Towards a Feminist Perspective on Welfare Reform

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INTRODUCTION

Provisions for the poor have always been a contentious political issue in the U.S. For good reason. Welfare policy engages conflicting economic interests, clashing worldviews, competing social needs. Critical analyses of social welfare practice have centered on the ways that policies function to regulate the labor market and to preserve social order and discipline. In this approach, conflicts and interests structured by class and race take center stage.1 Recently, feminist scholars have argued that social welfare policy also reflects structures of gender inequality.2 This paper engages the theoretical debate by examining the latest "welfare reform" initiative, the Family Support Act of 1988.3 But this paper also has a practical political purpose: to offer a strategy toward welfare policy that promotes women’s independence as individuals and supports them as mothers.

The centerpiece of the Family Support Act is its expanded work requirements for single mothers with young children. Its passage represents a significant shift in the liberal position on welfare policy, since conservatives have always favored programs in which mothers are required either to find work or to work in exchange for welfare benefits. In the past, liberals opposed these "workfare" programs but supported voluntary training and work experience programs that would help mothers become self-supporting once their children reached school-age. Since 1971, Congress has required the states to register women with school-age children in training, work experience, or job search programs.4 But until now, women

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4. Prior to 1971, Congress had mandated the enrollment of women with school-age children in the Work Incentive Program (WIN), but allowed states to set their own regulations. Thus, liberal states
with children under six have generally been exempt from these requirements. The new law requires states to enroll mothers with children over three years old in training, work experience, and job search programs and allows states to make participation in such programs mandatory for mothers of children as young as one year old.

Advocates of the Family Support Act argue that it will cut the welfare rolls and end poverty by making single mothers "self-sufficient." But the Family Support Act is no more likely to cure poverty than previous welfare reforms. Indeed, welfare families' conditions of life will continue to deteriorate, since cash benefits are very low and not indexed for inflation (unlike, for instance, social security). Benefit levels in most states are, and will no doubt remain, well below the poverty line, because the Family Support Act does not set a federal minimum benefit standard. Indeed, a federal minimum benefit was never seriously considered in the discussion of welfare reform. Few welfare recipients remain on welfare for long periods and many already leave welfare for paid work. However, they remain poor, because their low-paid jobs do not cover their job-related expenses (e.g., transportation, childcare) or health-care needs. And fully 40% of all women who leave welfare with an earnings increase eventually

like New York registered very few mothers, whereas Utah forced most to register for the program. Law, Women, Work, Welfare, and the Preservation of Patriarchy, 131 U. PA. L. REV. 1249, 1262-63 (1983). However, even after 1971, most of the Work Incentive Programs were funded at levels too low to accommodate all recipients. Although the state must register all recipients, programs have tended to serve the most employable recipients who need the least services: men, women with older children who do not require childcare or after-school care, and volunteers. Handler, The Feminization of Poverty and the Malefeminization of AFDC, N.Y.U. REV. L. & SOC. CHANGE (forthcoming 1989) (manuscript on file with author).

5. The original House bill, H.R. 1720, the Family Welfare Reform Act of 1987, also exempted women with children under six. However, it was amended in the House Ways and Means Committee to require participation by women with children aged three years or older, and to allow states to require mothers of children one year or more to participate. Mothers of children less than six could not be required to participate in work or training more than 20 hours per week and only when childcare was provided.

6. The Family Support Act does, however, limit their required participation in training or wage work to 20 hours per week. For a description of the shifting liberal position and emerging consensus, see Reischauer, Welfare Reform: Will Consensus Be Enough?, BROOKINGS REV., Summer 1987, at 3.


11. Almost two-thirds of households in poverty receive no cash assistance at all; over 40% do not receive any means-tested benefits. Handler, supra note 4, at 13. In 1985, 41.5% of the poor population over fifteen years old were working. Rovner, supra note 7, at 2283.
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return. Many critics of the Family Support Act argue that its major thrust is not to improve the lives of poor women but to reduce welfare expenses and welfare rolls by making welfare increasingly less attractive as an alternative to low-paid work and by making fewer people eligible for assistance. Promises that single mothers will get real skills or training will not be fulfilled, critics predict. Instead, states will offer only minimal services to welfare recipients, who will be forced to work at minimum-wage service sector and manufacturing jobs, filling the labor needs of local employers. They have a point. All previous experience with “welfare to work” programs demonstrates that high-quality programs are very expensive and reduce costs only over the long term. Thus, whatever the reform promises, programs are likely to be underfunded and in practice end up doing little to reduce the caseload or increase the skills and education of recipients.

Feminists have been divided over the issues raised by the Family Support Act. In the debates leading up to passage of the Act, most agreed with the critics, but they disagreed about the alternatives feminists ought to support. Some argued against the goal of making single mothers economically “self-sufficient.” The proposed reforms, they argued, would leave single mothers even worse off. Poor women would be forced to put their children in inadequate daycare while they worked at dead-end, low-paid jobs. These feminists assert the value of women’s work as mothers and defend their entitlement to state support. They consider it a mistake for women to embrace male-defined notions of “independence.” Men, they point out, are not really “independent,” for they “depend” on women’s unpaid labor in the home to care for them and for their children. Moreover, they note that while poor women on welfare are stigmatized for failing to be “self-sufficient,” it is perfectly acceptable for married women to “choose” full-time motherhood and dependence on their husbands over wage work.

15. California’s GAIN, one of the model programs for the Family Support Act, was projected to remove no more than 3% of the caseload from the welfare rolls. A national review of welfare-to-work programs found that more than 50% of those recipients who found work had to remain on welfare because their wages were so low. Udesky, Workfare: It Isn’t Fair and It Doesn’t Work, 51 THE PROGRESSIVE 14 (1987).
17. Gordon, supra note 2.
Other feminists, who recognized the limitations of the reforms being debated, nonetheless argued for proposed legislation providing the most benefits, protections, and services (education, job training, childcare) to help women on welfare enter paid work.\(^\text{18}\) "Marriage to the state," they asserted, is no better than dependence on husbands for economic support. The "motherhood mystique" ("children need mother's care," "women are natural caregivers") could be used to legitimate single mothers' claim to income from the state.\(^\text{19}\) But by defining women primarily as caregivers, the "motherhood mystique" also perpetuates the gender division of labor in the family, encourages women's reliance on men for economic support and justifies discrimination against women in paid employment.\(^\text{20}\)

Feminist differences on welfare policy reflect a real, sometimes seemingly intractable, difficulty that characterizes many feminist reform efforts: The conflict between a "politics of equality" and "a politics of difference." I'll argue that this counterposition is not inevitable, and that it is possible to craft a strategy that combines both.

**Theoretical Perspectives**

The most interesting feminist work on the welfare state has analyzed state policy in terms of the intersection of capitalism and patriarchy.\(^\text{21}\) The state, it is argued, mediates between competing needs of capital—for women's low-waged labor on the one hand and for women's unpaid domestic labor on the other—and the interests of men. The rise of industrial capitalism threatened men's control over women by undermining the economic and political basis of male authority within the family. At the same time, the employment of women threatened the adequate reproduction of wage labor. On the other hand, to subsidize women's reproductive labor through the state threatened male control over women within the family—by offering women an alternative to dependence on a male breadwinner—and undercut the availability of women, particularly working-class women and women of color, as a low-waged labor force for capitalist employers. Tracing the history of welfare policy, Mimi Abramovitz argues that distinctions between "deserving" and "undeserving" women have al-

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allowed the state to support some women who followed the dominant family ethic—those who were widowed or caring for injured or sick husbands—while excluding others—those who appeared to “choose” single motherhood. Similarly, local control over eligibility and benefit levels has been used to force working-class women, and especially women of color, into paid work where local industries rely on their low-paid labor.\(^\text{22}\) In general, Abramovitz says, welfare policy has balanced competing needs by allowing some mothers to support themselves outside the labor market and the male breadwinner family, while forcing many others into wage work in the lowest paid and least secure jobs and ultimately back into marriage. Feminists have also argued that in addition to class and gender, racial inequality has structured welfare policy, particularly in the ways it differentiates among women—women of color are more likely than white women to be defined as “undeserving.”\(^\text{22}\)

While this body of work has laid a foundation on which to build, the capitalist-patriarchy approach has not sufficiently recognized that welfare state policy toward single mothers has had a contradictory rather than unitary impact and that women have been agents as well as victims in its creation and implementation. The establishment and expansion of state support to single mothers reflected the political organization of women, not only the actions and interests of men or capitalist employers. And the growth of the welfare state after World War II tremendously enlarged women’s alternatives to dependence on men by increasing women’s employment and providing services which, however minimal, are far better than those previously available.\(^\text{24}\) True, the miserly benefits, demeaning rules and regulations, harassment and surveillance by caseworkers diminish the attraction of welfare as an alternative to the male breadwinner family, even for those women who are deemed eligible for benefits. True, also, that white, middle-class women active in lobbying for welfare legislation have often failed to represent the interests and needs of the working-class women and women of color in whose names they claim to speak. Nonetheless, welfare policy has tended to undermine the male breadwinner family, rather than simply upholding it. Such contradictory outcomes challenge an explanation of welfare policy in terms of its function for reproducing either capitalism or male domination.\(^\text{26}\) An analysis of the

\(^\text{22}\) M. Abramovitz, supra note 2 passim.


