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Stratification of the Welfare Poor: Intersections of Gender, Race, and “Worthiness” in Poverty Discourse and Policy

Keywords

Welfare policy, Welfare reform, Social reform, Women reformers

STRATIFICATION OF THE WELFARE POOR: INTERSECTIONS OF GENDER, RACE, & “WORTHINESS” IN POVERTY DISCOURSE AND POLICY

By: Bridgette Baldwin ¹

On average, we black women have bigger, better problems than any other women alive. We bear the burden of being seen as pretenders to the thrones of both femininity and masculinity, endlessly mocked by the ambiguously gendered crown-of-thorns imagery of ‘queen’ Madame Queen, snap queen, welfare queen, quota queen, Queenie Queen, Queen Queen Queen. We black women are figured more as stand-ins for men, sort of like reverse drag queens: women pretending to be women but more male than men—bare-breasted, sweat-glistened, plow-pulling, sole supporters of their families.

- Patricia Williams ²

INTRODUCTION

Welfare policy in theory aims to compensate those in need, usually those existing at or below a fluctuating poverty line. The policy behind welfare has always been devised. However, who is designated as poor and when that poverty is deserving of compensation has never been fully determined by economic conditions, but most crucially by subjective interpretation of “worthiness.” As a perfect example, in the 1980s, black women across the country were exposed, uplifted and appreciated as the “queens” of American poverty. At the behest of this black “queen’s” inauguration was the future 40th President and then Governor of California, Ronald Reagan.³ In his highlighting of welfare programs, Reagan hailed black women as the ultimate “welfare queens.”⁴ You have heard the story, with minute details which differ from region to region: the Black “welfare queen”⁵ had a generally lavish lifestyle driving around in her nice new Cadillac never really going anywhere in particular, unless off to pick up her welfare checks (which by the way she had gotten rich on) or to dine on steak and lobster. However, she usually stayed at home watching soap operas like “Days of our Lives,” generating more income by producing baby after baby. She was cunning yet shiftless, clever in her manipulation of the system yet uneducated, and active in her endeavor to con the system yet lazy in her work ethic. All hail the “welfare queen.”

This representation of black women permeated the discourse of welfare reform in the 1980s and later served as an important propaganda image in the social policy switch from welfare to workfare.⁶ We needed a reason to reduce resources to the poor and what better way than to use the notoriously lazy black woman as a scapegoat. She was the personal manifestation of a lazy well-fed government that had produced no profits and was the reason for the country’s economic decline. Despite the containment of many black women within the economic status of the *working* poor, black women were painted as the picture of the “welfare queen,”

designated as undeserving and unworthy of any social welfare benefits and as the poster child for the neo-conservative small government, big business movement.

If we move backward to the 1880s at the start of welfare policies in the post Reconstruction Era, we see a completely different standard of compensatory worthiness, but one with almost the exact same policy outcome. Again black women’s identity was not purely defined by a standard of economic poverty but predicated on notions of moral fitness and even conceptions of employability. In this era, for almost the opposite reason, black women were central to the discussion and marginalized from the help of social welfare.⁷ However, instead of being heralded as the lazy “welfare queen,” they were marked as despicable, *employable* workers because of their consistent labor during slavery.⁸ Unlike white women, who were part of a rising white middle-class that fostered female respectability by relegating women to the domestic sphere and protecting them from public labor, black women were seen as perfect for work and for this reason not eligible for compensation for the very real poverty they faced while working.⁹ Under the patriarchal domestic code, “proper” women stayed home and took care of their husbands and children, and if the husband died the state would step in to fill “his” void.¹⁰ Hard-working husbands could earn sufficient money to support their families.¹¹ Fittingly, this allowed society to deny black mothers the same protection as “proper” mothers who worked in their own homes. Because black women were required to work outside the home, they were excluded from poverty compensation. Moreover, because black women usually worked in white women’s homes they provided the labor to ensure white female respectability.

