The American Communist Party (CPUSA) opposed the Equal Rights Amendment (ERA), arguing that it failed to ameliorate class and racial inequality. In 1936 the CPUSA participated in the Women's Charter campaign, an alternative to the ERA crafted to protect labor legislation. This article argues that the Charter campaign and the CPUSA's opposition to the ERA demonstrate class-based visions of equality that amalgamated race and gender into the class struggle and highlights disagreements among women's rights activists about how to define women's equality. These disagreements prevented a unified single-issue women's movement after 1920.

When the National Woman's Party (NWP) introduced the Equal Rights Amendment (ERA) in 1923, its proposal began a debate that would rage for nearly sixty years. The debate was between women's rights activists and centered on the question of how to seek equal rights for women. The ERA, which was meant to make it a
constitutional violation to abridge an individual's rights because of sex, catalyzed a woman-led opposition movement, many of whom came out of the labor and class-based movements, including the American Communist Party (CPUSA). The Communist Party opposed the ‘blanket’ language of the ERA and feared that the vague amendment language would allow courts to interpret sex-specific labor legislation as unconstitutional. The Communist Party represents the left-wing opposition to the ERA. The CPUSA interpreted the ‘woman question’ and civil rights as part of the class struggle. Women's and minorities' oppression followed the exploitative conditions of capitalism, and therefore, gender and race equality would only be achieved under socialism. But until that time, the Communist Party focused much of its efforts on pushing for passage of labor legislation because it believed that women faced discrimination in the workplace disproportionately and needed protection. In 1936, the CPUSA became involved in pushing the Women's Charter as an alternative to the ERA. The CPUSA's advocacy of the Charter represents its class-based vision of equality that integrated race and gender into the larger class struggle.

The NWP's ERA campaign has for many years defined the terms of women's rights history in the post-1920 period, creating what Dorothy Sue Cobble has termed 'an equal rights teleology.' Cobble argues that women's rights activists who were concerned with working families and labor ‘argued that gender difference must be accommodated and that equality cannot always be achieved through identity in treatment.’ Activists who rejected ‘equal rights’ as a primary goal and embraced a women's rights agenda that focused on protective legislation for the working class and minorities were often dismissed and ‘painted as opponents of feminism.' The debate about whether women's rights advocates should subscribe to an ‘equality’ or ‘difference’ ideology was at the heart of communist opposition to the ERA and ultimately whether feminists should make claims to rights based on sameness or difference, and how to formulate those claims. This article follows the contentious debate surrounding the Women's Charter and seeks to highlight the vital communist involvement in that debate and place communists in ERA histories.

In 1936 the CPUSA joined a coalition of mainstream and left-wing women's activists in support of the Women's Charter. In contrast to the ERA, the Charter called for specific guarantees for women's equal opportunity with protection for motherhood, workplace rights, and merit-based opportunities. The Women's Charter began with the International Labor Organization (ILO), a League of Nations organ devoted to investigating global labor conditions. In 1935 the governments of Cuba, Ecuador, Paraguay, and Uruguay, signatories of a 1933 Equal Rights treaty, asked the League to commence an investigation into sex-specific labor legislation, particularly the question of whether this legislation, ‘may be detrimental to women's right to work.’ These nations questioned whether labor legislation was a barrier to women's equality, rather than a step in the process toward equality. The ILO asked member nations to gather data in regard to labor legislation's possible effects on equal rights.

Although the United States was never a member of the League of Nations it had joined the ILO in 1934 after Secretary of Labor, Frances Perkins, encouraged membership so the USA could take a role in opposing fascism. The ILO turned to Mary Anderson, Women's Bureau director, and member of its Correspondence Committee on Women's Work, to collect data on legislation in the United States. Anderson had a concern for working women that came out of her own years as a former shoe stitcher and union leader. She worked for the Women's Trade Union
League (WTUL) and the American Federation of Labor (AFL) before helping to found the Women's Bureau. Under Anderson's leadership, the Women's Bureau had created a network of women's organizations and individuals, or a 'counter-lobby,' interested in preserving sex-based labor legislation and opposing the ERA. This Women's Bureau network led the campaign against the ERA's passage since it was first introduced in the 1920s, and included organizations like the League of Women Voters (LWV), the National Consumers' League (NCL), and the Young Women's Christian Association (YWCA).