\(^\text{24}\) Pateman, supra note 21, at 255–58.

\(^\text{25}\) Hasenfeld makes a similar point with regard to workfare programs in particular. Against those who analyze workfare as a mechanism of labor supply regulation and social control, he argues that these programs are expensive, hard to administer and generally ineffective. Since there are better and cheaper ways to achieve the same ends, the programs have to be explained in other terms—in his view, the “moral ambiguity” in cultural values and norms about welfare and work. Hasenfeld, supra note 14.
political process through which welfare legislation was passed also raises questions about the adequacy of this theory.

For instance, among the many groups testifying to Congress for or against the welfare reform bills, there were only a handful of business organizations—the U.S. Chamber of Commerce and the National Business Alliance, as well as some individual businesses. Moreover, none of the major corporate think-tanks, such as the Committee for Economic Development or the Conference Board, has issued a policy statement on welfare within the last six years. The prominent voices among those advocating reform before Congress belong to social service administrators, state and local government executives, charitable organizations, social service professionals and lobbies for the poor.

Federal government policy toward single mothers reflects diverse pressures: middle-class reformers (such as church-affiliated activists, volunteers in charitable organizations, political party activists) and growing numbers of service professionals who argue the need to provide for the poor in order to prevent class polarization and unrest and to ensure the reproduction of skilled and socialized worker/citizens; federal government administrators interested in maintaining social order, economic prosperity and the legitimacy of the party in power; politicians looking for re-election; political organizations representing workers and subordinated groups, such as trade unions, civil rights organizations and women’s organizations; sometimes explosive political and social movements of the poor; special interest business groups; and state and local governments anxious

26. CIS/ANNUAL 1988 LEGISLATIVE HISTORIES OF U.S. PUBLIC LAW 464-75. Interestingly, their testimony primarily opposed mandatory work requirements for welfare recipients and instead supported training and job placement programs with voluntary participation. Unlike the ideological conservatives, these groups seem less concerned about curing a "pathology of dependence" through forced work and more interested in state programs that are directly crafted to subsidize employment of the more able and willing welfare recipients in low-waged local industry. The proposed legislation continued or expanded programs that pay employers to hire and train welfare recipients and allow low-paid workers to continue receipt of benefits. On the other hand, they considered as unrealistic proposals to establish a minimum national benefit or move the "hard to employ" recipients into work, because that would require excessive levels of spending. See, e.g., Hearings on Welfare Reform: H.R. 30 Fair Work Opportunities Act of 1987 and H.R. 1720 Family Welfare Reform Act of 1987, 100th Cong., 1st Sess, 252 (1987) (testimony of William Kohlberg, President, National Business Alliance).

27. On the other hand, a broad array of initiatives on welfare reform were taken by others in the period leading up to the introduction of legislation. Major actors were government officials, policy institutes, and foundations. They included: the "Matter of Commitment Project" of the American Public Welfare Association (an organization of state human service commissioners); the National Governors' Association Task Force on Welfare Prevention; Governor Cuomo’s Task Force on Poverty and Welfare; the Project on the Welfare of Families, chaired by Bruce Babbitt and Arthur Fleming; the Ford Foundation (which funded several different projects, including a Project on Social Welfare and the American Future); the Brookings Institution; the Urban Institute; and, for the conservatives, the White House Domestic Policy Council and the Working Seminar on the Family and American Welfare Policy, staffed by the American Enterprise Institute. See CHILDREN'S DEFENSE FUND, NATIONAL WELFARE REFORM INITIATIVES (1986).

to reduce their own costs by transferring them to the federal level or resisting federally mandated expansions. The history of welfare policy since World War II reflects this diversity of interests and the shifting political coalitions among them.

Aid to Families with Dependent Children (AFDC) offers one example of how political coalitions shape welfare policy. While the value of AFDC benefits declined in the 1970's, in-kind benefits, particularly food stamps and medical care, increased. While popular attitudes toward welfare are generally negative, voters tend to prefer in-kind benefits to cash handouts. Gender ideology also shapes popular preferences for in-kind programs. Cash grants replace wages and are typical of programs developed for men, such as unemployment insurance, whereas in-kind grants allow the donor to retain control over the behavior of the recipient and are more common in programs developed for women.29 Most important, however, in-kind programs are vigorously supported by provider groups with political resources, such as farm organizations, construction and real estate industries, hospitals and the American Medical Association.30

The capitalist state is an arena of political struggle for all kinds of organized groups; policy outcomes, shaped by an historically determined balance of forces, are almost always double-edged. There are instances, of course, where organizations representing capitalist employers directly engage in the policy-making process and wield considerable influence over the outcome. And at times, male-dominated organizations such as skilled trade unions or professional associations have attempted to use the state to exclude women from their occupations or to otherwise protect male privilege in the labor market. But very often—and this is the case with regard to state policy toward single mothers—the politically organized groups involved in fighting over policy and the issues that engage them do not reveal direct intentional intervention by capitalist employers as a group. Moreover, the major proponents of legislation often are not men but women. Welfare policy reflects structures of class and gender, but not because the state functions to reconcile the interests of men with those of


30. The National Association of Homebuilders, long an opponent of federal social welfare initiatives, emerged in the 1960's as a major source of support for housing subsidy measures. See L. Salamon, Welfare: The Elusive Consensus 90 (1978). Similarly, the growing and well-organized lobbies of childcare providers have helped to put work plus childcare on the agenda for welfare reform. Although organizations such as the National Association for the Education of Young Children have focused on the various bills expanding the federal government role in childcare, they support any increase in federal payments for childcare services, including in welfare programs. Their efforts have helped not only to legitimate daycare and to undermine conservative opposition to a federal government role in childcare, but also to impress upon Congress the broad constituency for support to working mothers.
capitalist employers. Rather, welfare policy is shaped by class and gender, because the class structure and the social organization of gender set limits to and create opportunities for those particular interest groups who at any given time participate in the policy-making process. This process of setting limits and creating opportunities occurs both outside and inside the political process itself. In the capitalist economy, investment decisions are privately controlled and primarily determined by profitability. Consequently, state policies which threaten or appear to threaten profit levels, by undermining work incentives, redistributing income and wealth, or cutting too deeply into profits through taxation, will trigger reduced investment, capital outflows, lowered exchange rates, and other responses that can lead to an economic downturn. Capitalist class interests are imbedded in the imperatives of the capitalist economy. These imperatives set the context within which decisions about taxation and spending must be made, and they operate regardless of who holds office or directly controls government decision-making. Further, interest groups contesting state policies seek political goals and rhetoric that are realistic and will tend to limit themselves to policies compatible with a "positive business climate." In this way, the post-war era of prosperity and growth did not create the expansion of the welfare state, but made it possible. The qualitative changes in the scope and level of government spending reflected the political organization of different interest groups and most spectacularly the Civil Rights movement of the early 1960's. But the way the political system responded to the mobilization of this new constituency also depended on the opportunities provided by an expanding and prosperous economy. Correlatively, economic decline and the end of the era of growth did not create the conservative backlash, but undermined the political economy on which the welfare state had been based. Increasing conflicts over shrinking political and economic resources drove a broad wedge into the coalition of interests that had constituted the base of post-war liberalism.

Women's self-organization as a political force has varied in time and by class over the period during which the modern welfare state and social policy has been constructed. We cannot understand the evolution of state policy apart from an account of the presence and absence of women in the political process. For example, white, middle-class women's organizations played a crucial role in the passage of income-maintenance, public health, and other social legislation in the Progressive period but not during the New Deal.

And it was not until the 1960's that poor women, particu-

31. On the impact of the "Women's Lobby" on federal legislation in the early 1920's, see Mueller, The Empowerment of Women: Polling and the Women's Voting Bloc, in THE POLITICS OF THE GENDER GAP 16, 18-21 (C. Mueller ed. 1988). For the New Deal period, see S. Ware, BEYOND SUFFRAGE: WOMEN IN THE NEW DEAL (1981). A "women's network" wielded influence within the New Deal administration, but there was no significant mass mobilization of women as there had been during the Progressive Era.
larly Black women who were the clients of welfare programs, organized themselves to contest social policy. To understand not only when women mobilized, but also which women mobilized and for what ends, and with what strategies and political rhetoric, requires an analysis of the changing social organization of gender and especially the sexual division of labor within the household and the economy. Responsibility for caretaking as unpaid work within private households has been both a political resource and a disadvantage for women. And the changing circumstances under which women take up this responsibility explains both their self-organization and their political marginalization.\textsuperscript{32}

The next section will review the history of Aid to Families with Dependent Children (AFDC) and the context of the current welfare reform, showing how changes in the capitalist economy, and in gender relations, shaped policy outcomes.\textsuperscript{33} The last section of this paper will discuss feminist responses to the Family Support Act of 1988.