This history of economic “worthiness,” this revelation, is significant for welfare policy discourse. When black people were stolen from Africa and sold into slavery, the plantation system rarely discriminated between man, woman, old, young, weak or poor.¹² So in that sense the post-slavery argument is consistent; working-class black women have continually been “working mothers” without the protected status of respectable motherhood. Black women have been expected to work. Yet the image of black women has been distorted over the 100 years since the Reconstruction to reinforce normative conclusions that they are unworthy of welfare. During the formative stages of welfare policy-making in the 1880s, black women were thought undeserving of welfare because they were considered inherently employable. By the 1980s, black women were uniformly deemed unworthy of welfare because they were “welfare queens,” lazy by nature and unwilling participants in the labor force. What we rarely think about is the permanent centrality of black female images to welfare

discourse. “She” is consistently deemed to be the negation, the opposite of compensatory worthiness within the poor for contradictory reasons. Importantly, charting the changes in the meaning of black women’s relationship to worthiness and poverty compensation is not a history of their poverty but diagrams the evolution of the rapid transformation and decline of social welfare programs in the United States through a misrepresentation of the black female image.

A social and historical examination of black women’s representation within welfare policy and discourse reveals that social constructions of race and gender have consistently informed welfare reform policies that rationalize inequitable distributions and unrealistic visions of the social world. This paper analyzes the historical, cultural and legal treatments and representations of poor black women from Progressive Era philanthropic aid to early “work-to-welfare” reform protocol. When black women serve as the case study for a larger examination of social policy issues we see that welfare was rarely meant to remedy the structural crunch of poverty. Working class black women have been at the center of the construction of the poor and serve as the designation to determine which people deserve to be compensated for being poor.¹³ This paper discusses both the ramifications and rationale of why the government never designated black women as “deserving” poor and the implications of constructed images in the post-reconstruction period, the New Deal Era, the 1960s AFDC agenda, and 1980s welfare to work reform.

PROGRESSIVE ERA

The Progressive Era historically has been popularly understood as a movement of positive social reform and the rise of the feminist movement.¹⁴ However, the changing socio-economic landscape of turn of the century depression, post-slave economy, and rapid urban-industrialization left many people exposed to the underside of capitalist progress.¹⁵ From this reality emerged a collection of middle class reformers concerned with conceptualizing a more humane relationship between industry and the increasingly poor and largely (im)migrant communities.

The rise of Progressive Era women reformers stood at the center of this formation. These reformers concentrated on improving the conditions of women who were being pushed into the industrial labor force because of poverty resulting from death, divorce or insufficient employment of their male providers. The major thrust of politics and policy urged by these reformers was the protection of women from the travails of a rapidly changing world and the brutal labor market. Progressive Era women reformers stressed reorganization of the family and were instrumental in the establishment of the first social welfare program for women: the “Mothers’ Pensions.”¹⁶ However, if we place black women at the center

of the discussion in this era, the Progressive Movement’s image of “mother,” which relegated her to the domestic sphere, was solely dependent on the labor of black women in the homes of white “mothers.” The construction of social welfare policy that required women to work in their own home excluded black women and exposed the foundations of public welfare policy as inherently racialized and white.¹⁷ The advocates for Mother’s Pension constructed the family along white middle class standards and norms. Entitlement to certain social benefits was predicated on losing a male provider and offered protections only to women who labored in the home. These constructions ran counter to the reality of black family life and the labor demands placed on black women in particular.

The political, economic and social opportunities provided by industrial capitalism during the Progressive Era were stratified along racial lines. The clarion call for progress during this period seemed ironic at best

when considering that this period was also the ostensible nadir of race relations. Black men and women suffered due to persistent acts of racial violence and discrimination at the hands of poor whites, particularly in the South.¹⁸ Further, social welfare reform efforts subjected private relationships within black families to public scrutiny as a pre-condition for alleviating poverty conditions.¹⁹ This is not to suggest that sexual and racial equalities were not part of the Progressive agenda; they just were just secondary concerns. Structural dynamics and changes to the meanings of gender identity made it difficult for black women to meet ideas of what it meant to be a respectable or a decent mother.²⁰ White women tried to improve their lives and the lives of their families but created and endorsed policies that ignored the particular role black women played as the matriarch of their particular familial experiences. As historian Eileen Boris argues, “though reformers defined motherhood as a positively valued nurturing activity...women of color... had to labor for others and could not fulfill the dictates of ‘true womanhood.’”²¹