For the ILO task, Anderson turned to this network to assist her. She also asked her friend Mary van Kleeck to help. Mary van Kleeck's recruitment assured communist involvement. A long-time associate and friend of Anderson's, van Kleeck was a fellow traveler of the CPUSA as leader of its Inter-Professional Association, she worked at the Russell Sage Foundation and was director of the Women in Industry Service, the Women's Bureau predecessor, during World War I. Van Kleeck was also a close friend and ally of Mary Anderson's, and worked with her on the ILO Correspondence Committee on Women's Work. Van Kleeck was a long-time ERA critic and believed that both the ERA and the NWP ignored the material conditions of working-class families and working women. Also among the Charter drafters was communist Dorothy McConnell, the director of the Women's Committee of the American League against War and Fascism and a member of the Woman Today editorial board, the CPUSA women's magazine. Communist Party influence on the Charter was central from the beginning.

The ERA debate came to a head in the 1930s because the Depression made legislation seem more imperative when 'need drove women' to take whatever work they could. The Charter became an 'offensive' against the ERA and the NWP and an attempt to unify diverse women's organizations in the USA behind a 'common cause.' Mary Anderson described the crafting of the Women's Charter as an attempt not to simply oppose the ERA, but to 'set up a positive program' to work toward. It was also Anderson's hope that the Charter would become 'a rallying point' for women globally, bridging the differences between groups over women's equality.

The Charter's language protected labor legislation while explicitly guaranteeing equal rights. The text began, 'Women shall have full political and civil rights; full opportunity for education; full opportunity for employment according to their individual abilities, with safeguards against physically harmful conditions of employment and economic exploitation,' and it insisted that women 'shall receive compensation, without discrimination because of sex. They shall be assured security of livelihood, including the safeguarding of motherhood.' The Charter also outlined some of the core values of its drafters, namely the right to unionize and the expansion of the welfare state. Women's right to equal opportunity and protection of motherhood 'shall be guaranteed by government, which shall insure also the right of united action toward the attainment of these aims.' The final provisions were the most important for the drafters:

where special exploitation of women workers exists, such as low wages, which provide for less than the living standards attainable, unhealthful working conditions, or long hours of work which result in physical exhaustion and denial of the right to leisure, such conditions shall be corrected through social and labor legislation, which the world's experience shows to be necessary.

The Charter explicitly supported the existence and the necessity of sex-specific labor legislation.
Over the next year and a half, the CPUSA lent its support to the Charter campaign led by Mary van Kleeck. The history of the ERA has been prominently featured in feminist scholarship for decades. However, little has been written on the left-wing opposition and the Charter itself. Communist ERA opposition demonstrates the various interpretations of women's rights that existed in the post-suffrage era; interpretations that varied so radically a unified mass women's movement became impossible. In fact, the Party wanted to prevent a mass women's movement to maintain class solidarity and avoid divisions by race and gender. The Charter brought communists into the Women's Bureau network to challenge the NWP's 'bourgeois' understanding of women's oppression. Unlike other ERA opponents, however, communist opposition centered on the need to protect not just working women, but minorities as well; in addition, the CPUSA hoped the Charter would be a bulwark against fascism.

Communist opposition to the ERA differed from other groups in two ways: First, by 1935, the CPUSA was devoted to the Popular Front, a commitment to the global anti-fascist movement. The Women's Charter presented an opportunity to highlight the threat fascism posed to women's and minorities' rights. The Party was well aware of global issues, especially those that seemed to threaten its beloved Soviet Union. The rapid advance of fascism was particularly troubling and the CPUSA kept a close eye on events in Europe and Asia, fearing it could influence women's rights in the USA. Anti-Fascism was a rallying point for the Party's efforts behind the Women's Charter. Second, in the 1930s the CPUSA was a leader in civil rights. The CPUSA interpreted the absence of specific rights for non-white women in the ERA as racist and believed the largely privileged white middle-class NWP were themselves racists. The ERA, therefore, was a racist document. Few African-American women's groups supported the ERA and focused their efforts instead on ending racial discrimination. Some groups in the Women's Bureau network were interested in civil rights, but largely made distinctions between gender and race discrimination. Communists were virtually the lone voice pushing to link the 'race' and 'woman question.'

Organizations included in the Women's Bureau network did share the CPUSA concern that the ERA disadvantaged working women. In the 1920s, while the CPUSA was embroiled in its own internal troubles, organizations like the LWV, YWCA and NCL launched an aggressive campaign to stop the amendment's passage. The NCL specifically saw protective labor legislation as one step toward a social democratic state. As Molly Dewson, an NCL leader argued, women were at a disadvantage in the labor force because of social reasons, not biological reasons, and that the lack of union representation put women at a specific disadvantage. Working women in the YWCA pushed the organization beyond its Protestant evangelical mission to convert working people and into supporting a worker's rights platform. Part of that was a push for legislation and eventually opposition to the ERA.