**CLASS AND GENDER IN THE DEVELOPMENT OF WELFARE POLICY**

Until the early twentieth century, it was common for children of poor single women to be removed from their mothers' care. Between 1911 and 1921, forty states enacted legislation that allowed local authorities to award grants to those destitute single mothers who were considered to be "proper guardians," so that the family could stay together. Many women reformers rationalized the idea of mothers' pensions in terms of children's need for their mothers' care: state support would make it possible for poor women without husbands to live like women with husbands. They could specialize in motherhood, so to speak.

It has been argued that this "politics of protection" reflected more the patriarchal gender ideology and class interests of reformers than the real needs of poor women.\textsuperscript{34} It is true that the women militants of the child welfare movement, primarily responsible for developing welfare programs and organizing for their enactment, were overwhelmingly white, middle-class volunteers and members of emerging social welfare professions. Most of them unquestioningly accepted the notion that men ought to take primary responsibility for their families' economic support, while mothers should depend on a male breadwinner. On the other hand, some working-class women, predominantly women trade unionists, defended working mothers and argued for higher wages and unionization, so that women could adequately care for their families. They resisted a politics of protec-

\textsuperscript{32} For an elaboration of this point, see Brenner & Laslett, Gender, Social Reproduction, and the State (November 1989) (paper presented to the Social Science History Association).

\textsuperscript{33} This analysis focuses mainly on the impact of class and gender, but also indicates the points at which race inequality shaped the development of welfare policy.

\textsuperscript{34} Boris & Bardaglio, supra note 21, at 85-86; see also M. Abramovitz, supra note 2, at 190-95.
tion, claiming that it disadvantaged women in the labor market, reinforced the idea that women could not be both good mothers and paid workers, and institutionalized women's dependence.38

Assumptions about proper family life shaped the way that mothers' pension programs were organized, defended, and implemented.36 Mothers' right to support was conditioned on whether or not they conformed to accepted gender roles and sexual codes. In withholding support to mothers who were "undeserving," lawmakers, charitable organizations, social workers and courts reinforced a gender ideology that defined independent women as suspect and defined motherhood as a full-time job. But why did so few women challenge that ideal or organize successfully around alternative programs? One explanation may lie in the social reality of the time: the majority of married women with children, in both working-class and middle-class families, did not work for pay full-time outside their homes.37 Working-class women, and especially women of color, had to contribute to their families—but they did so primarily by work that could be combined with childbearing and childrearing, such as working at home, working only during certain seasons, and taking in boarders.38 In all classes, men were the primary family breadwinners, and the loss of their income left women, particularly those with children, in dire poverty. Low levels of women's trade union organization, women's exclusion from skilled work and from many professions, and the unavailability of childcare meant that dependence on the state for support was the only realistic alternative for most women to dependence on fathers, male relatives or charity.

In addition to limiting the alternatives open to single mothers, women's economic dependence on men also restricted their capacity for political organization and representation. While some middle-class women did organize, and thus played an important part in the creation of the welfare state, the majority of women, from any class, were only marginally represented in the balance of organized political forces. This fact shaped the political discourse—the voices of working-class women and women of

36. For a discussion of how racist ideologies also shaped early welfare state programs, see Mink, supra note 23.
37. In 1900, 3% of native-born white married women, and 3.6% of foreign-born married women worked outside the home. By 1920, only 6.3% of married native-born white women and 7.2% of foreign-born wives were in the work force. Even as late as 1940, only 12% of white married women worked outside the home. Labor force participation of Black wives was much higher—around 32%. C. DEGLER, AT ODDS: WOMEN AND THE FAMILY IN AMERICA FROM THE REVOLUTION TO THE PRESENT 384 (1980).
color generally were silenced. It also shaped reformers' strategies, which had to adapt to political reality, to what might be winnable.

"Mothers' pensions" created a policy framework that shaped the later establishment of federal income-maintenance programs for single mothers. The criteria differentiating "fit" from "unfit" mothers were vague and arbitrary. Once deemed eligible, mothers often were supervised by caseworkers to ensure that they provided a "suitable home." Although legislation in many states covered women who were deserted, divorced, or never-married, as well as widows, in practice these mothers tended to be regarded as "unfit" and ineligible for support. Because local governments were unwilling to spend much money on the programs, grants were very small and most women were expected to supplement their grants with wage work. On the other hand, paid work that took them away from home was frowned upon and could result in termination. Home work (sewing or taking in laundry, for instance) was a common solution—but one that did little to pull these women out of poverty.

Mothers' pensions established the principle of government's responsibility for single mothers (or more accurately, perhaps, for the children of single mothers). However, narrow eligibility requirements, along with accompanying distinctions between the deserving and the undeserving, low funding, and successful political resistance at the local level excluded many women from benefits. Most programs did not constitute a real alternative to dependence on male support. By the early 1930's, widows con-

39. Analyzing the two major income-maintenance programs of the Progressive era—mothers' pensions and workmen's compensation—Barbara Nelson argues that the welfare state was characterized from the beginning by a two-track system that sharply differentiated programs for women (and for men of color) from those for white men. In workmen's compensation programs, eligibility was determined on straightforward decision criteria in the service of highly routinized decision-making. Routinized decision rules and concomitantly simpler application procedures contributed to client satisfaction with insurance programs and reinforced the social legitimacy of the clients as being deserving of their benefits. Mothers' pensions, by contrast, used moralistic, diffuse decision criteria and allowed high levels of bureaucratic discretion. Nelson, supra note 29. While Nelson's identification of differences in programs directed to men and to women is appropriate, her distinction perhaps divides male and female programs too sharply. For instance, as Handler points out, unemployment insurance also has many continuing tests of "deservingness" (e.g., proof of looking for work) and only temporary protection from coercion (e.g., beneficiary cannot be forced to take "unsuitable" work). Handler, supra note 4, at 67-68. On the other hand, an important difference remained, at least up until the 1970's: Men's eligibility rested on whether or not they were able to work; women's rested on whether or not they were morally deserving.

40. Perhaps one reason state legislatures so easily passed mothers' pension legislation was that, generally, funding was left entirely to the local governments. Most localities refused to expand taxation or shift spending from other activities, so the mothers' pensions programs remained quite small. In many localities, the availability of benefits was keyed to local labor market demands, for instance, suspending payments during harvests in order to assure a supply of labor for the fields. Racism played a role also—poor Black women were more likely to be expected to work than white women. See infra note 41.

41. On local resistance, especially in areas where Black women were an important source of wage labor, see M. Abramovitz, supra note 2, at 194, 317-18. Opposition from local businesses has continued to be a source of resistance to federal efforts to expand benefits. For example, a 1977 task force of the National Governors' Conference found substantial opposition from several state governments to a national payment standard set at even 75% of the poverty level because it would have "an
stituted 82% of recipients, 96% of all families served were white, and less than 3% of all female-headed families received aid.\footnote{42}

In 1935, the federal government entered the picture with the creation of Aid to Dependent Children (ADC), which for the first time offered federal funds to states to establish financial assistance programs for needy children.\footnote{43} Women reformers, well-placed in the Roosevelt administration, were key players in crafting the legislation and ensuring its inclusion in the Social Security Act of 1935.\footnote{44} However, although personally influential, they had no political base. There was no "women's movement," no feminist organization among the organizations and grass-roots forces that formed the New Deal coalition. It is not surprising, then, that New Deal policies incorporated the assumptions of the male breadwinner family ideal: mothers ought to depend on male wages, the cure for poverty was male employment, men should have priority in training and work programs.

In 1939, amendments to the Social Security Act effectively separated widows from other single mothers by establishing benefits for widows and their children until the children reached age sixteen.\footnote{45} Social security benefits to widows were set by the federal government. But in ADC the level

unsatisfactory detrimental effect on the economies of those states by discouraging work by those with low earnings levels or potential." L. SALAMON, supra note 30, at 122.

On the other hand, local governments also have been a source of political pressure on the federal government to increase welfare spending. In the recent debates over welfare reform, the American Public Welfare Association (APWA), representing state welfare administrators, pushed for a new national minimum benefit standard roughly around the poverty line, to be indexed to inflation. Where the federal government paid 50% to 78.5% of state costs, with poor states getting the higher share, the APWA proposed a uniform federal share of 75%—an overall increase in the federal match. Wash. Post, Apr. 15, 1987, at A21, col. 1.