A woman’s eligibility for Mother’s Pensions was determined by her moral standing in the community.²² Progressive reformers were dedicated to serving those who they deemed to have proper morals and worthy character and who deserved assistance due to temporary hardship.²³ Poor *working* mothers were deemed undeserving poor. While many European immigrants could also be excluded by these general guidelines, black women were haunted by images of their slave past. Black women had always been part of the labor market and never protected by the laws of marriage and hence were branded as inherently undeserving and suspected of vice, immorality and intemperance in ways that working class white ethical women were not.²⁴ Mothers had to be fit and proper and this definition was left to the discretion of local overseers of the relief. Initial Mother’s Pensions regulations required in many states that a woman be a widow and enforced strict yet

*. . . welfare was rarely meant
to remedy the structural
crunch of poverty.*

ambiguous behavioral standards.²⁵ What really came out of the Mothers' Pensions was that those white women deemed deserving were helped. Black women were encouraged to organize for their pensions separately, but this was an unrealistic request considering the lack of political and economic power in the hands of the black community.²⁶ Nonetheless, the National Association of Colored Women (NACW) organized to create better social conditions for black women. Unlike the platforms that endorsed Mothers' Pensions for white women, this organization encouraged women to work to improve the economic conditions of the family and the national reputation of black womanhood.²⁷

Lack of economic and political strength was not the only shortcoming black women faced; they also had to deal with the legalized conditions of racism. The highly celebrated achievements of the Progressive Movement co-existed with the Jim Crow Era in the South and its more covert operation in northern cities. In fact, Jim Crow Laws were on the books as early as the 1890s and the policies ran the gamut from more benign legal sanctions on public housing, employment and recreation to the more pernicious forms of racial violence including rapes and lynchings.²⁸ The *Plessy v. Ferguson*²⁹ doctrine of "separate but equal" became the formalized manifestation of longstanding white anxieties about black progress. Even in the more liberal North, the segregation of settlement houses and social programs along the lines of race denied that white supremacy was the "peculiar institution" of the South. The most public and spectacular exhibitions of how former slaves were not treated as citizens were the charred bodies and punctured souls that lynching parties left on display. According to historian Jacqueline A. Rouse, the legalized sanctioning of lynching during the Jim Crow Era promoted white supremacy and maintained subordination and intimidation of black people.³⁰ Under the specter of Jim Crow, most turn of the century social reform was born. This is not to deny the sympathetic supporters and charitable settlement houses set up to assist poor black families in the North, but in the larger scheme of things these supporters were far and few between, specifically in southern communities. Most of the policy-makers were, after all, faithful to a racist ideology that supported racial violence, unequal political and legal systems, and inferior social services. Out of the bondage of slavery most black families were relegated to agricultural and, for women, domestic labor to survive. Racism further hindered the advancement of black people and kept them working in menial jobs.³¹ Social welfare policies in particular ignored the role of the black mother and the stratification of labor in the black family.

Black families lived in a world with considerably restricted opportunities and blatant discrimination. During this time period black women were not protected by the Mothers' Pensions and the social welfare benefits because they were considered employable women and they had to support their

families. Most black family members worked as agricultural wage laborers and sharecroppers in the south and low skilled craft workers or domestics in the north. In addition, black men who were hired out into positions which were considered more professional, were not hired for long and therefore black women had to make consistent and substantial contributions to their families.³² Here, the "undeserving" angle showed its face quite often in the domestic work performed by black women. With the strong expectation of female domesticity, black women were summarily excluded from the benefits of the Mothers' Pensions because they had always worked and were seen as able to work.³³ As an example, the Sheppard-Towner Act,³⁴ also known as the maternity bill, provided federal funds to states for health and welfare of mothers and infants during maternity.³⁵

States were given unfettered discretion as to how they distributed funds.³⁶ Since racialized notions of motherhood heavily informed this discretion, black women did not receive the same funds as their white counterparts.³⁷ Hence, the umbrella protections afforded to white women were not afforded to black women. So-called "progress" in this era was stratified along racial lines. While the ensuing Great Depression could have instigated an egalitarian level of compensation because everyone was poor, we find that the distribution of federal money still continued along racial lines.

