the experience of war alienated women from motherhood because it reduced women to reproducing soldiers who in turn killed and were killed for the state. O'Hare defined patriotic motherhood as a labor contract in which women produced

surplus value in return for the protection of soldiers. She rejected this contract because it alienated women from their labor, reducing motherhood to its basest reproductive capacities and denying the essential role that O'Hare believed mothers played in defining character and social morality. In essence, O'Hare contended that patriotic motherhood epitomized the corruption of motherhood that occurred under capitalism and militarism.²⁷

The prosecution focused on proving that O'Hare had called mothers "brood sows" and that draft-aged men had attended her talk. This strategy highlighted O'Hare's violation of patriotic motherhood and how that violation could disrupt the production of soldiers. Prosecutors argued that O'Hare intended her comments to dissuade draft-aged men from complying with the Selective Service Act. While there was no evidence that O'Hare's remarks convinced men to resist conscription, the prosecution argued that they could have had that effect if draft-aged men or their mothers heard them. The defense produced evidence that disputed much of the prosecution's case, yet the jury took only thirty minutes to convict O'Hare.²⁸

While she did not believe that her remarks had violated the law, O'Hare was not surprised by the jury's verdict. She was unprepared, however, for Judge Wade's sentence: five years in a federal prison. By all accounts, Wade's sentence was harsh; the normal sentence for violating the Espionage Act was a six-month jail term. O'Hare's standing in the socialist movement influenced Wade, who made no secret of his hatred of socialism or his opposition to women's participation in public life. In fact, Wade had been assigned to the case because of his superior's desire to use O'Hare as an example to weaken the Nonpartisan League and discourage protests against the war. Before trying her case, Wade apparently received a letter from the regional office of the Justice Department urging him to pronounce a harsh sentence.²⁹ It is therefore important not to underestimate the importance of anti-socialism in O'Hare's conviction and sentence. At the same time, anti-socialism alone does not explain why her indictment, the press coverage surrounding her case, and ultimately O'Hare's defenders, focused on the implications her case held for the meaning of motherhood and its relationship to women's participation in public culture.³⁰

Mindful that the severity of his sentence as well as O'Hare's celebrity would call attention to his actions, Wade carefully detailed the meaning that he hoped his sentence would convey. In a twenty-six page speech, Wade clarified how he understood O'Hare's subversion and the role that he believed the state should play in controlling it. He began by identifying the criteria by which he had determined the seriousness of O'Hare's crime. He told the court that he had not based his sentence on her precise utterances, for they could be excused as an emotional reaction against war, but rather "what was in her heart." Wade concluded that O'Hare's longstanding commitment to socialism revealed a fundamental corruption of character and an uncanny ability to infect others with her ideas. These factors, Wade concluded, established the "bad tendency" of her utterances.³¹

O'Hare's commitment to socialism particularly offended Wade, who understood socialism as a uniquely dangerous and anti-American philosophy. "If [socialism's] gospel is the gospel of hate," Wade admonished O'Hare, "of contempt of religion and charity, it has not any place on the American soil either in times of war or times of peace. The worst poison you can instill in the hearts of men," Wade went on, "is a conscientious feeling that they are being deprived of their just earnings by some invisible power."³² Socialism undercut the free labor contract which promised that individual men could exchange their labor for a just wage and economic opportunity. It was this contract, the defenders of American industrial capitalism argued, that guaranteed to each man his freedom. Socialism's worst sin, Wade argued, was its challenge to this basic American value. Stripped of their faith in the free labor contract, Wade feared that men were susceptible to the moral decay that socialism brought upon its adherents.

As Wade framed his anti-socialist statements, they were not specific to O'Hare. According to Wade's criteria, any effective socialist could disrupt an otherwise loyal citizen's faith in American democracy.³³ But as Wade continued his evaluation of O'Hare's crime, he considered the danger posed by O'Hare's specific remarks. In doing so, he defined O'Hare as part of a larger conspiracy that corrupted citizenship by attacking the family, a family that Wade argued was held together by patriotic motherhood.

Wade carefully reminded the court that O'Hare's sedition was, in essence, her efforts to undermine the sacrifices made by patriotic mothers. "This is a nation of free speech," he admonished O'Hare, "but this is a time of sacrifice, when mothers are sacrificing their sons, when all men and women who are not at heart traitors are sacrificing their time and hard-earned money for defense of the flag."³⁴ Without mothers willing to sacrifice their sons for the state, the nation could not wage war. Wade reiterated that motherhood itself required this sacrifice.

Wade cast himself as protecting the family bonds and gender roles of patriotic motherhood. "American sons are not going to allow their mothers to be linked unto brood sows," he promised O'Hare, "and American fathers and mothers are not going to submit to having their sons assigned to no more glorious destiny than that of fertilizer."³⁵ Wade's words cast O'Hare's understanding of motherhood outside the American family, reconfirming the bonds of loyalty and citizenship that ultimately tied patriotic mothers to their sons.

At the same time, Wade understood his own role as that of a citizen-soldier, perhaps not trusting the ability of the American family to withstand O'Hare's challenge to patriotic motherhood. Wade designed his sentence to reassure the public that the state would protect Americanism from those who wished to corrupt it.

This defendant does not take pride in her country. She abhors it. She is the apostle of despair and carries only a message of hate and defiance. She is sowing the seeds of discontent. She

preaches defiance of authority. . . . She proclaims that if she is punished, her followers will assert themselves and that the cause she represents will gain in strength and power. Let them assert themselves—they will find that while this nation is kind and generous she is also powerful, and that when the loyal people of the country are fully aroused, traitors will receive the reward of their teaching.³⁶

Wade understood his role as interrupting and ultimately silencing O'Hare's unnatural construction of motherhood.³⁷ He feared most, and his five-year sentence sought to contain, O'Hare's potential for subverting loyal sons.³⁸ Wade argued that unless the state intervened and asserted its own understanding of motherhood, O'Hare would literally implant within the heartland of the nation the seeds of its own destruction. He defined O'Hare's subversion as an unnatural reproduction of motherhood itself.

At her trial, O'Hare and her supporters emphasized the partisan politics they believed had motivated her indictment. They argued that Bowman officials lied about the content of her talk in order to discredit the leaders of the Nonpartisan League who had sponsored her visit. Unable to persuade the jury or judge, O'Hare's defenders pressed this interpretation in the socialist press. They represented her conviction as a bench-mark in the socialist struggle, arguing that her trial underscored the desperation of the Wilson administration as it attempted to impose an unpopular war on workers. "This case," O'Hare wrote, "is but the first pangs of the birth of the new order. There is a story back of this that constitutes a large part of our American life."³⁹ Increasingly, O'Hare used her conviction as a forum for telling her version of that story and for redefining her legacy within American politics.