42. See Handler, supra note 4, at 34.
43. Payment levels were very low, and there was no provision for a grant to the mother. A federal matching grant for the mother was finally added in 1950 under pressure from state governments that were facing increasing caseloads and rising expenditures on the program. W. TRATTNER, FROM POOR LAW TO WELFARE STATE: A HISTORY OF SOCIAL WELFARE IN AMERICA 291 (3d ed. 1984).
44. According to Edwin Witte, Executive Director of the Committee on Economic Security (CES), which crafted the Social Security legislation, there was little interest in Congress in the ADC program. "The major impetus for ADC came from the Children's Bureau whose proposals, based on the Mothers' Pensions programs, CES accepted with little comment." M. ABRAMOVITZ, supra note 2, at 315. Susan Ware identifies twenty-eight women who formed the New Deal women's network, among them Grace Abbott, chief of the Children's Bureau; Mary Anderson, head of the Women's Bureau; Molly Dewson, director of the Women's Division, Democratic National Committee and member of the Social Security Board; Frances Perkins, Secretary of Labor; and Jane Hoey, director of the Social Security Administration's Bureau of Public Assistance. S. WARE, supra note 31.
45. Since so many Black men worked in jobs not covered by Social Security, many Black widows were not eligible for the more generous and less restrictive support through Social Security. M. ABRAMOVITZ, supra note 2, at 250. The establishment of Old Age Insurance moved older white male workers into the ranks of the "deserving poor." Opponents of old-age pensions had always argued that they undermined the work ethic and rewarded profligacy, because men would not have to rely on their own efforts in order to provide for themselves and their families in old age. By tying eligibility to a lifetime of continuous paid employment and by making the program contributory, proponents could argue that Old Age Insurance would not undermine the necessity to labor. Further, the provision of widows' pensions did not violate the assumptions of male responsibility and female dependence, allowing white men as family breadwinners to provide for their wives and requiring women to stay married in order to collect benefits in their old age.
of benefits and determinations of eligibility for widows of uncovered male workers, and for deserted, divorced or unmarried mothers, remained in the hands of local authorities. The superiority of Social Security benefits to those in ADC reflected differences in political influence by gender and by race. Widows' pensions rewarded faithful wives as part of a system of benefits to white men.

During the 1950's, as the ADC caseload changed to include more divorced, separated and unmarried mothers and more women of color, many states tightened up eligibility requirements and increased harassment of recipients. "Substitute father" rules made a single mother's male companion responsible for supporting her and her children. Surprise raids were made on welfare mothers to search out the "man in the house" whose presence would automatically disqualify them. "Suitable home" rules based on vague and discretionary definitions of moral fitness often were used to deny aid to unmarried mothers, whose "illegitimate" children automatically defined them as morally unfit.

Throughout the 1950's, social workers and social scientists had proposed, without much success, an increase in services to the poor, including single mothers. By arguing that poor families needed counseling in order to secure and retain jobs, social service professionals blamed the poor for their condition and claimed a rehabilitative role for themselves. They appeared to have won their point with the Kennedy administration. Kennedy's 1962 "social service amendments" to the Social Security Act encouraged states to establish social services and hire caseworkers, for example, by permitting states to claim 75% rather than 50% federal reimbursement for administrative costs in AFDC cases where rehabilitation services were given. These amendments were developed by two welfare reform commissions appointed in 1961, which included many prominent social workers.

ADC was changed to AFDC in 1962, and for the first time two-parent families became eligible for assistance through AFDC-UP (Unemployed Parent). Only half the states actually established AFDC-UP programs, but with the inclusion of "able-bodied" men, Congress amended AFDC to allow states to force recipients to work in exchange for their benefits. However, since states were required to provide a 50% match for the Community Work and Training programs, as compared with a 25% match for social services to AFDC recipients, only a few states actually instituted

46. By 1961, widowed families comprised only 7.7% of the ADC caseload, down from 43% in 1937. Id. note 2, at 321.
47. Law, supra note 4, at 1259.
50. The commissions recommended first and foremost the provision of rehabilitative services by professionally trained personnel and federal funding for social worker training. Id. at 299-300.
“workfare” programs. In principle, however, husbands were expected to work or search for work, while only “deserving” mothers who lacked men to support them would be eligible for aid without either working or proving they were seeking work. Still, many localities found ways to keep single mothers off the rolls.

The history of AFDC up to this point reveals that gains for single mothers reflected political efforts of women reformers who were predominantly white and middle-class. Working-class women participated in the mass movements that forced the expansion of the welfare state at the turn of the century and in the 1930’s. However, working-class women organizers were marginalized in those movements and even in the coalitions that they sometimes formed with middle-class women reformers. This situation changed in the 1960’s, when poor Black single mothers organized a movement to convert welfare from a miserly, begrudged and demeaning charity to a secure entitlement.

In alliance with professionals and middle-class reformers, especially those from the federal poverty program (and within the context of the civil rights movement) grass-roots groups of welfare mothers, organized in the National Welfare Rights Organization (NWRO), won a major expansion of AFDC in the late 1960’s. The NWRO organized to demand expanded benefits, to inform more poor women about their eligibility for benefits, and to extend the rights of women recipients in relation to state bureaucracies. Between 1950 and 1965, the number of AFDC recipients had increased approximately 6% a year. But between 1965 and 1970, the annual rate of growth jumped to 18%. By 1975, the number of recipients had reached 11 million, compared to only 3 million in 1960.

Community legal service lawyers from the poverty program were especially important allies for NWRO activists. Between 1967 and 1971, 368,000 families headed by unwed mothers became eligible for welfare due to court rulings that overturned home eligibility checks, man-in-the-house rules, and midnight raids. In 1969 the Supreme Court declared residency requirements illegal, adding 800,000 to the AFDC rolls by 1970.

In addition to using the courts to expand poor women’s access to support,
the welfare rights movement forced welfare departments to establish formal grievance procedures that made arbitrary terminations more difficult. NWRO groups informed poor women of their eligibility for assistance, produced welfare rights handbooks for recipients, and succeeded in eliminating some of the more intrusive and demeaning aspects of the welfare system. By the end of the 1960's, poor women had won rights and protections that gave them a more secure claim to state support.

Between 1965 and 1970 states increased AFDC benefit levels by 36%. The proportion of eligible families headed by women who actually received benefits increased from 60% in 1967 to nearly 90% in 1971. Real expenditures for public benefits increased by 69% between 1965 and 1970. By 1970 welfare costs were expected to “exceed the budgeted amount by $1 billion.”

The welfare rights movement not only increased the level of benefits but helped to reduce the stigma of welfare and to secure women's entitlement to state support. Almost from the first, however, this right came under attack. In 1967, Congress considered amendments to the Social Security Act to penalize mothers of children born outside marriage or mothers deserted by their husbands. The amendments proposed to freeze federal aid to the states for such mothers, denying additional funding to states that increased the proportion of unwed or deserted mothers in their caseloads. Opposition from the social service establishment and civil rights and welfare rights organizations forced withdrawal of the amendments by 1969.

Also in 1967, Congress began to consider the issue of moving recipients off the rolls and into paid work. Wilbur Mills, Chairman of the Ways and Means Committee, asked, “What in the world is wrong with requiring these people to submit themselves, if they are to draw public funds, to a test of their ability to learn a job?” This conservative backlash was fairly well countered by the welfare advocates. While Congress did establish the Work Incentive Program (WIN), most of the provisions aimed at punishing welfare mothers were removed. WIN's “earned income disregard” allowed recipients to earn a certain amount without affecting their grant. Previously, any dollar earned had been deducted from the AFDC

58. F. Piven & R. Cloward, Regulating the Poor, supra note 1, at 306-20.
59. Sylvia Law calls this the “legalization of welfare.” Law, supra note 4, at 1267-71.
61. Id.
63. L. Salamon, supra note 30, at 89. The NWRO also played a role in defeating Nixon's Family Assistance Plan. The Plan's guaranteed minimum family income was so low that it would have reduced support to welfare recipients in high-benefit states. Id. at 91-97.
64. M. Abramovitz, supra note 2, at 340.
65. Individuals can continue receiving aid if their monthly income (after deducting actual work expenses such as childcare, transportation, and uniforms), plus one-third of the remaining gross, is less than the state-defined need standard.
award, effectively penalizing recipients for working. In addition to the earned-income disregard, WIN allocated federal funds for states to develop programs aimed at placing recipients in jobs. Participants were required to register for work, accept referrals to training or work experience programs, and take any bona fide job offer. WIN participation was mandatory for men in AFDC-UP, but only voluntary for single mothers of children six years old or more for whom childcare was to be available while they were in training or searching for a job.66 Mothers of younger children were not expected to participate.

The gains of the 1960's could not continue. Benefits to single mothers would not have increased without the mobilization of poor Black women in the NWRO, the urban rebellions of the early 1960's, and the civil rights and Black power movements. But the welfare expansion was also made possible by the post-war prosperity. In the context of an expanding economy, state managers could respond to political pressures by increasing taxation and spending without threatening capital accumulation. Indeed, the post-World War II welfare state was funded predominantly by increasing taxation on personal incomes and individual households, not corporate revenue.67 The entire edifice of liberal welfare state politics relied on economic expansion—rising real incomes took the sting out of the increasing tax burden on wage and salary workers.