NEW DEAL OR RAW DEAL

With the worst stock market crash in history and the Great Depression descending upon the states, thousands of people flooded soup kitchens in urban and rural communities across the nation. Black people, who were already living in poverty, suffered even greater losses from the economic depression. The agricultural collapse in the southern states led to the near destruction of the tenant farming system and severe unemployment for many black families that still toiled on southern land as others had made decisions to leave the South a few years prior. At the same time, black women in the North also began to lose their jobs in exorbitant numbers and were replaced by white women domestics as they were left unshielded by the plight of the Great Depression.³⁸ In 1932, President Franklin D. Roosevelt promised to provide economic security for all Americans with the "New Deal."³⁹ The unprecedented economic policy decisions during Roosevelt's "First 100 Days" brought about new agencies and programs. President Roosevelt's New Deal projected to implement ideas from the Progressive Era and consolidate them into a federally sponsored program. Still, the new American welfare state intentionally excluded black families, particularly black women, from access to social welfare benefits under New Deal legislation.⁴⁰

With the rise in the immigrant population, the political controllers were all too delighted to bypass the economic and

The new American welfare state intentionally excluded black families, particularly black women, from access to social welfare benefits

racial problems of black families. According to historian Michael Brown, there was no need to deal with the “Negro problem” because it was presumed that the New Deal politics would lessen racism by raising the standard of living for all people through social reform.⁴¹ However, under the New Deal administration, social welfare organizations did little to change the quality of life for black people.⁴² Although Roosevelt is credited with changing the economic prosperity of the country with various acts and disbursements of money to state politics, it comes at no surprise that there was an increasing and detrimental pattern of inequitable distribution of funds to the black poor.⁴³ Roosevelt extended social benefits to whites, while discriminatory practices implemented by state agents constructively denied those same benefits to blacks.⁴⁴ Unfortunately, black families continued to suffer and were not equally included in Roosevelt’s New Deal for *all* Americans.⁴⁵

Ironically, programs under New Deal legislation began to systematically push black men into unemployment.⁴⁶ For example, the National Recovery Administration (NRA)⁴⁷ and the Agricultural Adjustment Act (AAA) of 1933⁴⁸ were considered to be pivotal in the early stages of “New Deal” policy making.⁴⁹ One of the NRA’s major “color-blind” policies was to implement equitable wage standards across all races.⁵⁰ However, there was a significant disparity in racialized wage earnings for black workers especially in southern regions.⁵¹ The NRA and the federal government endorsed longstanding regional practices by refusing to enforce national standards of industry and labor. There was little done to control state-to-state disparities and deviations of salaries to black workers. In addition, some southern employers refused to pay black workers as much as white workers on the view that black labor was significantly less efficient than white labor.⁵² Further, when employers in southern states were forced to pay whites and blacks equally, they threatened to fire all black employees and replace them with more efficient white employees.⁵³ Obviously still offended by the government appropriation of their commodified labor,⁵⁴ southerners were determined to keep black labor cheap.⁵⁵

Black women fared no better. Although many black women already labored in the market, an increasing number of black women became the sole breadwinners for their families. Because of the scarcity of jobs during the Great Depression, black women were exploited by their domestic employers and were paid very little per week to support their families.⁵⁶ In many states, black women were paid the lowest salaries outside of and below NRA’s federal standards.⁵⁷ In addition, the NRA refused to include domestic work, agricultural work or common laborers among those who should receive the minimum wage.⁵⁸ In the South in particular, black women represented 60 %⁵⁹ of the domestic workers corps, and roughly 40 %⁶⁰ of the agricultural labor was Black. Refusal to include occupations that were dominated by black labor under NRA precluded

black families from earning wages at any significant rate above poverty.⁶¹

State-subsidized machinery benefited white landowners by increasing productivity while eliminating the need for black tenant farmers.⁶² Thus, agricultural innovations caused the displacement of more black families. Even where black workers remained on white farms, lax enforcement of AAA policies requiring landowners to channel a portion of government crop reduction pay to tenants guaranteed that black tenants were deprived of their share.