Convicted and sentenced in December of 1917, O'Hare toured the country rallying support for her case until her eventual imprisonment on April 15, 1919, six weeks after the Supreme Court upheld her conviction. During this time, O'Hare and her supporters shifted the meaning of her case. While they continued to argue that partisan politics and anti-socialism motivated her conviction, O'Hare and her defenders reconstructed her case as a contest over the meaning of women's political identity in general and motherhood in particular. New York's leading socialist newspaper, the *New York Call*, attributed her conviction to her status as "a dangerous woman, a thinking woman. . . that stirrth [sic] up the people."⁴⁰ For her part, O'Hare compared her trial to the Salem witch hunts:

I sat there in the courtroom and watched the comedy of the United States federal court in 1918 go back to the days of the witchcraft trials in Salem. I was charged with having an intention—not having done so—to cast the evil eye on the

younger generation of North Dakota and cause the young men to resist the draft.⁴¹

O'Hare's words were ironic as they emphasized both the hysteria and the logic of the state's prosecution of her. She placed her case within a uniquely women's history in which women stood accused of violating their place. Like the accused witches of Salem, O'Hare argued, her actions had cut at the core of an oppressive society. The sentence against her, O'Hare implied, only exposed the state's investment in controlling motherhood.⁴²

Similarly, O'Hare's defenders in the Socialist Party's woman's sector constructed her case as a moral crusade in which O'Hare reclaimed social motherhood and women's moral authority. The Kate Richards O'Hare defense committee upheld O'Hare as the ideal socialist mother in their efforts to further involve women in civil liberties work.⁴³ "Mrs. O'Hare is not only an able propagandist; she is also a happy wife and mother," wrote Anita Block, the editor of the *New York Call's* woman's page,

Her large family of little O'Hare's have always figured delightfully in her speeches. The thought that this warm mother, this socially useful woman, is to pay the price of five long years of agony and loneliness in prison for her rare courage and vision seems too horrible to be true.⁴⁴

Like many of the leaders of the Socialist Party's woman's sector, Block linked the character of women's politics to their roles as mothers.⁴⁵ O'Hare's mothering, Block asserted, proved the morality and purity of her public role.

Socialist women also stressed that O'Hare's conviction underscored a greater threat to motherhood by removing from women control of motherhood and placing it in the hands of the capitalist state. Theresa Malkiel, a leader in New York's socialist movement, argued that O'Hare had "claimed for [mothers] the right to protect the life of their sons." O'Hare's crime, Malkiel asserted, was that she had "urged the women to use their economic power, their moral influence, their political weapon, in order to restore once more 'Peace on earth, good will among men'." Malkiel depicted O'Hare as representing and acting on behalf of those mothers who might reject patriotic motherhood.⁴⁶ As Malkiel and O'Hare wrote and spoke for a working-class audience, they claimed for working-class women a space within maternal politics.

O'Hare further developed this argument in the letters that she wrote during her imprisonment which lasted from April, 1919, until President Wilson commuted her sentence in May, 1920. While addressed to her children, O'Hare's "Dear Sweetheart" letters were widely distributed and reprinted in the socialist press. Because these letters were propaganda and subject to prison censorship, they cannot be read as literal descriptions of her prison experiences. Instead, they

reveal O'Hare's attempts to define the meaning and a purpose for her imprisonment.

O'Hare's letters constructed her conviction as an integral part of the fight against capitalism and as a direct assault on the family. She described prison as a microcosm of capitalist society, and her own role as regenerating the prison community by leading a spiritual and political revival.

As "the only mother" imprisoned under the wartime laws, O'Hare constructed her own case as the most extreme outrage committed under the wartime laws, but one that mirrored and revealed a larger concern: the state's failure to protect and value motherhood.⁴⁷ "It would be far better," she wrote in one of her most cutting passages, "for one to be an enemy spy at the mercy of German Army officers than to be an American mother at the tender mercy of the Wilson administration."⁴⁸ O'Hare used powerful pro-war symbols—the German execution of Edith Carvell and alleged German atrocities towards mothers and their children—to underscore the hypocrisy of the Wilson administration's wartime conduct. In the process, O'Hare defined her imprisonment as a violation of the very definitions of womanhood that the Wilson administration's wartime propaganda claimed to protect.⁴⁹

In her letters to her children, O'Hare provided her readership with concrete examples of how the Wilson administration's policies destroyed families. Her children were motherless, she continuously reminded her readers, because Wilson had chosen that fate for them. At the same time, O'Hare argued that her imprisonment was made necessary by the exploitation of capitalist society. "You should only feel that you have loaned me for a time," she wrote her children, "to those who need me far more bitterly than you do."⁵⁰

O'Hare described her stay in prison as a mission consistent with her duty as a Christian and as a mother. "I can feed her and encourage her and pet her," O'Hare wrote of her relationship with an imprisoned drug addict, "and I think if Jesus were consulted on the matter, he would prefer that I should be here this Easter day rather than in some magnificent church."⁵¹ It was by the sacrifices of women and their children that society would purify itself, a theme O'Hare would later revive in the centerpiece of her amnesty campaign, the Children's Crusade.

It would be unfair to simply attribute O'Hare's words to mere propaganda. By all accounts, O'Hare found her imprisonment difficult, and her letters reflected her need to find meaning in what she understood as a personal catastrophe. She discovered that meaning in prison reform, which combined her commitment to maternalism with her growing interest in the social sciences. "I hope that you are not worried about me, for I am having a most interesting time," O'Hare reassured herself as much as her family.

In Emma Goldman, and the dear little Italian girl, I have intellectual comradeship, and in my little 'dope fiend' someone to mother; in the management of the institution very

interesting study, and in the inmates, a wonderful array of interesting fellow-beings.⁵²

In spite of her dedication to and success in improving prison conditions, O'Hare bemoaned the distance she often felt between herself and those she wanted to serve. "I want to come close to these women," she lamented, "I want to serve them but I am conscious of the fact that they feel that I am apart from them."⁵³ O'Hare created this distance. Her language was often condescending as she defined the other inmates as subjects for her study or as victims of a capitalist society rather than potential colleagues.

Yet, O'Hare retained a strong faith that maternalism could breach the social and political gaps that threatened the socialist movement. As evidence, O'Hare pointed to her growing friendship with Emma Goldman, who was convicted of violating the Selective Service Act in July, 1917. Goldman served with O'Hare until her release in September, 1919, twenty months after her original imprisonment. Recognizing that their relationship could raise eyebrows among her socialist colleagues, O'Hare reassured them that their differences were rather small. Discounting and even occasionally ridiculing Goldman's anarchism, O'Hare attributed Goldman's influence to her "passionate maternal spirit" and "not her anarchist principals."⁵⁴ It was on this common base established by each's commitment to maternalism, that she and Goldman had formed a political alliance that brought concrete change to the prison. Mindful of the divisions within the Socialist Party, O'Hare used her friendship with Goldman to scold socialists and remind them of their common enemy.

For her part, Goldman respected and liked O'Hare but found her naive. While using maternalism to frame some of her anti-war work, Goldman argued that her commitment to anarchism and previous record of arrest had better prepared her for the penalties the state imposed during the war. "Kate Richards O'Hare still had the childlike faith of most Americans that certain things cannot happen," Goldman recalled,

and that certain things our government will not do so. She said to me "I don't believe for a minute that the Supreme Court, the highest court, will sustain the sentence, and I don't believe for a minute that I will have to go to prison." It was really pathetic to me, in a way, because you see I am a hardened criminal.⁵⁵

Goldman was less willing than O'Hare to understate their differences. Unlike O'Hare, Goldman relished her marginalized status. She saw herself as a realist, who scorned middle-class morality. Goldman's own political identity required that she ultimately distinguish herself from O'Hare's brand of politics even as she counted her as a political and personal ally.⁵⁶

O'Hare's construction of her arrest as an attack on motherhood particularly annoyed her detractors. They battled O'Hare over the meaning of motherhood

and her claim to maternal politics and the relationship of both to the war effort. After the war ended in 1918, the Wilson administration began commuting the sentences of wartime prisoners. O'Hare's supporters hoped that Wilson would commute her sentence even before she went to prison. Their activity as well as the length of O'Hare's appeal led Judge Martin Wade and other North Dakota officials to pressure Wilson to keep O'Hare in prison. Patriotic groups such as the American Legion supported their efforts. Legionnaires argued that any reduction in O'Hare's sentence was a "direct insult to the mothers of all boys and girls who so gladly offered to sacrifice their lives that the world would be made safe for democracy" and a "vile slander upon American womanhood."⁵⁷ Commuting O'Hare's sentence, petitioners contended, would not restore the integrity of motherhood as argued by O'Hare's supporters; it would instead degrade those mothers who had acted patriotically.