From the early 1970's, economic pressure on corporate profits led to an increasingly well-organized employers' offensive against working class standards of living. Over the 1970's, median real family income declined by 16%, while regressive taxes were rising.68 Existing social and economic divisions—between the unemployed and the employed, between public and private workers, between whites and people of color—were aggravated as groups scrambled to improve their incomes, generally at the expense of one another. In this economic context, political liberalism and support for the welfare state unraveled.

The shift in political climate was already clear in 1976, when Carter campaigned for the Democratic Party nomination as a Washington outsider opposed to the “bloated federal bureaucracy,” sounding themes that Reagan was to use against him in 1980. The passage of Proposition 13 in California began a “tax-payers' revolt,” which swept into many states in the late 1970's. Although expansion was no longer on the agenda, through

66. In the case of the WIN regulations, we can see how a politics of protection that considers men but not women “able-bodied” and thus expects men, but not women, to work, discriminates against women as workers. As Law argues, men were given preference in assignment to training programs, although many single mothers also volunteered to be trained. Law, supra note 4, at 1286–87.


68. Not surprisingly, acceptance of state spending for programs decreased among some groups, such as union households, which had previously supported them. See Brown, The Segmented Welfare System: Distributive Conflict and Retrenchment in the United States, 1968-1984, in Remaking the Welfare State, supra note 16, at 182, 197-98.
the mid-70's, liberals and conservatives essentially forced a stalemate around welfare policy. The political and economic climate made it difficult to pass new programs that increased spending, so conservatives were able to defeat initiatives such as Carter's proposal to create public service jobs for welfare recipients, which promised to add as much as $12.4 billion to the federal budget.\(^{69}\) On the other hand, the 1960's had created a much larger and better organized social welfare lobby, including organizations such as the American Public Welfare Association, the National Council of Local Public Welfare Administrators, the National Association of Social Workers, the Children's Defense Fund, the National Child Support Enforcement Association, the Coalition for Human Needs, and the Child Welfare League. This lobby, together with civil rights and trade union organizations, was sufficiently influential in Congress to contain, although not entirely prevent, conservative schemes—for example, proposals to make the Work Incentive Program mandatory for women with children under six.\(^{70}\)

In 1971, for the first time, Congress broke with the principle of supporting single mothers to stay home with their children. Amendments to the Work Incentive Program (WIN II) expanded the definition of the able-bodied poor to include mothers with children six or older, required their registration in the program, and refocused the program from education and vocational training to employment services and subsidized employment.\(^{71}\) However, because the state was required to provide childcare to mothers participating in WIN II, many recipients were registered but placed in a "hold" category and never in fact participated.\(^{72}\) *De facto*, mothers were exempted.

WIN II blurred the distinction between forcing recipients to work in exchange for benefits ("workfare") and providing training and services. Under the guise of "work experience" programs, states could require WIN II participants to work in public service jobs or else lose their eligibility.\(^{73}\)

Because the welfare state relied on redistributing resources among wage and salary workers rather than reallocating resources from capital to la-

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\(^{69}\) Budget limits were not the only problem with Carter's program. It was opposed by the AFL-CIO and public employee unions because it proposed to pay welfare recipients placed in public jobs the minimum wage rather than the prevailing wage. L. *Salamon*, *supra* note 30, at 203.

\(^{70}\) The visible role of Black women in the welfare rights movement and the increasing proportion of Black women among welfare recipients helped to fuel the conservative backlash.

\(^{71}\) Congressional conservatives had tried unsuccessfully in 1967 to force all states to require mothers of school-age children to register for WIN programs. Interestingly, policy toward the work participation of welfare mothers parallels the general experience of mothers not on welfare. By the early 1970's, the majority of mothers of school-age children were in the labor force.

\(^{72}\) This was still true in 1980 when 39% of all adult AFDC recipients were registered, but only 19% ever participated, only 2% were enrolled in training, and only 1% found a job through WIN. Y. *Hassenfeld*, *supra* note 14, at 43-44.

\(^{73}\) However, Congress still would not fund straightforward "work for relief" programs. States establishing such programs had to use state funds.
bor, liberal proponents of welfare were increasingly on the defensive during the 1970’s. Declining productivity and competitiveness in the U.S. economy required policies to create a positive business climate, such as corporate tax breaks and the diversion of investment resources to the private sector.\textsuperscript{74} The need to restore corporate profitability on the one hand, and the resistance of large numbers of voters to tax increases on the other, left administrations and legislatures little choice but to trim taxes and spending. The Reagan landslide and Republican control of the Congress in 1980 opened the way for a successful conservative offensive against social expenditures and forced welfare advocates to design a new strategy.

In passing the Omnibus Budget Reconciliation Act of 1981 (OBRA), Congress launched an assault on AFDC which managed to cut the rolls by 8% in one year.\textsuperscript{75} Ironically, while Reagan’s rhetoric emphasized putting recipients to work, in fact the vast majority who suffered benefit cuts or who were declared noneligible were the working poor.\textsuperscript{76} The Act cut funding for WIN Programs in half between 1979 and 1984; limited the earned income disregard provision to four months’ support; and established a cap on eligibility for gross income at 150% of the state’s need standard.\textsuperscript{77} Seven hundred thousand households with working parents were cut from the welfare rolls or had their benefits reduced, and the proportion of all poor families with children under eighteen receiving AFDC dropped from an average of 83% during the 1970’s to 63% by 1983.\textsuperscript{78}

Abramovitz argues that the cuts were designed to drive more women into the wage labor market to fill the demand for low-paid female labor. In addition, she suggests that the increasing numbers of recipients indicated that welfare had become too attractive an alternative to marriage.\textsuperscript{79} This assertion makes little sense. First, the rapid increases in AFDC recipients had ended; enrollment had stabilized by the mid-1970’s. Second, most of the recipients affected by the legislation already participated in the labor force. Unemployment remains relatively high; no real evidence of a shortage of low-paid labor, including women’s labor, exists (except in a few especially high-wage areas, like Massachusetts). It may be true that even though the value of cash and in-kind benefits average well below the poverty line in most states, welfare is a better deal than paid work for most single mothers of young children. Even so, the OBRA cuts did not

\textsuperscript{75} M. Abramovitz, \textit{supra} note 2, at 358.
\textsuperscript{78} M. Abramovitz, \textit{supra} note 2, at 358.
\textsuperscript{79} \textit{Id.} at 353.
target those women, driving them into the workforce. If anything, the cuts might have forced women back on welfare, because they lost the benefits which supplemented their low wages.80

While able to cut federal funds for the working poor, even the Republican Congress could not pass the mandatory "workfare" programs that Reagan wanted. The forces opposed to "workfare" programs include public employee unions adamantly opposed to placing recipients in jobs that otherwise would be done for a union wage, welfare rights groups contesting what they call "welfare slavery," and social service lobbies, such as the National Association of Social Workers (NASW) who oppose any mandatory program.81 While not requiring "workfare," Congress for the first time allowed states to use federal funds for such programs.82 However, most states which did not already have "workfare" programs did not establish them, preferring instead to experiment with training, work experience, and employment (WIN Demonstration) programs. These state programs provided the model for the Democratic House and Senate welfare reform bills introduced in 1987.83 Essentially, welfare reformers conceded the ground on single mothers' employment in order to craft a program that they hoped would increase federal funding for state programs and benefits for women on welfare. Disputes over the specific provisions of the welfare reform legislation reflected this goal. Republican proposals were punitive, provided few benefits, and were therefore cheaper. Democratic versions varied from those with least protections and benefits for clients (S. 1511, Moynihan's bill) to those with more (H.R. 1720 was estimated to cost $2.3 billion more than Moynihan's bill). The most liberal proposal, H.R. 1720, as amended by the Education and Labor Committee, responded to many of the objections opponents had raised against previous proposals for "putting welfare women to work." For example, H.R. 1720 emphasized voluntary over mandatory placement in training, work experience, job search or paid work programs and limited the par-

80. The same argument applies to the 1971 legislation making the WIN program mandatory for women with school-age children. It passed in a recessionary period, not a time of labor shortages. Its proponents argued it would cut costs, but like the previous WIN program, WIN II moved few recipients off welfare, and appears to have raised, rather than lowered, overall costs. M. Rein, Dilemmas of Welfare Policy: Why Work Strategies Haven't Worked (1982); see also Law, supra note 4, at 1336-37. It is difficult to demonstrate the legislation's economic or social effectiveness, even in mediating conflicting needs of capital and patriarchy.

81. NASW opposed Moynihan's bill because it did not require all state employment and training programs to include an "employability plan, client-agency contract and case management." Nat'l Ass'n of Soc. Workers, Legislative Alert (Oct. 28, 1987). The final bill mandated the plan, but not case management.


ticipation of women with children under six years old to 20 hours per week. It placed further restrictions on Community Work Experience Programs (CWEP). It protected recipients from being forced to take a job if they would end up with real family income lower than their income on welfare. The bill subsidized poor working mothers' childcare expenses for up to a year and required states to provide education as well as vocational training, while permitting states to use federal funds for post-secondary education for welfare mothers.