The LWV had decided as early as 1922 to oppose any proposed amendment that the NWP was working on. Instead it sought 'legislative remedies' for 'specific disabilities' instead of pushing for a 'blanket demand for juridical equality.' The LWV was particularly concerned about the lack of specificity in the amendment. In 1934, it reaffirmed its opposition, arguing against any 'blanket action' to improve women's status, while simultaneously pushing to end discrimination in the New Deal and property rights. The LWV and other groups in the Women's Bureau network were 'unalterably opposed' to an amendment that would undermine sex-specific labor legislation in exchange for an 'abstract notion of equality.' This was a position shared by most women's rights organizations of the time.
Kathryn Kish Sklar has argued that most ‘politically active’ women in the 1920s opposed the amendment, believing themselves to be in a ‘class battle’ with the NWP. Sklar points out that socialist and women's rights activist Florence Kelley saw ‘the power of the state as a logical means to end oppression,’ and that ‘gender-specific legislation’ was a means to advance ‘class-specific goals.’ Protective legislation would ‘do more to make the labor market what it should be’ than an amendment could. The NWP imagined a ‘fictive unity’ among women based on gender while ERA opponents claimed that the NWP was using the slogan ‘equal rights’ to create a ‘political program.’

In contrast, the NWP argued that these concerns were irrelevant because gender alone accounted for women's oppression. The NWP believed that labor legislation infantilized women and perpetuated women's inferior status. NWP members insisted that labor legislation that asked for specific considerations and accommodations for women targeted them as inferior. In addition, it believed that employers would be less willing to hire female employees if they would be required to limit their hours and provide specific accommodations. The NWP spent decades focused exclusively on removing the ‘legal disabilities’ that plagued women in civil and economic law, including protective legislation. It also appealed to a broad constituency, including women with ‘racist, anti-Semitic, and right-wing leanings,’ garnering accusations of racism and elitism.

The NWP's single-minded goal to push the ERA's passage led to 'irreconcilable enmity' between the two sides.

In the 1930s, the Women's Bureau network drew in mainstream women's rights activists while left-wing women's rights activists were drawn to the CPUSA's support for women's rights, civil rights, and its rejection of the ERA. After 1929, race and gender issues took on more importance within the CPUSA as it moved away from an emphasis on socialist revolution and adopted reform programs and some parts of the New Deal. In 1935, the CPUSA Popular Front program encouraged coalitions with other liberal and left groups to create a bulwark against the spread of fascism. This new emphasis was handed down from the Comintern in Moscow and gave women's needs a new urgency and importance in the communist parties at home and abroad. The CPUSA members and fellow travelers feared that the rise of fascism could jeopardize the global class movement and women's rights. Therefore the ERA debate had international implications.

Because the Party broadened its class analysis beyond simple ‘social and economic issues’ women were able to bring domestic issues to the forefront. The Party took the lead in emphasizing women’s goals and encouraged its Women's Commission to spread its message with its own publication. This commitment gave the CPUSA a broader appeal and it became the ‘core of a mass progressive movement’ that embraced union organizing, and other rights campaigns, like civil rights. It was in this context that the Women's Charter became a compromise between working- and middle-class women to ‘codify women's equality’ and preserve protective labor legislation.