O'Hare's opponents argued that her continued criticism of the government belied her moral claims. O'Hare "seems to have glorified in her conviction," wrote the Attorney General of North Dakota, Melvin Hildreth, "and to have used it as an asset to further her financial interests and spread propaganda dangerous to the institutions of our common country, and all created discord amongst the laboring classes."⁵⁸ This characterization of O'Hare as a bitter yet opportunistic revolutionist resonated throughout appeals to keep her in prison.

The prosecution convicted O'Hare by preventing the defense from focusing on the political motivations that might have influenced the charges against her. Instead, the prosecution and ultimately the presiding judge focused on O'Hare's character to determine her intentions.⁵⁹ The following memo, recommending against commuting O'Hare's sentence, suggests that their efforts had some success:

Mrs. O'Hare's inconsistency is, of course, manifest from this review of the record. She stated at the time of her sentence in a very resigned Christian-like spirit that she would accept the sentence without bitterness or prejudice. Immediately thereafter, however, in a campaign of public speaking she directly, and indirectly through friends, began to go to the edge of her legal rights in criticizing the courts, denouncing the sentence, and her latest from prison shows that she still entertains the same biased opinion of her convictions expressing the view in the solemnly written article (apparently authentic) that she was imprisoned because she differed from the political party in power.⁶⁰

This argument rendered politics itself illegitimate for women. By acting as citizen and asserting her political and legal rights, O'Hare proved her own guilt. While the author of this memo found offense in the particulars of O'Hare's views, his criticism focused on her continued participation in public life. As a good

Christian, O'Hare should have accepted her sentence and skewed her political rights and obligations. Such arguments placed O'Hare in an inescapable bind, effectively negating her rights as a citizen. By treating O'Hare's political disagreements as a moral conflict, the prosecutor and judge had effectively criminalized O'Hare's citizenship.⁶¹ She could not participate in public life without corrupting it.

These comments were ironic. The moral standard they accused O'Hare of violating was her own. But even more fundamentally, O'Hare, like her critics, turned politics into a moral crusade. O'Hare sought to preserve women's moral authority in both the home and in public life. She criticized militarism for stripping motherhood of its moral function, of reducing it to the mere production of expendable goods. O'Hare oscillated between claiming a public identity as a citizen and as a mother. She saw little contradiction between these roles. Yet, as historian Michael Rogin has argued, this construction of politics was not wholly incompatible with the treatment of conflicts over policy as issues of personal moral failure.⁶² O'Hare's own politics linked participation in public life with personal morality. O'Hare sought to both protect this link between morality and politics and preempt the state from defining its terms.

While O'Hare penned her "Dear Sweetheart" letters, she was also embroiled in a bitter debate with Socialist Party leaders over the status of her case. Even before she entered prison, the O'Hares attacked party leaders for neglecting her case. Soon after her conviction, her husband, Frank O'Hare, wrote an angry letter to Eugene Debs accusing party leaders of ignoring O'Hare because she was a woman. "I almost believe that Kate is right," he wrote, "for years she has told me of the snubs and scorn and jealousy of the kumrid [comrade] leaders toward her as a WOMAN. I have laughed it away—but why laugh facts away."⁶³ O'Hare later reiterated these charges in her "Dear Sweetheart" letters.⁶⁴

Debs responded angrily to O'Hare's letter. He reprimanded O'Hare for his charges against the Party and summarily dismissed his accusations of sexism as "bosh."⁶⁵ Although Frank O'Hare apologized to Debs for the spirit of his correspondence, their exchange revealed fundamental differences between the O'Hares's perception of their case and that of prominent socialist men.⁶⁶ The O'Hares grew increasingly dissatisfied with the party leadership, while party leaders resented the tactics they used to publicize O'Hare's case and later amnesty activities. This dissatisfaction continued after she entered prison in April, 1919. From prison O'Hare exchanged a series of bitter letters with her old friend, Otto Branstetter, the executive secretary of the Socialist Party, that criticized his neglect of her case.

O'Hare wanted the national office to send a lawyer to Bowman to gather evidence that witnesses perjured themselves during her trial. O'Hare argued that since her case rested on such faulty evidence, a good lawyer could easily gather the evidence necessary to overturn her conviction. By showing how her convic-

tion rested on perjured testimony obtained to discredit the Nonpartisan League, O'Hare believed that the party could prove that espionage convictions were an attack on progressive political movements, not a necessary response to the wartime emergency. As "one of the most flagrant" and "dramatic" examples of the Wilson Administration's misuse of power, O'Hare argued that her case provided concrete evidence that wartime prisoners were "political prisoners."⁶⁷

Branstetter did not want to reopen her case. There were several reasons for his decision, sexism perhaps being one of them. In fairness to Branstetter, he was in an unwinnable position. While party membership increased during the war, the wartime laws hurt the Socialist Party and its ability to forge an effective amnesty campaign. In addition, the party itself was split. A left wing revitalized by the Bolshevik revolution challenged the leadership of party moderates such as Otto Branstetter. The party hoped that a vigorous amnesty campaign could reunite and strengthen the party. But the Socialist Party could not establish an effective amnesty strategy until 1921 when Harriot Stanton Blatch took over the party's amnesty campaign.⁶⁸ Short on money and facing increasing public censor, the national office could not devote the resources O'Hare felt necessary to her case.

O'Hare's wartime struggles with Branstetter were influenced by the ideological divisions within the party. Party moderates associated O'Hare with its left wing. When party members chose O'Hare as a representative to the international bureau in 1912, Victor Berger complained that O'Hare would make the American party look "ridiculous" because of her extreme views.⁶⁹ Angered when St. Louis convention delegates elected her to head the committee that wrote the Party's anti-war declaration, Hillquit accused O'Hare's followers of stacking the election.⁷⁰ In 1919, O'Hare further alienated party leaders when she challenged Morris Hillquit for party office.⁷¹ When she won that election, the national office voided the results fearing a left wing take-over of the party.⁷² Throughout her career, O'Hare had a rocky relationship with the national office. She rarely participated in party affairs, and party officials viewed her as a potentially annoying outsider capable of both recruiting a large membership and undercutting the national office's pragmatic agenda.

It is not clear why party leaders associated O'Hare with socialism's left wing. She did not support revolutionary tactics, instead preferring evolutionary socialism. And while she occasionally chastised the party's male leadership for its sexism, she only marginally participated in the socialist women's movement and was skeptical of its socialist-feminist analysis.⁷³ Why did party moderates fear O'Hare and her influence?

Historian David Shannon offers a plausible answer. He argues that the "dignified" Berger and the "debonair" Hillquit were "embarrassed by the presence in the American party of such wild-eyed socialist evangelists as Kate Richards O'Hare."⁷⁴ Both her constituency and her political training in the temperance and social purity movements influenced O'Hare's politics. O'Hare was basically a stump speaker. She built her reputation as a charismatic speaker

rather than as a party functionary. O'Hare's humor, irony, charisma, and style, which blended nicely with the rural socialism of the Southeast and Midwest, disconcerted and perhaps intimidated the more "respectable" socialist leaders such as Hillquit and Berger.⁷⁵ Throughout her career O'Hare remained outside the control of the Socialist Party's national office.