Even the most generous proposal, of course, did not come close to providing the range of services necessary to move women out of poverty. Moreover, none included what many reformers see as the major need: the creation of a national benefit standard and an increase in federal funding levels, so that benefits allow families to live above the state poverty level. Finally, no welfare reform bill addresses the major cause of poverty—low wages and unemployment.

The political conjuncture that created support for the Family Support Act was shaped by fundamental changes in the economy and in gender relations. The structural economic shifts affected the politics of welfare in two ways. First, the fading of U.S. world economic hegemony and the crisis of profitability, which produced an employers' offensive on workers' standards of living and required state subsidies to the private sector, placed relatively stringent limits on the "guns and butter" welfare state expansion of the 1950's and 1960's. Second, the restructuring of the U.S. economy undermined the male breadwinner family. Declining male wages and greater demand for women workers, especially in low-paid clerical and service jobs, sent increasing numbers of women into wage work. In a period where the vast majority of women with young children work for wages, a welfare policy that pays women to stay home is anachronistic.

Most single mothers, including those with children under six, are in full-time paid work. But many married mothers are also in the labor force. Almost 33% of married mothers with children under three and 40% of married mothers with children three to five work full-time outside of the home. Well over half of all married mothers of children under six are employed either full or part-time. That even mothers in two-parent families are in paid work fundamentally undermines traditional definitions of motherhood. Full-time motherhood appears to be more a sign of affluence, a kind of luxury spending, than a biological necessity. While economic restructuring has somewhat worsened the conditions of life of

84. However, the bill set a low cap on expenses—$175 per month for a child over two, and $200 per month for a child under two. Still, this cap was higher than the $160 per month cap in S. 1511.
85. The Moynihan bill did not require states to provide the more costly training and education programs, encouraging a continuation of the meaningless "make-work" activities that have thus far characterized much of the WIN program.
many working-class women (and especially women of color), opportunities for paid work, however unequal they are in comparison to those for men, have improved women's alternatives to depending on men for economic support. Women's increasing access to income, although still limited, has underwritten a feminist challenge to traditional gender ideology. This challenge has been conducted predominantly in the service of the middle-class and affluent working woman rather than the working-class and poor woman. Nonetheless, the current consensus on welfare reform reflects the political impact of feminism. Feminists have not only significantly changed attitudes but also established a permanent representation of women within the political system. However fragile, the emergence of a "women's policy network" connecting women in Congress to a large array of groups which can craft and lobby for legislation and mobilize constituencies has given liberal feminism a political voice. That voice made women's impoverishment a political issue and shaped proposed solutions.

THE EMERGENCE OF THE WELFARE REFORM CONSENSUS

By shifting costs for welfare onto the states and at the same time subsidizing welfare-to-work demonstration programs, OBRA provided much of the impetus behind welfare reform. Governors and their welfare administrators responded to the increasing burden by utilizing welfare reform to re-federalize welfare costs. Within an ideology of promoting "independence," governors and state welfare administrators lobbied Congress intensively for increased funding of work incentive programs as a vehicle for getting money back into the states. Perhaps it is not surprising that state managers accepted a trade-off in which increasing funds were purchased at the cost of further undermining single mothers' entitlement to state support. But the most significant development in the emerging welfare reform consensus was that groups and organizations which had fought to defend this right for a long time now gave it up.

87. Costain, Representing Women: the Transition from Social Movement to Interest Group, in WOMEN, POWER AND POLICY 19 (E. Bonaparth ed. 1982); see also S. HARTMANN, FROM MARGIN TO MAINSTREAM: AMERICAN WOMEN AND POLITICS SINCE 1960, at chs. 5 & 7 (1989).


89. For instance, the American Public Welfare Association's National Council of State Human Service Administrators called for welfare-to-jobs programs to be funded with a 75% federal share not subject to appropriations ceilings, whereas WIN allocations were capped. Am. Public Welfare Ass'n & Nat'l Council of State Human Service Adm'rs, One Child in Four 20 (n.d.). They were successful in part. Although Congress rejected an open-ended entitlement, the Family Support Act significantly raises the cap on federal matching funds for the new welfare-to-work program (JOBS) above what it had been for WIN and the other welfare-to-work programs (from $365 million in 1987 to $600 million in 1989). Whereas federal matching funds for childcare were subject to appropriation under WIN, the Act provides open-ended entitlement with a federal matching rate of 50% to 80%, and sets the allowable reimbursement at the applicable local market rate. H.R. CONF. REP. No. 998, supra note 82, at 161-62.
The absence of any radical, grass-roots women's organization (or at least the extreme political marginalization of such organizations) affects the development of policy in two ways: 1) it narrows the parameters of politically winnable reforms, and 2) it encourages technocratic solutions, which aim to manage poverty as a social problem without empowering women. Middle-class allies of the poor—social service professionals, policy analysts, lobbyists and legislators—are encouraged by their education, professional formation, and social structural position to explain poverty in terms of cultural and personal disabilities rather than the structure of economic opportunity. But these tendencies can be challenged by organized groups and social movements or reinforced when the movements decline.

During the 1980's, the discourse around welfare shifted as the social welfare lobby attempted to adapt to the prevailing political climate. In the 1950's and 1960's, social workers and policy planners used a culture of poverty analysis to justify increased spending on benefits and services to poor families—to intervene in the intergenerational transmission of poverty by rehabilitating mothers and providing more security and opportunity for children. Welfare rights and civil rights organizations, on the other hand, contested the culture of poverty and claimed benefits as a right that women had as mothers and as human beings. Although service professionals and welfare rights activists did not speak the same language, they both argued for increasing benefits to welfare mothers. In the context of the civil rights and Black power movements, the organization of the urban poor in welfare rights and other community organizations, and the consequent threat of political and social disruption, social work professionals provided the legitimating arguments for a policy of increasing benefits that was being forced on the legislature anyway.

In the late 1970's and especially in the 1980's, concerned to justify their programs and positions and freed from any pressure from below, social policy experts began to emphasize work incentives and the need to move individuals, including single mothers, out of "dependency." Job training and placement is defended in terms of educating young mothers—who are the heart of the "hard-core" welfare population—so that they can become self-supporting. Welfare reform targets teenage parent families and families receiving AFDC for two or more years. Advocates argue that by spending more on these families, the intergenerational cycle of poverty can be broken and current costs lowered as the 15% to 25% of the welfare recipients who require long-term support move into the workforce. This

political discourse revives the culture of poverty analysis on a new basis: teenage girls, or more specifically Black teenage girls, not adult women as in the 1960's, have been forced to shoulder the blame for poverty. If, at the turn of the century, the “backward” immigrant woman and her “drunkard” husband peopled the victim-blaming discourses on poverty, since World War II, Blacks have been the icons of the poor. The 1960's paradigm was the “matriarchal” Black mother and her “shiftless street-corner” husband; today, it is the “promiscuous” Black teenager and her “drug-gang” boyfriend.

This shift in political discourse has spread far beyond the social layers in which it originated. Even groups and organizations that had attacked the Moynihan Report and the culture of poverty in the 1960’s have begun to adopt it. In the 1960’s, civil rights organizations countered the Moynihan Report by arguing that the end of institutionalized racism and the creation of decent and well-paid jobs for Black people (or more accurately, Black men) were the solution to poverty. But by 1987 the Black Family Summit, convened by the Urban League and the NAACP, emphasized strategies of self-help. John Jacobs, president of the Urban League, asserted: “In concentrating on the wrongs of discrimination and poverty we have neglected the fact that there is a lot we can do about our problems ourselves.”93 Black leader Eleanor Holmes Norton, former Chair of the Equal Employment Opportunity Commission, has written on the theme of restoring the traditional Black family. “The family’s return to its historic strength,” she argues, “will require the overthrow of the complicated predatory ghetto subculture, a fact demanding not only new government approaches, but active Black leadership and community participation and commitment.”94

The demoralization and disorganization of urban Black ghettos cannot be denied. And perhaps it is not surprising that, in the wake of the political defeat of full-employment programs (such as Humphrey-Hawkins) and the dismantling of the legislative and judicial attack on institutionalized racism, Black organizations have adopted a rhetoric of self-help as a way to funnel some money into social services for the Black community. Because the analysis of poverty in terms of family disorganization seems to succeed in attracting foundation and corporate funds to community programs run by Black organizations, organizers are tempted to use it. For example, the Black Family Reunion Celebration, organized by the Na-

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94. Norton, Restoring the Traditional Black Family, N.Y. Times, June 2, 1985, § 6 (Magazine), at 43; see also Black columnist William Raspberry's approval of conservative Stuart Butler's assertion that “if you begin with the idea that to father a child is to take on responsibility for that child, then you are likely to get serious about child support. You won't allow AFDC to allow a teen-age mother to set up a separate home and thereby be virtually condemned to poverty.” Raspberry, Begin Welfare Reform at Grass Roots, Oregonian, May 1988. For a critique of this approach, see Davis & Davis, The Black Family and the Crisis of Capitalism, 17 THE BLACK SCHOLAR 33 (1986).
tional Council of Negro Women, was funded by Proctor & Gamble, Eastman Kodak, and Coca-Cola. This turn in Black politics has also helped to create a climate for welfare reform as a "solution" to Black poverty.