The CPUSA was often better at confronting issues of race than gender. However, once those two issues were combined communists found themselves in unsure territory. During the Depression, the CPUSA appealed to the black community in its defense of the Scottsboro boys and its vocal opposition to the Italian invasion of Ethiopia. The Popular Front mandate also encouraged work with African-American civil rights groups. Many African-American women were drawn to the CPUSA for its anti-racism. Once in the organization, they found that the Party's analysis on the position of black women was not well defined. As Eric McDuffie argues, these
activists, including Louise Thompson and Claudia Jones, ‘amalgamated’ the CPUSA’s existing class analysis with Black Nationalist feminism to create a ‘Black left feminism.’ Black Left Feminism emphasized the ‘triple oppression’ of black women, which described race, class and gender oppression. While black communist women found the CPUSA’s theoretical interpretation of black women’s oppression wanting, they pushed the Party to advance its theory to integrate the social needs of black women, and inevitably all women, into its program for working people. Dayo Gore suggests that it was during the Popular Front that black women planted the seeds of twentieth-century black feminism. These women created an ‘intersectional analysis’ that understood women’s experiences as interacting with ‘racial and economic structures.’ The CPUSA was more forward-thinking in regard to the intersections of race, class, and gender than its contemporaries, thanks largely to black women activists. Because of the influence of these activists, the failure of the Women’s Charter to specify the needs of black women became a primary part of the Charter discussion. Even before the Charter was introduced, the CPUSA was opposed to gender-only proposals for equality. Margaret Cowl, head of the CPUSA’s Women’s Commission and the voice for women’s issues in the CPUSA, would take the lead in the Party’s efforts to push for women’s rights. Cowl joined the CPUSA in 1922 and immediately began working with the Women’s Commission. She took the lead in pushing communist women to work on women’s issues, part of which was to continue to oppose the ERA. Communists agreed with the principle of equal rights, ‘but not at the expense of the women who work, particularly women in industry,’ or at the expense of minority women. In a memo to local CPUSA women’s committees, Cowl outlined the CPUSA’s opposition to the ERA. The amendment, Cowl argued, sounded progressive, but it would ‘do away with all industrial laws which apply to women and not to men;’ more specifically, ‘it would cancel all state minimum wage laws applying to women alone.’ Earl Browder head of the CPUSA, echoed Cowl’s concern, claiming that not only would the amendment eradicate existing legislation, but it would ‘prevent the enactment of protective legislation thereafter.’ Cowl also noted that the NWP ‘propagates the idea that the mere adoption of such an amendment will abolish the inequal status of women.’ But, she claimed, historical precedent was against them. Constitutional amendments to guarantee equal rights had failed in the past. She pointed to the Reconstruction amendments as evidence: ‘We see that it is many years now since the adoption of the 13th, 14th and 15th amendments,’ which granted slaves freedom, and freedmen citizenship and the franchise, but these amendments had not solved the problems ‘of the Negro people who still live in the most barbarous conditions.’ As far as Cowl and the Communist Party were concerned, constitutional amendments failed to eliminate discrimination and prejudice among men; therefore, the ERA could not and would not ensure women’s equality. Further cementing the NWP’s reputation as an elitist organization was the lukewarm response by working women to the amendment. Only a few working-class women vocally advocated the ERA, while trade union leaders and working-class organizations supported the opposition. Many women workers supported labor legislation because ‘they saw special protection necessary to defend their stake in industry and in union organizations,’ where women’s status was tenuous at best. Working women and their organizational supporters argued that any legislation that unduly prohibited women’s rights would be opposed; otherwise, protective laws, and
other protections like widows’ pensions, were politically expedient to protect
workers.\textsuperscript{39}

Cowd did agree with the NWP on one matter—discriminatory legislation was
detrimental to equality. The Party congratulated the NWP on its ‘excellent work’ in
fighting against Section 213A, the federal law prohibiting spouses from working in
the civil service. Additionally, as Cowd claimed, communists agreed with the NWP in
opposing legislation restricting women in divorce, property ownership, and public-
Service occupations. She argued that the Party agreed that:

- divorce laws should be the same for men as for women;
- that inheritance laws should not discriminate...;
- that women should have the right to serve on juries... be eligible
to all public offices;
- that women teachers in public schools have the same pay as
men; and
- that women should have the opportunity to work at any job they are
physically able to perform.\textsuperscript{40}

The Party did not see equal rights as strictly about gender equality. The female cadre
argued that ‘economic independence’ was ‘a fundamental condition for equal
rights.’\textsuperscript{41} Communists also rejected the idea of ‘woman’ as a universal category.
Party member Irene Leslie asserted, ‘We do not speak of womankind as one
homogenous social mass.’\textsuperscript{42} The Women’s Charter challenged the NWP’s equal rights
strategy that treated all women as the same.

The final draft of the Women’s Charter was completed in December 1936. It was
then released and sent to women’s organizations for ratification. The Charter was
sent to organizations involved in its drafting and those that were not, including the
NWP. The authors hoped that the principles embodied within the Charter would
influence future legislation. The Charter drafters then organized themselves into the
Joint Conference for the Women’s Charter.\textsuperscript{43}

The Communist Party immediately offered its support of the Charter, and CPUSA
women distributed the Charter among members, fellow travelers, and front groups.
Consistent with the Popular Front line, Ella Reeve Bloor, the CPUSA matriarch and
leader, promoted the Charter as a bulwark against fascism, arguing that it could
unify and spread the anti-fascist movement. Bloor expressed concern that in Nazi
Germany women’s status was in decline and women’s only value was for
childbearing. By 1936, the CPUSA propagated Nazism as a specific enemy to women
and identified the Nazi slogan ‘Kinde, Kirche and Kueche’ (the children, the church
and the kitchen), as evidence. In communist parlance the moniker came to be
described as the ‘fascist triple K’ and it described the fear that fascists wanted to
enslave women in the home.\textsuperscript{44}

The CPUSA also did not see ‘protection of motherhood’ as a reflection of the same
pronatalist discourse prevalent in Nazi Germany. The most important distinction was
that communists believed women had the right to control their reproduction and
make decisions about childbearing without the patronizing authority of the male
medical or political establishment. The state was believed to be a potential ally in the
attempt to guarantee women the right to those choices. Communists also recognized
that in Germany the state had a role in childbearing, but not to protect women’s
choices; instead the state stripped those choices away and insisted that women’s
primary contribution was reproduction.