Tensions between O'Hare and the national office only increased when O'Hare organized the Children's Crusade in 1922. O'Hare organized the crusade to highlight the poverty inflicted on mid-western families by wartime arrests.⁷⁶ O'Hare originally planned the crusade after meeting Dorothy Clark, whose husband was in prison for collecting money for Industrial Workers of the World (I.W.W.) prisoners. The unwillingness of Washington officials to meet with Clark convinced O'Hare that only a dramatic gesture could call attention to the social costs of wartime imprisonments.⁷⁷

O'Hare recruited thirty-three families to visit various midwestern and eastern cities. Hosted by a woman's committee formed by Elizabeth Gurley Flynn and Mary Heaton Vorse, among others, the children paraded in New York and Washington. Their placards emphasized the hardships placed on their families by their father's imprisonment.⁷⁸ While the President refused to meet the children, their supporters argued that the crusade's publicity increased pressure for a general amnesty.⁷⁹

It is difficult to determine what effect, if any, the crusade had on the amnesty campaign. For our purposes the crusade was important for what it revealed about O'Hare's political style and her post-war relationship with the Socialist Party. In both cases, the crusade underscored the differences in style, goals, and ideology between O'Hare and Party officials.

The Children's Crusade reflected the "wild-eyed evangelism" that Shannon believes characterized perceptions of O'Hare's socialism.⁸⁰ But Shannon does not address the intricate relationship between O'Hare's evangelical socialism and gender. Like many socialist women of her generation, O'Hare's socialism embraced moral reform.⁸¹ She viewed socialism as a moral crusade that protected the embattled family from capitalism's intrusion.⁸²

O'Hare's crusade combined evangelicalism with moral reform to shame the public. Its name derived from the twelfth-century crusades in which European children joined the Christian armies sent by the Pope to fight the Muslims in Eastern Byzantium. Like the Europeans, O'Hare suggested that American society condemned its children because of a marked failure of adult responsibility.⁸³ As a spectacle rather than a political program, the crusade's symbolism suggested a moral regeneration.⁸⁴

The crusade's symbolism was consistent with the age and gender expectations of the middle-class family. Its portrayal of women and children as the "innocent" victims of public sector corruption revived the separate spheres ideology of the nineteenth-century's middle class to underscore the social consequences of the state's usurpation of women's role as moral arbitrators. The

crusade emphasized that the purification of society was still contingent upon a moral code protected by women. O'Hare designed the crusade to highlight the blatant disregard of the effects of the wartime laws on the families of workers, simultaneously appealing to and underscoring the hypocrisy of middle-class gender conventions. The Children's Crusade was consistent with socialist women's amnesty work in general, which emphasized the concrete ramifications of the wartime emergency laws on working-class families.

O'Hare originally proposed the Children's Crusade as part of a united amnesty campaign between the Socialist Party, the I.W.W., and the American Civil Liberties Union. None of those organizations officially lent their support, but individual members participated. When approached by the O'Hares, the Socialist Party rejected the plan as too costly. Branstetter noted that the party had sent Bertha Hale White to investigate the cases of Oklahoma families, and that she had instructions to lobby President Harding on their behalf.⁸⁵

When questioned about his refusal to endorse the crusade, Branstetter argued that Kate and Frank O'Hare used the crusade solely to benefit their newspaper, the *National Rip-Saw*. He charged Frank O'Hare with misusing funds previously donated for Oklahoma families, calling O'Hare's plan "ill-timed" and "launched without proper preparation."⁸⁶ In spite of these reservations, Branstetter furnished the O'Hares with the names of the prisoners' families and offered them advice on Washington contacts.⁸⁷

Besides Branstetter's accusations that the O'Hares were using the Children's Crusade to bolster their newspaper, Branstetter opposed their plan because it interfered with the Socialist Party's revamped amnesty strategy. By 1921, the Socialist Party had focused its amnesty campaign on two strategies: freeing Eugene Debs and lobbying President Harding. Branstetter did not want the party's amnesty campaign connected to the I.W.W. or more controversial methods of other civil liberties groups.⁸⁸ Branstetter considered the Clarks of questionable reputation, noting their affiliation with the I.W.W., and previous accusations that Stanley Clark, a long-time opponent of Branstetter, had mis-handled funds.⁸⁹

Because of O'Hare's reputation and concerns for the families of wartime prisoners, a coalition of left-liberal women helped her. They welcomed the crusade into their cities and wrote about how the spectacle of impoverished children marching for their father's release underscored the cruelty of wartime arrests. It is possible that the children jarred Washington's conscience and made it more difficult for amnesty opponents to stereotype wartime prisoners as dangerous subversives.

As O'Hare considered the cases of other women charged under the wartime laws, she continued to evoke maternalism to frame their defenses. In doing so, her politics clashed with those of the "revolutionary new women," who historian Mari Jo Buhle argues began to dominate socialist women's politics after 1912.⁹⁰

O'Hare constructed defenses of women convicted under the wartime emergency laws in much the same manner as she did with the Children's Crusade—

as a moral crusade that protected true womanhood from the state. She took a particular interest in Mollie Steimer, whom O'Hare had met in prison. To illustrate the absurdity of Steimer's conviction, O'Hare compared Steimer to Clara Smith, an adulteress accused of murdering her lover:

Was Mollie Steimer a harlot who had wrecked a home, ruined a woman's life, brought disgrace to innocent children, lived in open adultery and murdered her partner in crime? O'h not at all: Mollie was prudish a little Puritan that even lived, whose ideals of love and marriage was as pure and sweet as apple blossom. Mollie had never sold her sex for a libertine's luxury; she had never wronged a wife or blackened innocent childrens' lives with vulgar scandal. Mollie even refused to eat meat because she thought the slaughter of animals for food brutal....

Clara Smith the concubine, who killed her partner, is free to spread her vileness over the movie screens of the nation. Mollie Steimer, the idealist, who sought to protect the integrity of the constitution of the United States is in prison. IS THIS THE STATUS OF WOMANHOOD IN THE UNITED STATES?⁹¹

O'Hare applied a standard of moral purity to determine the social value and danger posed by Smith's and Steimer's crimes. Steimer, O'Hare suggested, could not spread social pollution because of her own purity: her adherence to gender appropriate behavior and idealism. To O'Hare, the legal system's hypocrisy—its unwillingness to stop Smith and its conviction of Steimer—underscored the chaos that accompanied the usurpation of social purity from women by state authorities.

Given the legal interpretation of the Sedition Act, O'Hare's construction of Steimer's defense made sense. Congress had passed the Sedition Act to criminalize political utterances which potentially undercut the authority of the government and hence compromised its ability to wage war. The Sedition Act could make criminal any criticism of the Wilson administration. Supporters of the Sedition Act assumed that disparaging remarks about the American government polluted the minds of the population, thus weakening the public's resolve in the war.⁹²

Steimer and three of her colleagues were convicted under the Sedition Act for distributing leaflets that criticized the Wilson administration's intervention in the Russian Civil War. Steimer's attorney, Harry Weinberger, argued that because these activities were not directed against the war, they did not violate the law. The courts disagreed; they ruled that if the leaflets only potentially undermined the authority of the American government, they violated the Sedition Act. Steimer's conviction was based on her potential to cause social pollution.⁹³

As with other women charged under the wartime laws, prosecutors defined Steimer's potential to spread social pollution as a sexual and gender transgres-

sion. Court officials questioned her relationship with her male colleagues and required her to defend her views on marriage, free love, and sex.⁹⁴ They portrayed Steimer as an alarming anarchist whose sexual license endangered political and social morality. O'Hare reversed the terms of this argument.

To prove Steimer's innocence her defenders did not stress her political ideas but instead emphasized her "immaturity." Her attorney consistently called her "this little girl" in reference to both her age and physical appearance. Even less sympathetic amnesty workers constructed Steimer as a mischievous child in order to dismiss arguments that she posed a social danger. For example, when asked during a Congressional hearing whether a general amnesty could free "such dangerous criminals" as Steimer, Lucy Robins, the coordinator of the American Federation of Labor's amnesty campaign, replied:

I do not know details of the trial but this will show how extensive a propaganda movement she carried on or could carry on, or how dangerous an 'animal' she was. She tried to distribute circulars on the streets in protest of intervention upon Russia, and found that people would not take them or read them; she then got up to the roof and threw them down. The janitor drove her away several times. He told her that if she did not stop that, he would have her arrested. That shows how much influence she had. These were mere children.⁹⁵

An irrational fear of anarchism encouraged prosecutions of ideological anarchists. Within this context efforts to distinguish between the danger of ideas and the danger individuals posed made sense. As constructed, however, all of these strategies were limited. No one understood these limitations better than Steimer.