The new "culture of poverty" politics does acknowledge institutionalized racism in pointing out that declining job opportunities for working-class young men, and because of racism, especially for young black men, are responsible for the rise in single-parent families. Young mothers are on welfare because the fathers of their children cannot support them. This argument contains an important truth. But it also draws on and promotes a male breadwinner ideal: the solution to women's impoverishment is to recompose the nuclear family. Indeed, pro-family discourse permeates the advocacy of welfare reform, evident in arguments for requiring all states to fund the AFDC-UP program. It is clearly a step forward for unemployed fathers to be seen as legitimate recipients of support. The difficulty lies in arguing for AFDC-UP as a "solution" to the rise of women-headed families, which denies the reality that, as the Black feminist Barbara Omolade has put it, single motherhood is "both a chosen and an imposed condition." 96

Mainstream feminist organizations (NWPC, NOW, Congressional Women's Caucus, Women's Equity Action League, etc.) have not made the welfare reform debate a priority.97 In the year when welfare reform was a major initiative, the Congressional Women's Caucus and other feminist organizations focused on a package of legislation primarily aimed at the problems of working parents, problems such as parental leave and childcare.98 Their major initiative against the impoverishment of single mothers has been Child Support Enforcement legislation, not raising AFDC benefits or expanding eligibility.99 Women's groups have pressed for automatic withholding of child support, higher monetary awards, and

97. Black organizations (National Urban League, NAACP, National Council of Negro Women, etc.) have been much more involved in lobbying for and crafting alternative programs. This may reflect their larger constituency among the poor and the fact that social service entrepreneurship among Black professionals is more concentrated in programs to deal with poverty.
98. One feminist organization, Wider Opportunities for Women, did initiate and direct an important intervention in the Congressional consideration of welfare reform. Their National Coalition on Women, Work and Welfare Reform crafted an alternative reform program which was presented in Congressional hearings, press conferences, and letters to legislators. Their proposal accepted the goal of transforming the welfare system into one which enables recipients to become economically self-sufficient. But they argued for making employment and training programs voluntary, increasing and standardizing minimum benefits, extending support services and subsidies to those who leave welfare for low-paid work, and effectively enforcing child support. Along with other advocates for the poor, their efforts no doubt helped to blunt some of the more conservative proposals. See Nat'l Coalition on Women, Work and Welfare Reform, Changing Welfare: An Investment in Women and Children In Poverty (1987).
99. For a critique of "feminization of poverty" campaigns that target child-support enforcement, see Brenner, Feminist Political Discourses: Radical Versus Liberal Approaches to the Feminization of Poverty and Comparable Worth, 1 GENDER & SOCIETY 447 (1987).
state help in tracking down delinquent fathers. The Family Support Act responded to some of these demands. The major beneficiaries of increased enforcement, however, are not AFDC mothers, because the fathers of children on AFDC are generally working in very low-paid jobs or unemployed. According to federal projections by the Health and Human Services Agency, higher child support payments would lift less than 10% of families off the welfare rolls.100

A more positive effect of feminism on the welfare reform consensus is the agreement that moving women into paid work requires childcare and health benefits for transition periods. In these provisions, the Family Support Act recognizes that women workers have needs different from those of men, needs which the state has an obligation to meet. It is no accident that this recognition has occurred in a period when feminist groups have been targeting work/family issues for legislative action. Without the feminist challenge to traditional roles and its demands for social supports for working women, women's increasing labor force participation alone would have produced a very different legislative climate, one in which the special needs of women workers may have been ignored.

While able to mobilize grass-roots support around certain issues, such as legalized abortion, most advocates for women are not connected to a radicalized grass-roots constituency. Yet without such a constituency, it is easy enough for feminist organizations to ignore welfare reform's threat to poor women and to accept the apparently narrow limits of what might be "winnable."101

THE FAMILY SUPPORT ACT OF 1988

It is too early to assess the impact of the Family Support Act of 1988 on welfare recipients. The Act follows previous policy in allowing states wide flexibility. Thus we can expect the usual pattern in which the more liberal and prosperous states will have programs that are less punitive and provide more services than those in the more conservative and poorer states. But in general, services will be underfunded and offices will continue to be understaffed, recipients will continue to have to negotiate a bewildering array of rules and regulations, some individuals who are eligible for benefits will be routinely terminated, and so forth.

100. Some estimates of the impact of child support enforcement on poor women's incomes are higher. Assuming relatively high childcare awards (17% of father's income for one child, 25% for two), those estimates indicated that the poverty gap—the difference between the incomes of poor families headed by single mothers and the amount of money they would need to move above the poverty level—would be reduced by 27%. I. Garfinkel & S. McLanahan, supra note 60, at 25.

101. Although they put their resources and attention elsewhere, many women's organizations did ultimately take a position on welfare reform during the last months of debate on the welfare reform legislation. They focused predominantly on making the work and training provisions voluntary rather than mandatory and on strengthening child support enforcement. See, e.g., Deyss, Letter to the Editor, N.Y. Times, May 19, 1988 (Social Policy Director, League of Women Voters).
The bill seems to be the usual mix of trade-offs and compromises. Conservatives maintained federal funding for "workfare" (CWEP), while liberals added education to the services that states must provide in the JOBS program (the WIN replacement). Participation in the JOBS program will be mandatory for women with children over three, and states may make it mandatory for women with children as young as one. On the other hand, women with children under six cannot be required to participate more than twenty hours per week, and first consideration for enrollment must be given to volunteers. Evidence from the demonstration programs on which JOBS is based indicates that there have generally been more volunteers than slots when appropriate services are provided, so the program might in fact be voluntary for quite some time. While the Reagan administration pressured Congress to set high participation goals, the Act sets relatively modest goals. States need to provide slots for only 7% of their eligible caseload by 1991 and for only 20% by 1995. Still, in the more punitive states, the work requirements could be enforced arbitrarily in order to push more mothers of children under six into paid work and off the rolls. On the other hand, for mothers of children six or over, who were already subject to a work requirement under the WIN programs, the JOBS program offers some improvements. For instance, recipients must have achieved a basic level of literacy before they can be forced into job search or job training. In California's GAIN (the WIN Demonstration Program) over 55% of participants needed remedial education. Recipients can be required to look for work for only two to four months out of the year. And there are firm restrictions preventing states from forcing recipients to take jobs which lower their standard of living. The Act provides childcare and health care subsidies for one year after an individual leaves the welfare rolls for employment, makes these benefits available to all recipients, and requires states adequately to inform individuals of their entitlement. In this area, the Act substantially increases subsidies to poor working women. However, the cap on childcare subsidies,

102. Here, again, we see a parallel between the labor force participation of married mothers and the demands made on welfare mothers: The great majority of married mothers with young children who work, do so part-time.
103. Handler, supra note 4, at 87.
104. Recipients in high benefit states fare better under these restrictions. In California, a high benefit state, a mother of two would have to get a job earning $7.00 an hour for 40 hours a week to approximate her living standard on welfare. Y. Hasenfeld, supra note 14, at 88. In Oregon, a low benefit state, the JOBS program requirement that mothers of children under six may not be forced to work more than 20 hours a week will result in a major increase in caseload levels and client eligibility for benefits. ADULT & FAMILY SERVS. DIV., IMPACT OF THE FAMILY SUPPORT ACT ON OREGON (1988).
105. Previously, although recipients who left welfare for work were eligible for four months of transitional medicaid benefits, many states did not inform recipients of this benefit. Since the Congressional Budget Office based its estimate of the costs of the new Act on current levels of use, it probably underestimated the level of new funding that transitional benefits will require.
106. However, under the new Act, child and health care benefits end after one year, raising the possibility that individuals will not be able to continue in employment and will return to welfare.
which is negotiated individually by the states and the federal government, may still be set too low to provide quality care.