The Social Security Act (SSA), which included both old age insurance and public relief, was another example of race-based policy implementation.⁶³ Seemingly color-blind policies continued to intentionally deny black families access to benefits.⁶⁴ The SSA specifically excluded domestic and agricultural workers from receiving benefits upon the loss of a breadwinner.⁶⁵ As mentioned previously, these areas of employment were predominately occupied by black workers.⁶⁶ The Works Progress Administration (WPA), which concentrated on employment rather than relief, also instituted color-blind policies. However, without the enforcement by the federal government of non-discriminatory practices, black workers were intentionally excluded from access to public jobs in everyday practices.⁶⁷ Between 1936 and 1942, black workers were hired for roughly only 15 % of the jobs offered under the WPA.⁶⁸ Due to the intentional exclusion of black men from the labor market, black families began to lose their male breadwinners. Most black women were in the labor market, but women who had never worked were also being forced to earn the family wage or apply for public relief. Although New Deal policies endorsed giving welfare benefits to women who headed households, most public relief, which was controlled by local governments, was also predicated on the former domesticity of the women. Because of the legacy of racism and the concentration of black families below the poverty line, many black women had always been in the labor market

well before the New Deal. Therefore, black women continued to be excluded from public relief, social benefits, social security and other forms of welfare because their status as “employable” made them again, undeserving of government help.

The program that could have had the most impact on public relief for black women was the Aid to Dependent Children Act (ADC). ADC was merely an extension of Mother’s Pensions⁶⁹ and similarly guided by ideas of the so-called deserving poor. Access to the program was still determined by an ambiguous “suitable home” standard which excluded most needy black families.⁷⁰ Further, federal agencies under political pressure from southern states allowed local governments to determine the specific criteria for eligibility. Most southern states were dependent on cheap black labor and very reluctant to create policies that gave black workers access to federal relief.⁷¹ Although later ruled unconstitutional,⁷²

Access to the program was still determined by an ambiguous “suitable home” standard which excluded most needy black families.

minimum residency requirements mandated by local governments also excluded most black migrant workers.⁷³ Further, many southern states conditioned access to public relief to mothers who had never worked in the labor market, which would exclude most black mothers. Southern states reasoned that black mothers had always worked and asked why anything should change because of this new program.⁷⁴ Such restrictive measures left families, and particularly black mothers, in a state of significant poverty and despair.⁷⁵

Access to benefits under new nationalized welfare policies was structurally distinguished by race and gender, attaching welfare benefits to socially constructed notions of what qualifies as a traditional family organization. Family (dis)organization determined what relationship, if any, a family could have to the American welfare state.⁷⁶ Because of various acts that caused displacement among black families during the Great Depression, there was a high proportion of female-headed households.⁷⁷ In the North, a reported 30 % of black families were headed by single, divorced or widowed women.⁷⁸ The ease with which New Deal policies excluded much of the black male labor force from social insurance created a legal barrier that was greater for black women than for similarly-situated white women. For instance, rising out of poverty was more difficult for black women than their white counterparts because New Deal policies extended to similarly-situated white women where the husband was unemployed or dead. This is especially true where black men suffered from unemployability. Welfare policies distinguished among households based on how they became female-headed—whether by death, divorce, abandonment, or single motherhood, for example—so black families and images of black womanhood became the focus of public scrutiny and outcry.⁷⁹ New Deal programs therefore failed to protect black women in two ways: as capable mothers and as capable workers.⁸⁰

As black communities were further consolidated into urban ghettos after World War II, black female-headed households would finally come under the umbrella of state aid. However, these very inclusions were predicated on the fortifications of false theories about black family deviance and dependency in female-headed homes in particular.⁸¹ Ideas derived from the infamous *Moynihan Report*⁸² and the urban application of the “culture of poverty” theory would hide an entire history of white working class social mobility that had been predicated on state and private aid. The misrepresentation of black deviance and the masking of white dependency signaled the beginning of the end for welfare in America.