Steimer resisted any efforts that diminished her seriousness as a revolutionist. By refusing to rise in the courtroom or to answer questions that implicated anyone other than herself, she distinguished herself as the most defiant of the Abrams defendants. But even more revealing was the stance she took toward her defenders. When Weinberger addressed her in court by her first name, she steadfastly refused to answer his questions until he extended her the courtesy of addressing her formally.⁹⁶ Steimer insisted that her defenders treat her as they would any wartime prisoner, she explained in the following letter to Agnes Smedley:⁹⁷

To my amazement, I got some information that there are people working for my release alone, disregarding, not only all class war prisoners, but even those who have been convicted under the same charge.

This sounds inconceivable. For if the existing powers consider it a crime to protest against the Russian intervention,

I am just as guilty of that crime as are my comrades who are now in Atlanta.

On what grounds, then, are those people working? Are they trying to appeal to the emotions of the government officials, or ask for pity? That I resent from the depth of my heart. I want justice, but not pity, and if it is unjust to have imposed such a penalty on me it is equally so with Lipman, Lachowsky, and Abrams.

People mention my youth. What about Lipman who is only 22 and who is almost getting blind there? What about Lachowsky who is sick and consequently subjected to more severe suffering than I am?

That woman spoke of importance. I believe that outside of the exploiting class, each individual is of importance in one way or another. Especially among political prisoners. There should be no distinction whatever....

Whoever those people who work for my release are I appeal to them in the name of real justice to: either work for the release of *all* or *non*. (sic)⁹⁸

When defense workers emphasized the qualities of individuals, Steimer argued, they lost sight of the politics of amnesty. At issue was not her individual guilt or personal morality but how the “exploiting classes” used the legal system to deny citizenship to particular groups. For Steimer justice did not mean her own release but the dismantling of the emerging surveillance state.⁹⁹

Steimer believed that she was just as “guilty” (and dangerous) as her male counterparts. Rejecting the potential “pity” that might lead to her pardon, Steimer noted that her male colleagues were younger and more fragile than herself. Her refusal to allow defense workers either to single her out or to diminish her guilt with appeals to “emotion” stemmed from her commitment both to the class struggle and self-definition as a revolutionist. The latter concern, in particular, required constant vigilance against efforts to construct her as an idealistic child rather than as a serious political actor.

Unlike Robins, O’Hare did take Steimer seriously and it was not O’Hare’s intent to suggest that Steimer assimilate into middle-class ideals of womanhood. Instead, O’Hare claimed for Steimer, and by extension for other immigrant, working-class women, the same right to moral authority that middle-class women gained through their class position. Like the Children’s Crusade, O’Hare’s description of Steimer used the language of moral authority to underscore the hypocrisy of middle-class constructions and applications of true womanhood. O’Hare defined Steimer as an effective political actor whose integrity served as an alternative model for “American womanhood.”

At the same time, the differences between Steimer and O’Hare reflected their backgrounds. Steimer was the “revolutionary new woman”; the immigrant

subcultures in New York City shaped her experiences.¹⁰⁰ As historians have shown, this culture emerged from the structure of working-class neighborhoods and the factory experience. It constructed very different relationships between men and women than those learned by native-born white women in the late nineteenth century.¹⁰¹ The combination of anarchist beliefs of women's freedom and the heterosocial nexus of East Harlem's working-class neighborhoods produced a different idea of womanhood and its relationship to politics than that imagined by O'Hare.¹⁰²

Of all the federal wartime cases, O'Hare's trial most explicitly raised questions about the meaning of motherhood and its role in constructing women's political identities. Her case focused on her explicit challenge to patriotic motherhood and the resultant social impact. Through their prosecution of O'Hare, federal authorities defined this challenge as seditious, thus protecting and giving statutory power to the state's right to require of women the production of loyal citizens.

O'Hare agreed with federal officials that her case raised questions about the role of motherhood in politics. Yet, O'Hare argued that patriotic motherhood threatened the social and moral fabric of the nation. Patriotic motherhood, O'Hare and her supporters feared, placed motherhood in the service of a militarist state, denying to women their traditional roles as moral educators. That usurpation, they believed, degraded women, jeopardized working-class families, and ultimately corrupted the nation. In both her construction of her own defense and in later amnesty movements, O'Hare reasserted women's, and in particular working-class women's, authority over motherhood and its relationship to politics.

Historians have linked anti-radicalism to anxieties about motherhood in their studies of 1950s anti-communism.¹⁰³ Yet, these findings suggest that the interrelationships drawn between gender transgression/appropriation and subversion in 1950s anti-communism took shape during World War I. The wartime battles over loyalty that historians agree were instrumental in the formation of the "surveillance state" also took shape in a political culture that was negotiating women's responsibility within this emerging state. While historians have mapped the importance of gender construction and reconstruction in the process of early twentieth-century state building, their exclusive focus on social welfare tells only part of the story.¹⁰⁴ O'Hare's case suggests another avenue by which gender entered into early twentieth-century state building: how the wartime legal system and its attendant definitions of loyalty, patriotism, and subversion, gendered citizenship and further clarified women's responsibilities in producing patriotic American citizens.

Notes

The author would like to thank Amy Dru Stanley, Jon Wiener, Sally Miller, Ruth Alexander, Frances Early, and Kristina Casto for their suggestions on an earlier draft of this essay.