The contrast was subtle but important for communists. As the Citizens Anti-Nazi
Committee within the American League against War and Fascism (ALWF) noted,
under the Weimar Republic in Germany in the 1920s, women were granted full
political, legal, and economic equality. Under Nazism, ‘all these gains have been
destroyed,’ and the emphasis on reproduction stripped women of a civic identity.
Women's role envisioned by the Nazis was centered on 'More babies—not careers in art, literature, or music... JUST MORE BABIES!' for the purpose of making 'soldiers for the next wars.' Nazis condemned women to a life of producing children 'in order to provide men for the next imperialist slaughter' without their consent. The ALWF quoted the Women's Order of the Red Swastika, a women's Nazi group, which purportedly claimed that 'There is no higher place or finer privilege for a woman than that of sending her children to war.' Communists argued that Nazi Germany made women breeders for the war machine. The hope was that state-guaranteed reproductive choices would prevent American women from being treated the same. The Charter became an opportunity to advance protection of motherhood and prevent the fascist threat from making American women breeders for war. Although the CPUSA made the Charter central to its anti-fascist crusade, it identified one crucial problem in the Charter's language: there was no mention of racial equality. Van Kleeck encouraged its inclusion during the drafting process, but the wording never made it into the final draft. Communists lamented that the exclusion was a grave mistake and failed to reflect their vision of an inclusive equality. Thyra Edwards, a leading figure in the National Negro Congress, a CPUSA front group, argued that black women, particularly those living in the South, were denied all civil rights and that the women in these states represented half of the black female population in the country. Therefore, more than half the black women in the United States were prevented from participating in political life because of class, race, and sex discrimination. Edwards wanted to know why these women were excluded from the protections they desperately needed. For Edwards, the Charter needed language expressly providing rights for non-white women. This distinction is at the heart of how communists viewed women as not only different from men, but from one another.

To avoid the abstraction of the ERA, the Charter needed a specific language. Edwards suggested the addition of a statement that included the language: 'WITHOUT DISCRIMINATION BECAUSE OF SEX, RACE, RELIGION, CREED OR POLITICAL BELIEF' (her emphasis). Edwards argued that this too was part of anti-fascism, as fascism threatened the already low status of blacks. The amendment to include race was required because 'at this period with the resistance of reactionary forces against all liberal, democratic and progressive elements,' women's rights were especially vulnerable. The inclusion of race was 'not merely a guarantee to Negro women,' it offered protection to 'other racial and religious groups who are more and more exposed to Fascist attack and reactionary discrimination.' Racism was a weapon in the class struggle and therefore anti-racism was a necessary part of the anti-fascist movement.

Edwards was not the only communist to express concern about the absence of race in the Charter's language. Although communists as a whole supported the Charter, the effort to resist fascism necessitated a more inclusive equality. This included the way in which liberal and left organizations represented and included racial minorities in their programs. Clarina Michelson, a CPUSA member and activist in the League of Women Shoppers, pointed to the inequality in the Charter's drafting: 'I am only sorry that no Negro women are included on the Joint Conference Group so their needs, which are far greater even than those of white women, could be better looked out for.' As Michelson pointed out, the absence of race in the Charter's language could be attributed to lack of representation on the Charter Committee. Leane Zugsmith, a writer for the CPUSA's *The Woman Today*, echoed Michelson's concern and she protested that the lack of specific wording addressing race was a by-product of the
make-up of the Charter committee. Although the CPUSA consciously pushed for civil rights, the Popular Front coalitions the Party engaged in did not guarantee like-minded cooperation.

There were other problems with lack of representation on the Charter committee. In a letter to Mary Anderson, Dorothy McConnell expressed her concern that working women, especially those in industry, were uneasy that the Charter was drawn up without consulting them. McConnell suggested that in order to amend this oversight the committee should guarantee working women input in the Charter's final draft. For many communist women these were troubling omissions. The CPUSA rejected the ERA because it excluded specific mention of these women and now the Charter also failed to specify who would be guaranteed equality. Communist women writing in support of the Charter recognized that without specific qualifications, these disenfranchised women would again be excluded from consideration. CPUSA women were at the forefront in urging the Joint Committee to insert an amendment including minority women specifically into the Charter's language. Nevertheless, even with these criticisms, communists saw in the Charter an opportunity to define a class-specific equality for women. Immediately, the NWP branded the Charter a ‘dangerous document’ and warned its members to reject it. It specifically opposed the clause about sex-based legislation. NWP member Edith Houghton Hooker attacked what she saw as the paradox of claiming difference while seeking equality. She criticized the belief that protective legislation was deemed necessary, exclaiming, 'It would, perhaps, not be polite to laugh, so we cough, discreetly behind our hand.' She admitted that the Charter's language did not explicitly state that women needed protection, but she believed this omission meant that they did not wish to ‘arouse opposition.’ Hooker insisted that women needed to understand that despite race or class, the primary handicap they faced was their sex.