AID TO SOME FAMILIES WITH DEPENDENT CHILDREN

The postwar 1950s and 60s witnessed racial clashes and increasing ghetto unrest. State and local government-

assisted programs under-served the black community and solidified the place of black families at the bottom of a racist regime. Black families continued to be moved to substandard housing complexes and were relegated to the worst health care facilities in the country. The result of the end of World War II led to immense poverty due in large part to displacement of women and black workers when white soldiers returned. Changes in the structure of the so-called nuclear family became evident particularly in poorer communities. For example, in 1950 approximately a quarter of the population of black mothers were separated, divorced or widowed.⁸³ Children living

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in one-parent households in the black community rose from roughly 22 % to 32 % in ten years.⁸⁴ Although the rise in single parent income could represent the increase in the number of black mothers on AFDC, this rationalization ignores the reality of the social, economic and political plight of black families. Several presidential administrations have tampered with the American welfare state. Unfortunately, the impact of this haphazard effort at reform has been very detrimental to single-parent households headed by black women. In particular, the expansion of the American welfare state to include single black mothers created a cultural backlash motivated by racism and sexism and opened the door to what President Clinton called “the end of welfare as we know it.”⁸⁵

The previously mentioned Aid to Dependent Children Act (ADC)⁸⁶ originated in the Social Security Act of 1935 but has its historic foundation in the Progressive Era as a remnant of Mothers’ Pensions.⁸⁷ Similar to Mothers’ Pensions, ADC was originally intended to continue to allow *deserving* mothers to stay at home with their children while receiving public assistance. Most ADC programs provided benefits to families who lost a male breadwinner due to death, abandonment or unemployment. Conceptually, the structural problem with the early foundations for this program was the continual role of an ambiguously defined notion of worthiness. Because black women were deemed inherently *undeserving*, they were subjected to benign neglect by state and national governments.⁸⁸

In 1950, a series of changes to ADC occurred, including a name change to Aid to Families with Dependent Children (AFDC).⁸⁹ Like its predecessor, AFDC continued to offer cash assistance to the *deserving poor*. State and local governments controlled the administration and eligibility requirements for relief. Particularly in southern states, restrictive eligibility requirements continued to exclude black mothers from relief. For example, the infamous “man in the house” rule allowed states to remove benefits from black mothers who had a male (not son) living in the home.⁹⁰ Likewise, the “employable” standard required all black mothers to work unless they were handicapped or sick.⁹¹

After a series of liberal amendments in the 1960s, the number of AFDC beneficiaries began to increase dramatically and more poor single black mothers gained access

to the program's benefits.⁹² From 1960 to 1970 there were approximately 5 million people receiving public assistance, five times more people than were on the welfare rolls between 1950 and 1960.⁹³ With increasing caseloads and changes in the racial composition of recipients, AFDC came under severe political attack followed by a profound resentment of this program and the poor.⁹⁴ The many reasons for this backlash include the simple fact of the increased legions of poor citizens receiving public relief from taxpayers.⁹⁵

Another reason for the immense backlash, particularly against black mothers, was the notorious report authored by the Assistant Labor Secretary (and future Senator) Daniel Moynihan. Moynihan suggested that the economic conditions of the black family resulted from their deviation from American family norms.⁹⁶ The reason for the terrible plight of the black family was that most black males had a significantly high rate of unemployment and therefore could not be adequate breadwinners for their families.⁹⁷ This in turn produced a significant surge in unsupported illegitimate children among black families, an increase in female-headed households and a cultural dependency on welfare by black women and children.⁹⁸ So, not only was the taxpayer's money being used to support a huge population, it was being used to support a huge "Negro" population. Moynihan's report grossly mischaracterized black families in general and black mothers in particular. All demographic metrics upon which Moynihan relied ignored the historical legacy of systemic and intergenerational racism that produced the high unemployment rates observed today. State and societal discrimination, not inherent deficiencies, is a driving contributor to black poverty. Thus, Moynihan justifies state indifference to poverty by ignoring historical context and places blame squarely upon the poor for their poverty.