1. The literature on American participation in World War I is extensive. See for example, Ellis W. Hawley, *The Great War and the Search For a Modern Order* (New York, 1979); George K. Knoles, "American Intellectuals and World War I," *Pacific Northwest Quarterly*, 68 (October 1968) 203-215; David Kennedy, *Over Here: The First World War and American Society* (New York, 1980); Steward W. Livermore, *Politics is Adjourned: Woodrow Wilson and the War Congress 1916-1918* (Middletown, Conn., 1966); William T. Leuchtenburg, "The Progressive Movement and World War I," *Mississippi Valley Historical Review*, 39 (December 1952), 483-504; Ronald Schaffer, *America in the Great War: The Rise of the War Welfare State* (New York, 1991); Stanley Shapiro, "The Great War and Reform: Liberals and Labor," *Labor History*, 12 (Summer 1971), 323-44; and John A. Thompson, *Reformers and War: American Progressive Publicists and the First World War* (Cambridge, 1987), as quoted in *New York Times* (April 3, 1917): 1.
2. Woodrow Wilson, "Address to Congress," April 2, 1917.
3. The literature on this subject is extensive. See for example, John Higham, *Strangers in the Land: Patterns of American Nativism, 1860-1925* (New York, 1969); Paul Murphy, *World War I and the Origins of Civil Liberties in the United States* (New York, 1979); Richard Polenberg, *Fighting Faiths: The Abrams Case, The Supreme Court, and Free Speech* (New York, 1987); and Michael Rogin, *Ronald Reagan: The Movie and Other Episodes of Political Demonology* (Berkeley, 1988).
4. Kennedy, *Over Here*, 47.
5. See studies on the Americanization movement, Robert A. Carlson, *The Americanization Syndrome: A Quest for Conformity* (London, 1987); George Edward Hartman, *The Movement to Americanize the Immigrant* (New York, 1967 [1948]); and Gerd Korman, *Industrialization, Immigrants and Americanizers: The View From Milwaukee, 1866-1921* (Madison, 1967).
6. Frank Donner, *The Age of Surveillance: The Aims and Methods of the American Political Intelligence System* (New York, 1980); Thomas Lawrence, "Eclipse of Liberty: Civil Liberties in the United States During the First World War," *Wayne State Review*, 21 (Spring 1974), 33-112; Paul Murphy, *World War I and the Origins of Civil Liberties*; and William Preston, *Aliens and Dissenters: Federal Suppression of Radicals, 1903-1933* (Cambridge, 1963).
7. Murphy, *World War I and the Origin of Civil Liberties*, 207.
8. Bernard J. Brommel, "Kate Richards O'Hare: A Midwestern Pacifist's Fight for Free Speech," *North Dakota Quarterly*, 44 (Winter 1976), 5-19; and H.C. Peterson and Gilbert C. Fite, *Opponents of War, 1917-1918*, (Seattle, 1957), 35-36.
9. Mari Jo Buhle, *Women and American Socialism, 1880-1920* (Urbana, 1981); and Sally Miller (ed.), *Flawed Liberation: Socialism and Feminism* (Westport, Conn., 1981). See especially Miller's essay, "Women in the Party Bureaucracy: Subservient Functionaries," 13-36. Buhle and Miller, the two leading historians of women in American socialism, attribute little significance to wartime anti-radicalism. Wartime repression, they argue, simply accelerated women's already declining role in the socialist movement. Both view the war's polarization of gender roles and state authority's attacks on dissent as solely repressive—to the extent that they caused change, wartime conditions further homogenized women's politics by pushing socialist and left-liberal women to the fringes of the women's movement.
10. Paula Baker, "The Domestication of Politics: Women and American Political Society, 1780-1920," in *Women, the State, and Welfare*, ed. Linda Gordon (Madison, 1990), 80-1, 73. In her path-breaking essay, Baker shifted the terms under which political historians understood white, middle-class women's roles in early twentieth-century state-building and perhaps even more significantly, how they used gender analysis. Baker argues that progressivism represented an important change not only in women's participation in formal politics but also in how politics itself encoded gender identities and roles. Women's increasing participation in formal politics, including suffrage, was made possible by a breakdown in separate spheres that divided men and women of the nineteenth century. As women entered politics, they lost, in Baker's words, "their place above politics and their position as a force in the moral order." It was the government that "now carried moral authority and the obligations it implied." "The domestication of politics" represented an ironic victory. As government adopted white, middle-class women's views of its role, those functions traditionally performed by women were placed in the hands of trained professionals, who acquired their expertise through professional training often inaccessible to women. Like nineteenth century politics, expertise and professionalism were distinctly male venues.
11. Paula Baker, *The Moral Frameworks of Public Life: Gender, Politics, and the State in Rural New York, 1870-1930* (New York, 1991); Linda Gordon, ed. *Women, the State, and Welfare* (Madison, 1990); Felicia A. Kornbluh, "The New Literature on Gender and the Welfare State: The

U.S. Case," *Feminist Studies*, 22 (Spring 1996), 171-197; Seth Koven and Sonya Michel, "Introduction: 'Mother Worlds'" in *Mothers of a New World: Maternalist Politics and the Origins of Welfare States*, ed. Seth Koven and Sonya Michel, (New York, 1993), 1-42; Robyn Muncy, *Creating a Female Dominion in American Reform 1890-1935* (New York, 1991); and Theda Skocpol, *Protecting Soldiers and Mothers: The Political Origins of Social Policy in the United States* (Cambridge, 1992). Maternalism was the central ideology used by middle-class reformers in their state building. According to Koven and Michel, maternalism was a series of "ideologies and discourses that exalted women's capacity to mother and applied to society as a whole the values they attached to that role: care, nurturance, and morality." Maternalism did not have a uniform or stable meaning. Instead, "[m]aternalism necessarily operated in relations to other discourses—about citizenship, class relations, gender difference, and national identity, to name only a few—and in relation to a wide array of concrete social and political practices." The result of this process of maternalist state building, these historians contend, was a "nascent maternal welfare state" that was fundamentally different from the paternalist welfare state in Europe.

12. Michael Addams, *The Great Adventure: Male Desire and the Coming of World War I* (Bloomington, 1992); Joe L. Dubbert, *A Man's Place: Masculinity in Transition* (Englewood Cliffs, NJ, 1979); Peter Filene, "In Time of War" in *The American Male*, ed. Elizabeth Pleck, and Joseph Pleck (Englewood Cliffs, N.J., 1980); Kathleen Kennedy, "We Mourn For Liberty in America: Socialist Women, Anti-militarism, and State Repression, 1914-1922," Unpublished Ph.D. dissertation, University of California, Irvine, 1992; and Arnaldo Testi, "The Gender of Reform Politics: Theodore Roosevelt and the Culture of Masculinity," *The Journal of American History*, 81 (March 1995), 1509-1533.

13. Susan Zeiger, "She Didn't Raise Her Boy To Be A Slacker: Motherhood, Conscription, and the Culture of the First World War," *Feminist Studies*, 22 (Spring 1996), 8.

14. Barbara J. Steinson, *American Women's Activism in World War I* (New York, 1982) and Zeiger, "She Didn't Raise Her Boy To Be A Slacker," 7-39. The term patriotic mother is Steinson's.

15. Buhle, *Women and American Socialism*, 246-48; and Sally M. Miller, *From Prairie to Prison: The Life of Social Activist Kate Richards O'Hare* (Columbia, Mo., 1993).

16. Miller, *From Prairie to Prison*, 20.

17. Kate Richards O'Hare, *The Sorrows of Cupid* (St. Louis, 1913).

18. Kathleen Diane Moum, "Harvest of Discontent: The Social Origins of the Nonpartisan League, 1880-1920," Unpublished Ph.D. dissertation, University of California, Irvine, 1986.

19. Neil K. Basen, "Kate Richards O'Hare: The 'First Lady' of American Socialism, 1901-1917," *Labor History*, 21 (Spring 1980), 165-199; Brommel, "Kate Richards O'Hare: A Midwestern Pacifist's Fight for Free Speech," 5-19; Miller, *From Prairie to Prison*, 127-91; Sally Miller, "Kate Richards O'Hare: Progression Towards Feminism," *Kansas History*, 7 (Winter 1983), 263-79; and Erling N. Sannes, "'Queen of the Lecture Platform': Kate Richards O'Hare and North Dakota Politics, 1917-1921," *North Dakota History*, 58 (Fall 1991), 2-19.

20. Miller, *From Prairie to Prison*, 146-47.

21. *Ibid.*, 127-57.

22. "United States vs. Kate Richards O'Hare," District of North Dakota, December, 1917.

23. *Ibid.*, 46.

24. Lawrence, "Eclipse of Liberty: Civil Liberties in the United States During the First World War," 33-112.

25. David Rabban, "The Emergence of Modern First Amendment Doctrine," *The University of Chicago Law Review*, 50 (Fall 1984), 1205-1355; and David Rabban, "The First Amendment in Its Forgotten Years," *The Yale Law Journal*, 90:3 (January 1981), 519-95.

26. *Ibid.*

27. See also, Kate Richards O'Hare and Frank O'Hare, *World Peace: A Spectacle Drama in Three Acts* (St. Louis, 1915).

28. Brommel, "Kate Richards O'Hare," 5-19. Brommel fails to discuss the significance of the prosecution's strategy.

29. Murphy, *World War I and the Origin of Civil Liberties*, 207.

30. See for example, "Mothers of Soldiers Brood Sows; Sammies Fit Only For Fertilizer, Said Mrs. O'Hare," *Bismarck Evening Tribune*, December 6, 1917, 1.

31. "Remarks of Judge Wade When Imposing Sentence Upon the Defendant," Papers of the Department of Justice, #9-19-603, sec.1, fld., 2, National Archives, Washington D.C., 1.