She warned NWP members that labor legislation was dangerous and equated womanhood to a disease. Hooker insisted that all that was required for equality was equal rights, allowing women to compete equally with men for distinctions and compensation. She felt that ERA opponents either did not believe in women or did not believe in the Constitution. To her the Charter framers were 'unwittingly ... "framing women."' Hooker tried to make her point by noting other things women had to be 'protected’ from in the past, including a high school and college education, the responsibility of owning property, guardianship of their own children, and voting.

The NWP was equally as concerned with what the Charter would mean for women living under fascism. NWP leader Alma Lutz claimed that women elsewhere looked to Americans for assistance against the reactionary policies of their own governments. Lutz insisted that the Charter was not a document guaranteeing the rights of women, but merely ‘an instrument of bondage and economic slavery,’ because in her opinion legislation treated women as children. She also worried that fascism sought to put motherhood in the service of the state and she warned that an exaggerated veneration of motherhood, including the protections of motherhood spelled out in the Charter, supported the belief that women's central duty and only care was bearing children. If women were regarded only for their reproductive potential and not for their potential as citizens, then insisting that women were different echoed fascist sentiment. Her concern was that in seeking protection for motherhood activists would reduce the status of all women. Lutz and Hooker argued that the Charter’s emphasis on women's difference reified beliefs in women's inferiority. The NWP was
Communists felt Hooker and Lutz misinterpreted the 'protection' encompassed under labor legislation, and argued that it did not provide a proverbial shelter for women from the 'dangers' of the world. Instead, the legislation meant to safeguard women from discrimination and inequality in the workplace. As far as communists were concerned, the NWP simply did not understand. Instead of addressing class issues it skirted around them and claimed that protective legislation was harmful. As Nancy Cott asserts, the NWP failed to address the issues sex-specific labor legislation addressed. It also failed to discuss equality between the races. Communists routinely accused the NWP of harboring bourgeois and racist sentiment and a myopic understanding of oppression and the historical abuses of minority women. Mary van Kleeck claimed that Charter opponents failed to mention that the Charter did not restrict labor legislation to women alone. She insisted that the need for legislation began with the recognition of the greater exploitation of women and children and that legislation would eventually extend to all workers. And while women and children needed greater protections because of their vulnerabilities, legislation should not be used to violate equal opportunities based on ability. The Charter's purpose was to protect women from discrimination.

As for the protection of motherhood, communists argued that fascist nations put motherhood in the service of the state and simultaneously eliminated legislation that guaranteed equality. Party women insisted that legislation would prevent the state from impeding women's rights. Additionally, they insisted that voluntary motherhood guaranteed by access to birth control and abortion and legislation that protected pregnant mothers from job loss was necessary to prevent women's reproductive capacities from being put at the service of the state.