Lastly, the emerging "culture of poverty" theory, combined with the pre-existing *Moynihan Report*, explicitly racialized and gendered the category of poverty as black and female. The "culture of poverty" theory posited that economic inequality was not an issue of larger social forces but a product of deviant cultural behaviors antithetical to delayed gratification, economic modesty and productive labor; while the characteristics of economic dependency would be passed on through the generations.⁹⁹ Unfortunately, this theory became largely associated with black female-headed households. This in turn reinforced a pre-existing suspicion of the black community. Welfare, once associated with deserving white women, became despised as a relief program for allegedly lazy, poor black women.

As a product of these political and academic investigations, voices shouted to dismantle the American welfare state and *lynch* the "welfare queen."¹⁰⁰ Simultaneously, state aid was beginning to be stripped away from black communities and redistributed to white suburban communities. Industrial factories were encouraged to leave urban centers for

lower property taxes. This pulled the rug out from under the socio-economic infrastructure of central cities and instigated the rise of what we now call "the ghetto." Mythical binary oppositions of group dependence versus individual will and suburbanization versus ghettoization obscured the history of state funding for other immigrant and regional communities in their transition from ethnic European to white.¹⁰¹

The commitment to engage in the "War on Poverty" during the Johnson administration had lost its zeal by the time California's Hollywood screen star turned governor took office. The Reagan Administration's use of the "welfare queen" image fabricated and reinforced images of criminal and sexually promiscuous black women.¹⁰² This successful misinformation campaign framed the national welfare conversation, and the public began to oppose welfare programs, fearing that high assistance payments reinforced the cycle of poverty and ensured long-term dependency. The Reagan Administration promulgated policies based on these welfare fabrications by significantly cutting benefits, under-funding childcare and job-training facilities, and creating legal barriers for poor women to gain access to public assistance.¹⁰³ Unfortunately, the effects of these policies outlasted the Reagan era. Reagan simply paved the path for the decadent decline of federal cash assistance for the poor and the push of under-skilled and under-supported black women into a labor market that did not even exist (no jobs or benefits).

A WOMAN'S WORK IS NEVER DONE

Although Reagan succeeded in creating a negative image of welfare and limited the coverage for both working and non-working poor, some cash assistance was still available before the 1990s welfare reform agenda. By 1987, Congress was ready to take up the issue of welfare reform and passed the Family Support Act (FSA) the next year. The FSA aimed to assist middle-class white mothers with young children

who were entering the labor force. This focus gave states the flexibility to require those poor mothers who were receiving benefits to also work.¹⁰⁴ Despite the Reagan Administration's significant cuts and stringent guidelines, the number of poor people on AFDC climbed 30 % between 1989 and

1994, with a significant rise in the single black household demographic.¹⁰⁵ Ironically, it was during the ostensibly more liberal Clinton Administration that policies of welfare would be central to discussions about governmental reforms and cutbacks. Despite images of a hip saxophone-playing Clinton, the so-called "first black president," Clinton's policies proved that he was no stranger to welfare reform¹⁰⁶ and no friend to poor black women. Clinton put welfare back on the agenda by deploying slogans such as "ending welfare as we know it" and "making work pay."¹⁰⁷ The focus of these debates, pulled from the *Moynihan Report* discourse, quickly turned to eliminating

the emerging "culture of poverty" theory . . . explicitly racialized and gendered the category of poverty as black and female

welfare and stopping the reported cycle of dependency among the poor that was fueled by illegitimate births. At the same time, the birth rate for unwed black mothers was 70%.¹⁰⁸ False images of single black female-headed households galvanized a political backlash, and black women became the symbol for eliminating public assistance and “ending welfare as we know it.”