32. *Ibid.*, 17.

33. His remarks were not out of step with the specifics of O'Hare's critique of patriotic motherhood. O'Hare suggested that militarism alienated women from their labor, specifically the production and socialization of children. O'Hare argued that the combined forces of capitalism and militarism denied to women the moral authority that was their "just earnings."

34. "Remarks of Judge Wade," 25.

35. *Ibid.*, 24.

36. *Ibid.*, 26.

37. Claude R. Rorbie to the Attorney General of the United States, May 31, 1919, Papers of the Department of Justice, #9-16-603, fld. 1. Rorbie agreed with Wade's understanding of his role in espionage prosecutions. Rorbie argued that shortening O'Hare's sentence would be an insult not only to American soldiers but also to Judge Wade.

38. Martin Wade to Attorney General Palmer, June 11, 1919, Papers of the Department of Justice, #9-19-603, fld. 1. As President Wilson considered commuting the sentences of those arrested under the wartime laws, local officials scrambled to protect their convictions and sentences. In a letter to Attorney General Palmer, Wade reaffirmed his position, defining O'Hare as the most dangerous political activist in the United States. "Kate O'Hare is in my judgement, one of the most dangerous characters in the U.S. She has no equal, in my judgement, in the matter of poisoning the minds of the struggling masses unless it be Debs. In fact I think she is more dangerous than Debs, because she is more subtle. She can convince any audience that she is a martyr to the cause of humanity, and she can do more to plant this seed of Bolshevism than Debs can. She can do more in this direction than a man who will get out openly and advocate bombs and destruction, because the man who advocates destruction directly does not get many followers, but Kate O'Hare in her speeches can convince her hearers, especially her ignorant hearers, that they are slaves."

39. "Kate Richards O'Hare Tells of Trial and Sentence," *New York Call*, February 16, 1918, 2.

40. "Kate R. O'Hare Tells Audience Story of Trial," *New York Call*, February 27, 1918, 1.

41. O'Hare, quoted in "Kate R. O'Hare Tells of Trial and Sentence," 2. See also Kate Richards O'Hare, "Guilty" in *Kate Richards O'Hare: Selected Writings and Speeches*, ed. Philip S. Foner and Sally M. Miller, (Baton Rouge, 1982), 184-85.

42. Carol F. Karlson, *The Devil in the Shape of a Woman: Witchcraft in Colonial New England* (New York, 1987). In retrospect, O'Hare's comparison of her case to the Salem witchcraft trails was telling. As historian, Carol Karlson argues, the Salem trials emerged from conflicts over women's roles in the community and fears over the influence women were thought to wield over young people. Accused witches were most often older women who did not conform to conventional maternal and/or gender roles; they symbolized the consequences if the community lost control of motherhood.

43. "Women to Fight Imprisonment of Kate O'Hare," *New York Call*, June 27, 1919, 1; and "Free Kate O'Hare! Is Women's Appeal at Protest Meeting," *New York Call*, June 29, 1919, 1. The Kate Richards O'Hare Defense Committee included, Mary Harris Bloor, Elizabeth Gurley Flynn, and Meta Stern Lillienthal. Also active were Agnes Smedley and Theresa Malkiel. O'Hare formed this defense committee because she was dissatisfied with the Socialist Party's efforts to defend her. This decision annoyed party leaders. "I think these free-lance self-advertising movements are an unmitigated nuisance," wrote Morris Hillquit about the defense committee, "and I shall try my best to put my foot down on O'Hare's movement here. I also believe you ought to write Frank O'Hare (care of the Rand school) to desist from his activities, and if he fails to do so, issue a public statement to the effect that there are at this time many comrades in the same position as Kate O'Hare, that the National Office is trying to take care of all of them equally, and that any attempt to single out a particular case for special propaganda would necessarily result in weakening the Party's resources for the defense of other comrades." Despite his annoyance, Hillquit did serve as O'Hare's lawyer during her appeal, see Morris Hillquit to Adolph F. Germer, February 12, 1918, Morris Hillquit Papers, State Historical Society of Wisconsin, Madison, Wisconsin, 1.

44. Anita Block, "Kate Richards O'Hare," *New York Call*, December 23, 1917, 10. See also, Meta Lillienthal to "Friend of Justice," April 17, 1919, Papers of the New York Bureau of Legal Advice, box 3, folder 27, Tamiment Institute of Labor Library, New York, NY. Lillienthal wrote: "Kate Richards O'Hare, far from being a criminal, is a woman of superior qualities, good virtuous (sic) and noble, a woman who has given the best part of her life for the common cause of humanity. She is moreover, a wife and mother. Her imprisonment means that a happy home has been broken up, that a devoted husband has been robbed of his wife, that four young children have been deprived of their mother. I appeal to you, not so much in behalf of Kate Richards O'Hare, the writer, the orator, the organizer, the leader of men and women, as in behalf of Kate Richards O'Hare, the loving wife, the worthy mother."

45. For a discussion of socialist women's responses to World War I, see Kathleen Kennedy, "Declaring War on War: Gender and the American Socialist Attack on Militarism, 1914-1918," *Journal of Women's History*, 7 (Summer 1995), 27-51.

46. Theresa Malkiel, "Kate Richards O'Hare: A Prisoner," *The Call Magazine*, December 14, 1919, 4.

47. O'Hare was not the "only mother" imprisoned under the Espionage Act. Minnie Geibel was convicted, sentenced to five years in prison and fined \$2,000 for seditious remarks. Geibel spent ten months in prison. See "Application for Executive Clemency" (March 12, 1919) Papers of the Department of Justice Files, 33-422, fld. 1.

48. Kate Richards O'Hare, "Dear Sweethearts," August 17, 1919, Microfilm Edition, Arthur and Elizabeth Schlesinger Library, Cambridge, MA.

49. For a further discussion of this strategy, see Kennedy, "'We Mourn For Liberty in America': Socialist Women, Anti-militarism, and State Repression, 1914-1922."