By February 1937, Mary van Kleeck was pushing for the Joint Committee to include an amendment in the Charter to include race alongside sex. While the Joint Committee considered the amendment, Charter advocates scored a victory. In 1937, Grace Abbott and Edward O'Grady, US representatives to the ILO, submitted a resolution engineered by the Women's Charter group to its 23rd session. The resolution borrowed the language of the Charter almost verbatim, making only the necessary amendments in order for it to apply to the international organization. The resolution reaffirmed the necessity of legislation in correcting the abuses suffered by both women and men in the workplace. There was already sympathy among ILO representatives, like Alice Cheney, who expressed her support of the Charter. In a letter to Mary Anderson she wrote, 'we are especially delighted that your proposed charter abandons the false lead of mere “equality.”’ She had suggested that instead of ‘equal rights’ the ILO should press for ‘unrestricted opportunity and full social responsibility.’ Indeed she felt that proponents of the equal rights treaty who rejected equality under labor legislation would find no supporters in the interested groups represented by the ILO. Meanwhile, throughout 1937 communist front organizations and unions endorsed the Charter, including the Inter-professional Organization, the League of Women Shoppers and the United Radio, Electrical and Machine Workers of America (UE). The Woman Today threw its support behind the Charter as well. Cowl, working as the managing editor, wrote, ‘As a member of the Joint Conference Group for the Women's Charter,’ communists were mobilizing support behind the new declaration. They hoped to use The Woman Today, with its national circulation, to ‘acquaint American women with this new, significant event, the publication of a new
declaration of the rights of women.’ The CPUSA offered its ‘full cooperation in spreading the news of the Women’s Charter.’ Cowl urged communist women to circulate the Charter in their local branches, unions, and other organizations and to take leadership in the class struggle. Cowl hoped it could be used to assist in union organizing and improving workplace conditions for women. She proposed local conferences organized by women to discuss the Charter and to create legislative programs and she promised CPUSA financial resources would be available for these efforts. Many leading CPUSA women wrote in support of the Charter in communist publications; they particularly extolled the Charter’s virtues as a weapon in the class struggle. In one such article communist author Myra Page argued that working women ‘carry a double burden: two full size jobs of work in a factory or office, or on a farm, and a family and house to care for besides.’ By virtue of sex, ‘these same women find themselves handicapped, discriminated against’ with ‘Lower pay, the meanest jobs.’ Until ‘women stand, as producers and citizens, fully equal with men’ legislation was needed to advance women’s right to work and equality. Page urged working women close to the CPUSA and others to support the Charter. She believed passage was a first step in ameliorating poor working conditions. It would mean ‘an end to lower pay … to the wasteful sacrifice of mothers and children an end to all discrimination because of sex.’ The persistent struggle between ERA advocates and the Charter group over race and labor legislation reached new heights in 1938 when Congress again considered the ERA. The Joint Committee for the Charter mobilized opposition. The Women’s Charter group felt that proponents of the ERA ‘have linked it with the movement in opposition to the effort to establish higher standards for women in industry by legislation.’ In contrast, the Charter group allied themselves ‘with women in industry and other vocations in their effort to secure such legislation as will improve the conditions of their work.’ Charter advocates campaigned with the view that the NWP was labor’s enemy, and they were determined to stem its influence. Moreover, the Charter was created to work out a legislative program, at all levels of government that would enforce the rights of women already guaranteed in the constitution. The ERA failed to pass Congress and communists chalked it up as another victory. Even as the Party continued to expand its support for the Charter, the Charter coalition itself was coming apart. In 1938, Mary van Kleeck, serving as an interim secretary in the Charter group, announced that she was reconstituting the Charter group into the Joint Committee on Women’s Work. Any organization endorsing the Charter could be represented on the committee. However, organizations involved with the Charter did not ‘respond favorably.’ Difficulties arose because Mary van Kleeck was leaving her post as secretary. Van Kleeck was the link between the left-wing groups and the mainstream organizations. In this capacity she helped to avoid the dogmatic conflicts that often put the Communist Party at odds with others. However, most important to the unraveling of the Joint Committee was the concern of those involved, who were afraid that the Charter group was going to resurrect a women’s movement. There were reservations from the beginning about creating a new women's movement. Dorothy McConnell wrote to Mary Anderson about this concern. ‘A rumor has started,’ McConnell began, ‘that the Women’s Charter is to be used as a means for starting a huge mass movement of women in America.’ If this was untrue, McConnell felt the rumor must be addressed. She claimed that women approached
her afraid to bring the Charter before their unions or other groups for endorsement if there was a possibility it might threaten the unity so long worked for within the labor movement.73

The question of why these women opposed an autonomous women's movement is another element in understanding the CPUSA's opposition to the ERA. The answer can be found in the intrinsic goals of communist organizations, which sought to amalgamate women's rights into union demands and the larger class struggle. In addition, the new industrial unions, especially the Congress of Industrial Organization unions, were at the forefront of working-class organization in the 1930s. Communist women were skeptical about divorcing themselves from the broader class movement and what that would mean for attaining their goals as communists. Mary van Kleeck expressed similar sentiments to Mary Anderson: 'I am inclined to believe that a strong and vital woman's movement to meet the new day in the United States will arise out of the trade unions and not out of the old-line women's organizations.'74 There was a general feeling among communist women that the feminist movement represented by the NWP was outdated and ill fitted to an era witnessing economic depression and the growth of fascism. In addition, with the New Deal's tacit approval for union organization, coupled with the revolutionary growth in industrial organization, a broad labor program could agitate for the rights of workers, women, and minorities. A deep distrust of feminists who focused entirely on women's rights was rooted in this debate over equal rights. As communist writer Genevieve Taggard claimed, the 'old feminism' was being cast aside for a 'new feminism' that recognized the need to confront the mechanisms of oppression that unfairly targeted the working class, minorities, and women in different ways.75

In March 1938 Mary van Kleeck announced the end of the Women's Charter Coalition, assuring its supporters that the ILO resolution and the defeat of the ERA in Congress was a clear victory and that the spirit of the coalition remained.76 Concern for creating an exclusive women's movement was only one reason the Charter coalition failed. Of greater concern was the growing problem in Europe and Asia. With Nazi Germany's military campaigns in Europe, along with the Spanish Civil War, it seemed as if there was no end to fascism. The CPUSA diverted much of its attention to its anti-fascist campaigns, and Party women, while remaining devoted to women's rights, began to focus on relief for the Spanish, and anti-Nazism. American Communists feared, not without reason, that the Soviet Union would become a Nazi target. While Europe appeared to unravel, leftists' attention was diverted away from domestic concerns.