Whether, overall, these different trade-offs will leave poor single mothers better or worse off than before is difficult to assess. It is clear, however, that this reform will not diminish the impoverishment of single mothers, the vast majority of whom will remain marginalized, low-paid workers.107

**DEFINING A FEMINIST STANCE TOWARD WELFARE REFORM**

Disagreement about welfare reform highlights the tension between “different treatment” and “equal treatment” strategies in feminist politics. In a competitive market society, living standards are expected to reflect individual effort. State provisions are legitimate only to guarantee the bare minimum. Therefore, state support for full-time mothers can only be justified if mothers’ care is a necessity, not a choice. But to make this claim is to assert a natural and intense relationship between mothers and their children and between women and nurture. A politics of difference thus appears to reinforce traditional constructions of womanhood. On the other hand, a politics of equality, which argues that women and mothers have a right to economic independence, to be “family breadwinners” just like men, appears to reinforce conservative attempts to force welfare mothers into work without childcare or other support. Conservatives argue that women on welfare need to be “weaned” from dependence into independence. Welfare handouts, they claim, breed psychological dependency, a lack of self-discipline, and promiscuous pleasure-seeking rather than responsible self-control.

Feminists who attack the reforms fear the more punitive proposals. They have accused supporters of adopting a “middle-class” and male-identified perspective which ignores the real needs and conditions of working-class and poor women, devalues motherhood as work, and cooperates in state schemes to cut the welfare rolls by producing a captive pool of low-waged female labor for the growing service industries.108 Those feminists who defend the reforms look to the more generous options. In response to the critics, they argue that dependence on a male-controlled state

107. Forty percent of all AFDC recipients who leave AFDC have incomes below the poverty level in the years following AFDC support. Sarri, supra note 77, at 237.

represents no real improvement for women, that benefits will never be high enough to offer full-time mothers a reasonable standard of living, and that most working-class women in fact want to work and to be economically independent.\(^{109}\)

The feminist debate on welfare policy reflects the real difficulty in developing a strategy for reforms that are both achievable and emancipatory. The costs required to move women out of poverty—increased training and education, subsidized childcare, medical benefits, and decent jobs—are far beyond what can now be won. Neither poor people nor their potential allies are well-organized. Under these conditions, any attainable reform might leave poor women worse off—they risk losing their claim to income maintenance without moving any closer to economic self-sufficiency.

Despite the dangers, I would argue for a strategy centered on providing working mothers with support rather than demanding payments for women to stay home with their children. There is much in the current legislation to oppose: requirements that teenage mothers live with their families in order to be eligible for state support; continuation of federal subsidies to state workfare programs; excessive flexibility to local governments in implementing programs; inadequate grievance procedures and protections for recipients; and no national benefit standard which would ensure income above the poverty line. On the other hand, the new legislation offers a substantial infusion of new federal money to poor families in some of its features, particularly the continuation of childcare and health benefits for a year after an individual leaves welfare for employment and the requirement that all states introduce AFDC-UP. One can support those provisions of the Act which mandate training and education programs and which target services to teenage mothers, without supporting the new "culture of poverty" politics. It is true, as critics argue, that many poor single mothers in fact need nothing more than well-paying jobs—their poverty can be cured better through a jobs program than a social service program. But an adequate jobs program is not imminent. In the meantime, states should not be allowed to fill their JOBS programs with employable individuals who are likely to leave welfare for low-paid jobs anyway. It may be practical, under current circumstances, to require states to concentrate services on those most in need of them, primarily teenage mothers and long-term recipients. But to promise that providing teenage mothers with work, education, and training programs will cure poverty is not only impractical, it is harmful. Such claims reinforce the victim-blaming discourses on poverty and undermine the arguments for full-employment programs.

In entering the welfare reform debate, feminists must emphasize the need to go much further in providing high cash benefits and a guaranteed

standard of living to all households. A program of jobs and support provides possibilities for movement building and alliances. Welfare families' needs should be aligned to those of the working poor and nonpoor by arguing for an increase in the range and quality of services provided to all families, including families with single mothers: nationalized medical care, quality parent/teacher controlled daycare and after-school programs as part of public education, and subsidies for adequate housing. Ultimately an approach that emphasizes employment can argue for the provision of well-paid, useful, and productive work, while showing that the costs are affordable and the benefits enormous.

At the turn of the century, it may have been progressive to argue for poor mothers' right to withdraw from wage work. Combining wage work and domestic work was extremely difficult under any circumstances and expanding state support for daycare or forcing employers to make concessions to women's family responsibilities was not a possibility. But these conditions no longer apply.\footnote{110}

To argue that the state should support women to stay home (rather than to combine work and parenting) concedes ground to the dominant conservative gender politics. In the current debate over childcare legislation, for example, conservatives are proposing "wages for housework": they advocate using tax credits and vouchers to pay women, even women in "intact" families, to stay home with their children. The Hatch Childcare Bill would give triple tax exemptions to families for each child cared for by a parent at home, while funding daycare at a level far below that proposed by the Democrats.

Poor and working women themselves would prefer to combine work and parenting.\footnote{111} Women leaders in the National Welfare Rights Organization opposed categorizing single mothers along with the aged and disabled as "economically immobile," i.e., unable to be self-supporting. While arguing for an adequate income for women who chose to work in the home, these women also argued for jobs, educational opportunity and childcare for single mothers, and they often challenged male organizers who gave priority to jobs for unemployed men and who tended to ignore the childcare issue.\footnote{112} A renewed poor women's movement is much more likely to form around demands for jobs and service support than increased welfare alone.

The growing organization of women workers, and their increasing in-

\footnote{110. See generally Brenner & Ramas, Rethinking Women's Oppression, 144 NEW LEFT REV. 33 (1984).}

\footnote{111. On poor women's attitudes, see MILWAUKEE NAT'L WELFARE RIGHTS ORG., WELFARE WOMEN SPEAK OUT (1972); COALITION ON HUMAN NEEDS, HOW THE POOR WOULD REMEDY POVERTY: INTERVIEW WITH 50 LOW-INCOME PERSONS IN WASHINGTON, D.C. (July-Aug. 1986). On working-class women's attitudes, see Feree, Working Class Jobs: Housework and Paid Work as Sources of Satisfaction, 23 SOC. PROBS. 431 (1976).}

\footnote{112. G. West, supra note 62, at 93.}
fluence within the trade union movement, makes possible alliances between employed and unemployed women and between better-paid workers and the working poor. Such alliances, while not simple, will be easier to make today than in the past when men dominated trade union politics and the problems of combining work and family responsibilities were entirely marginal to trade union organizing. As union women mobilize around demands for federal action to help both two-parent and single-parent families with childcare, they have the potential to become allies for women on welfare who also need quality childcare so they can work.\textsuperscript{118} Indeed, the extension of subsidized childcare would solve one of the primary difficulties faced by single mothers: income from their low-paid jobs does not cover the costs of working, especially childcare costs. Similarly, while the number of working women with health care benefits has grown, many are without coverage. State legislation requiring employers to provide medical benefits for all workers, or state subsidization of health insurance for all, would also make it much easier for women on welfare to move into paid work.

A politics that emphasizes combining work and parenting for all families can directly challenge the false distinction between “dependent” families (those that rely on the state) and “independent” families (those that rely on their own resources). This distinction has been the foundation of AFDC policy. While working parents have different needs, almost all working parents need help from the state. Affluent two-earner families may be able to generate by themselves the high levels of income and flexible working conditions necessary to combine successfully waged work, parenting and caregiving. But most families, even those with two earners, cannot solve work/family dilemmas alone. Because caregiving and parenting remain primarily a familial, private responsibility rather than a social and community responsibility, and because men generally earn higher incomes than women, the traditional gender division of labor which assigns caregiving tasks to women continues, even where women work for wages. Single-earner families, especially those headed by a woman, are especially disadvantaged. At a minimum, good jobs at a living wage for women as well as for men, a shorter workday, and publicly funded programs providing high-quality care are necessary to meet the pressing needs facing the majority of men and women.\textsuperscript{114}

\textsuperscript{113} For example, the Coalition of Labor Union Women's American Family Celebration held a demonstration in Washington, D.C. on May 14, 1988 which demanded federal action on childcare, health care, pay equity, and paid parental leave.

\textsuperscript{114} In recasting the debate on welfare, Wendy Sarvasy similarly argues the need to associate programs for poor mothers with programs for all families. She calls for revaluing and ultimately restructuring caretaker work, in which both men and women would be rewarded for performing the important roles of taking care of other people. Trying to get poor mothers into paid work, she argues, simply legitimizes the assumption that poor mothers must have a privatized double burden. Instead, we should recognize that women are providing a socially necessary activity which needs to be rewarded, not stigmatized. Sarvasy, \textit{supra} note 16. While I support much of her argument, I remain
The entry of women into the labor force and the increasing influence of women trade unionists, the impact of feminism on the perception of women's family roles, and the increasing organization of professionals and grass-roots constituencies around family/work issues, make it possible for the first time since the emergence of industrial capitalism to challenge women's assignment to unpaid caring work. We can reasonably argue for households' universal need for social provisions that will help them carry out their responsibilities for raising children and caring for adults.

Concerned that paying women to be full-time caretakers and domestic workers in their own homes, even reformulated so that it potentially includes men in the role, reinforces conventional ideas about children's needs, adequate mothering, and women's association with caretaking as well as reinforcing the belief that privatized care within the family household is necessarily preferable to more socialized forms.