50. Kate Richards O'Hare, "Dear Sweethearts," April 20, 1919.
51. *Ibid.*, 3.
52. *Ibid.*, 1.
53. *Ibid.*, 2.
54. *Ibid.*, January 31, 1920. See also letter dated June 15, 1919 and August 17, 1919 for further references to her growing friendship with Goldman. For a discussion of Goldman's and O'Hare's friendship, see Bonnie Stepenoff, "Mother and Teacher as Missouri State Penitentiary Inmates: Goldman and O'Hare, 1917-1920," *Missouri Historical Review* 91 (July 1991), 402-21.
55. "Address of Miss Emma Goldman at Kate Richards O'Hare Testimonial Dinner," November 17, 1919, Alexander Berkman Papers, Tamiment Institute of Labor History, New York, NY. See also Emma Goldman, *Living My Life* 2 vols., (New York, 1970), II, 677.
56. Candice Falk, *Love, Anarchy and Emma Goldman* (New York, 1984); and Goldman, *Living My Life*.
57. See Committee for Florence Kimble, Post #7, American Legion, Libson, ND to the Attorney General, Papers of the Department of Justice, #33-422, 1; and Petition Directed by Lloyd Spetz Post #1, American Legion, ND, Papers of the Department of Justice.
58. Melvin Hildreth, Attorney General North Dakota to the Attorney General, February 15, 1919, Papers of the Department of Justice, #9-19-603, fld. 1.
59. H. Herbush to Department of Justice, March 22, 1918, Papers of the Department of Justice, 9-19-603, fld. 1. Herbush, a North Dakota State Representative was less subtle in his evaluation of O'Hare's moral claims. "This prison has within its walls bootleggers, rapists, murders and other criminals," he wrote to the Department of Justice, "but we hope that its walls will not be disgraced by the presence of this woman."
60. "Memorandum to the Department of Justice," The Papers of the Department of Justice, #9-19-603; 186233 225-75, Fld. 1, p. 12.
61. For a further discussion of this point, see Rogin, *Ronald Reagan: The Movie And Other Episodes in Political Demonology*, (Berkeley, 1987), 44-80.
62. *Ibid.*
63. Frank O'Hare to Eugene Debs, December 27, 1917, in *Eugene V. Debs, Correspondence: The Letters of Eugene Debs*, ed. Robert J. Constantine (Urbana, 1990), II, 349.
64. See for example, Kate Richards O'Hare, "Dear Sweethearts," December 7, 1919.
65. Eugene Debs to Frank O'Hare, January 2, 1918, in *Eugene V. Debs, Correspondences: Letters of Eugene Debs* II, 356.
66. Eugene Debs to Frank O'Hare, January 12, 1918, *Ibid.*, 363.
67. *Ibid.*, 2.
68. Kennedy, "'We Mourn For Liberty in America,'" 248-330; Nick Salvatore, *Eugene V. Debs: Citizen and Socialist* (Urbana, 1982); and John Sherman, "'This Is a Crusade!': Socialist Party Amnesty Campaigns to Free Eugene V. Debs, 1919-1921," in *Culture, Gender, Race, and U.S. Labor History*, ed. Ronald C. Kent, et. al. (Westport, Conn., 1993), 24-41.
69. David A. Shannon, *The Socialist Party of America: A History* (New York, 1955), 25-26.
70. Morris Hillquit to Nina and Lawrence Hill, April 10, 1917, Morris Hillquit papers.
71. A. Germer to Morris Hillquit, April 9, 1919, Morris Hillquit Papers.
72. James Weinstein, *The Decline of Socialism in America, 1912-1925* (New York, 1967), 177-234.
73. Basen, "Kate Richards O'Hare: The 'First Lady' of American Socialism," 165-169; Buhle, *Women and American Socialism*; and Miller, "Kate Richards O'Hare: Progression Toward Feminism," 263-279.
74. Shannon, *The Socialist Party of America*, 25.
75. For a discussion of southeast socialism, see James R. Green, *Grass Roots Socialism: Radical Movements in the Southwest, 1895-1943* (Baton Rouge, 1978).
76. Marla Martin Hanley, "The Children's Crusade of 1922: Kate O'Hare and the Campaign to Free Radical War Dissenters in the Era of America's First Red Scare," *Gateway Heritage* 10 (Summer 1989): 34-43.
77. Elizabeth Gurley Flynn, *The Rebel Girl: An Autobiography* (New York, 1955), 292-296.; and Vorse, *A Footnote to Folly: Reminiscences of Mary Heaton Vorse* (New York, 1935), 393-407. For information on Vorse, see Dee Garrison, *Mary Heaton Vorse: The Life Of An American Insurgent* (Philadelphia, 1989).
78. The signs the children carried included, "My Daddy Didn't Want to Kill," "My Mother Died of Grief," and "Is the Constitution Dead?" Flynn, *The Rebel Girl*, 293.
79. Flynn, *The Rebel Girl*, 293; and Vorse, *A Footnote to Folly*, 393-407.
80. Shannon, *The Socialist Party of America*, 25.
81. Buhle, *Women and American Socialism*, 1-145; Mary P. Ryan, *Cradle of the Middle Class* (Cambridge, 1981); and Carroll Smith Rosenberg, *Disorderly Conduct: Visions of Gender in Victorian America* (New York, 1985).
82. O'Hare, *Kate Richards O'Hare: Selected Writings and Speeches.*; and O'Hare, *The Sorrows of Cupid.*

83. At its head, children carried a banner that read, "A Little Child Shall Lead Them," underscoring this point.

84. Flynn, *The Rebel Girl*, 293; and Vorse, *A Footnote to Folly*, 293-307.

85. Otto Branstetter, "The Children's Crusade: Supplemental Report on Amnesty Work by the National Executive Committee to National Convention," (January 20, 1922). Socialist Party of America Papers, reel 9, University of California, Irvine.

86. *Ibid.*, 8.

87. *Ibid.*

88. Sherman, "This is a Crusade," 24-41.

89. Hanley, "The Children's Crusade of 1922," 34-43.

90. Buhle, *Women and American Socialism*, 246-287.

91. Kate Richards O'Hare, "Idealist and Concubine," *Erie Truth*, August 13, 1921. Kate Richards O'Hare Papers, reel 1, State Historical Society of Wisconsin, Madison, Wisconsin.

92. Polenberg, *Fighting Faiths*, 154-196.

93. *Ibid.*

94. *Ibid.*, 126-32.

95. Lucy Robins, *War Shadows: A Documental Story of the Struggle for Amnesty* (New York, 1922), 230-31.

96. Polenberg, *Fighting Faiths*, 127-131.

97. Smedley was a journalist who was increasingly interested in left-wing causes. She was indicted under the Espionage Act for her participation in the Indian Independence movement. The American government outlawed that movement because it potentially embarrassed England, and because they suspected it received aid from Germany. Steimer met Smedley after they were both arrested for distributing birth control information. She later joined the Communist Party and moved to China. For more information on Smedley, see Joan Jensen, *Passage From India: Asian Immigration in North America* (New Haven, 1988); and Janice Mackinnon and Stephen Mackinnon, *Agnes Smedley: The Life and Times of An American Radical* (Los Angeles, 1988).

98. Mollie Steimer to Agnes Smedley, undated. Elizabeth Gurley Flynn Papers, Microfilm Edition, reel 1. Wisconsin Historical Society, Madison, Wisconsin. Steimer wrote this letter after meeting a representative for the Workers Defense Union, most likely Elizabeth Gurley Flynn.

99. Polenberg, *Fighting Faiths*, 326-28. According to Polenberg, Steimer was the most stubborn of the four anarchists convicted in the Abrams case. She refused to agree to deportation although deportation was her only hope for an early release from prison. Steimer eventually was deported to the Soviet Union after serving thirty months of a fifteen-year sentence.

100. Buhle, *Women and American Socialism*, 257-284; and Walter Rideout, *The Radical Novel in the United States, 1900-1954* (Cambridge, 1956).

101. Kathy Peiss, "'Charity Girls' and City Pleasures: Historical Notes on Working-Class Sexuality," in *Unequal Sisters: A Multi-Cultural Reader in U.S. Women's History*, ed. by Ellen Carol Dubois and Vicki L. Ruiz, (New York, 1990); and Christine Stansell, *City of Women: Sex and Class in New York 1789-1860* (Urbana, 1987).

102. For discussions on anarchist approaches to marriage, see Falk, *Love, Anarchy, and Emma Goldman*; Margaret S. Marsh, *Anarchist Women, 1870-1920* (Philadelphia, 1981); and Polenberg, *Fighting Faiths*, 126-132.

103. Elaine Tyler May, *Homeward Bound: American Families in the Cold War Era* (New York, 1988); and Rogin, *Ronald Reagan: The Movie*, 236-271. See also essays in Joanne Meyerowitz, *Not June Cleaver: Women and Gender in Postwar America, 1945-1960* (Philadelphia, 1994). Both Rogin and May note how anti-communist ideology linked domestic tranquility and proper gender roles to the fight against communism. In Rogin's formulation, women who failed to mother their sons properly risked creating men incapable of resisting communist subversion.

104. See for example, Baker, *The Moral Frameworks of Public Life: Gender, Politics, and the State in Rural New York, 1870-1930*; Gordon, ed. *Women, the State, and Welfare*; Muncy, *Creating a Female Dominon in American Reform 1890-1935*; and Skocpol, *Protecting Soldiers and Mothers: The Political Origins of Social Policy in the United States*.