The Communist Party would not subscribe to 'equal rights' feminism until 1976, when it formally endorsed the ERA, after much of the protective labor legislation it had fought for became irrelevant after the passage of the 1964 Civil Rights Act prohibiting sexual discrimination in employment, and the Party itself had been virtually destroyed by Cold War red-baiting and news of Stalin's purges and was far less politically influential. The Charter demonstrates the competing visions of equality that existed among women's rights advocates and illuminates how the struggle for equal rights, which on the surface seems to have one central definition, ended up pulling in issues of race and class, as well as gender. The ERA debate and the attempt to create an alternative in the Charter demonstrate the challenges in creating a mass women's movement after 1920. While NWP advocates sought equal chances for women, the Communist Party insisted that without economic rights, civil rights would remain elusive for both women and minorities. The CPUSA and other ERA opponents felt differential treatment was necessary because women, workers,
and minorities had different historical experiences with oppression, different needs, and different challenges. The CPUSA, however, was motivated by the fear that the Equal Rights Amendment was a dangerous gamble with fascism on the rise. Communists roundly condemned the amendment and the ERA as a bourgeois weapon in the class struggle.

Notes

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[18] Young, In the Public Interest, p. 59.
[22] Storrs, Civilizing Capitalism, p. 58.
[32] Ware, Holding their Own, p. 120.
[33] Margaret Cowl, ‘We must win the Women,’ Political Affairs 16 (June 1937), p. 548.
[34] ‘The Equal Rights Amendment,’ The Woman Today (March 1936), p. 11.
[37] Margaret Cowl, ‘We must win the Women,’ p. 548.
[38] Cott, The Grounding of Modern Feminism, p. 128.
[41] ‘As We Go To Press,’ The Woman Today (September 1937), p. 5.
Democracy Papers, Swarthmore Peace Collection, Swarthmore College, Swarthmore, Pennsylvania.


[47] Ibid.

[48] On Mary van Kleeck's own copy of an early draft of the Charter there was a handwritten note to include 'race' in the Charter's language. ‘Tentative Draft of Statement of Women's Charter,’ (9 September 1936), Mary van Kleeck Papers, Sophia Smith Collection, Smith College.


[50] Ibid.

[51] Ibid.

[52] Leanne Zugsmith, ‘Statements from Leading Women on the Charter,’ p. 27.

[53] Clarina Michelson, ‘Statements from Leading Women on the Charter,’ p. 27.


[55] Dorothy McConnell to Mary Anderson, 28 January 1937, RG 86, Box 24, Women's Bureau Papers, National Archive and Record Administration.


[58] Hooker, 'Beware of the “Women's Charter.”'


[65] Alice Cheyney to Mary Anderson, 7 October 1936, pp. 1–2, RG 86, Box 23, Women's Bureau Papers, National Archives and Record Administration.

[66] Margaret Cowl to Mary Elizabeth Pidgeon, 18 January 1937, RG 86, Box 24, Women's Bureau Papers, National Archive and Records Administration.


[69] Women's Charter Group, 'Resolutions Adopted December 17, 1937,' RG 86 Box 24, Women's Bureau Papers, National Archives and Record Administration.

[70] Women's Charter Group, 'Resolutions Adopted December 17, 1937,' RG 86 Box 24, Women's Bureau Papers, National Archives and Record Administration.

[71] Mary van Kleeck to Margaret Cowl, 14 March 1938, RG 86, Box 23, Women's Bureau Papers, National Archives and Record Administration.

[72] Mary van Kleeck to Members of the Executive Committee of the Women's Charter, (30 December 1939), Mary van Kleeck Papers, Sophia Smith Collection, Smith College, Northampton, Massachusetts.
[73] Dorothy McConnell to Mary Anderson, 28 January 1937, RG 86, Box 24, Women's Bureau Papers, National Archives and Record Administration.
[74] Mary Van Kleeck to Mary Anderson, 15 April 1938, Mary Van Kleeck Papers, Sophia Smith Collection, Smith College, Northampton, Massachusetts.
[76] Mary van Kleeck to Members of the Executive Committee of the Women's Charter.

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