Following Reagan’s lead, media images continued to condemn black mothers as lazy “welfare queens” when they stayed home with their children, while simultaneously praising white mothers as good “soccer moms” for staying home with their children.¹⁰⁹ As political scientist Holloway Sparks correctly notes, “[t]he portrayal of poor women of color—and particularly African American women—as abusers of the system, immoral... and [dependent] essentially destroyed their ability to appear as legitimate and authoritative participants in the democratic deliberations about welfare.”¹¹⁰ By portraying public assistance as solely benefiting undeserving black mothers, this scrutiny reinforced public policies relating to welfare reform, emphasized race and class-based stereotypes related to women and work, and maintained traditional black-white dichotomies.¹¹¹

Public policy makers stressed eliminating welfare because it reportedly promoted inter-generational dependency.¹¹² This policy painted a picture of welfare recipients who were poor, black, and female. Strikingly, lack of employment opportunities, racism, or any other form of social inequity did not enter into the discourse as possible variables for poor, black women’s place on welfare.¹¹³ But laziness, irresponsibility, and lack of a “strong work ethic” were assigned as reasons that kept black women on the roll.¹¹⁴ Recall that, a little over 100 years earlier, the image of poor black women was not one of laziness but of women who had always worked and therefore could always work. But, when faced with the idea that the once lily white face of welfare was becoming black, the discourse to eliminate welfare quickly turned to negative images of black mothers as lazy and dependent. Missing from the discourse is any acknowledgement of the fact that, when they decided to enter the workforce, white women were well-equipped for a society that had progressed from a primarily industrial era to an information technology era. Business management, computer literacy, administrative assistance, and other types of skills and education were available to white women. Such training was unattainable by the working black poor during the industrial era but was needed as economic relations began to transform. Lacking transitional skills, black families were forced onto welfare and were seen as resistant to work, as opposed to unable to attain work or qualifying skills.¹¹⁵

Against this backdrop, the Clinton Administration signed the Personal Responsibility and Work Opportunity Act (welfare reform), which abolished the federal guarantee of welfare cash to poor families with dependent children in 1996.¹¹⁶ The federal government also created the Temporary Assistance for Needy Families Act (TANF),¹¹⁷ which placed

deadlines on how long a family could receive public assistance.¹¹⁸ This program came out of the need for the government to reduce the amount of cash assistance to black poor mothers and, according to political scientist Richard Fording, it “represent[ed] a more punitive and restrictive approach to public assistance.”¹¹⁹ However, the agenda under Clinton was more covert in its target of black women than was Reagan’s “welfare queen” agenda, by focusing on studies and reported “statistical” data that showed that black children lived in more single-headed households and by using color-blind terms such as illegitimacy instead of “black welfare queen” images.¹²⁰ At the same time, senators and representatives further portrayed images of the undeserving welfare mothers as cheaters of the system, robbing taxpayers of their money, child abusers, drug addicts and the cause of poverty.¹²¹ Welfare mothers were also seen as amoral characters because they refused to get married and be supported by the male breadwinner.¹²² It is under these images that the welfare debate galvanized a hostile environment aimed at poor black mothers. These policies were shaped by views of black women because, at this point, when the term “welfare recipient” was discussed, a caricatured image of deviant black womanhood was firmly etched in the national imagination.¹²³ Therefore, welfare policy reflected a sentiment that black mothers needed “tough love” and that eliminating welfare was the only way to discipline and instruct their behavior because they would continue to depend on welfare if left to themselves. Welfare reform, and TANF in particular, paternalistically imposed discipline and accountability that came in the form of state-imposed time limits, which eliminated benefits to black mothers after a certain date.¹²⁴

CONCLUSION

It would be inconceivable to believe that a society that stratifies basic living conditions along racial lines would not stratify access to public assistance along those very lines. Indeed, from Progressive Era philanthropic aid to early work-to-welfare reform, misrepresentations of black women have resulted in their disparate treatment. During the Progressive Era, poor black women were undeserving because entitlement to certain social benefits was predicated on losing a male provider and offered protections only to women who labored in the home. Further, only mothers who were considered of a “worthy” character, were suffering from temporary hardship, and were “deserving” mothers would be eligible for aid.¹²⁵ Progressive reformers deemed poor black *working* mothers as undeserving poor, thus denying them aid. During the New Deal era, black women continued to be excluded from benefits. Access to benefits under the new American welfare state depended on how society defined the traditional family organization, and these definitions were structurally distinguished by race and gender. The idea that the American family included the breadwinning father, the stay home mother, and numerous children guided most welfare policy designs.¹²⁶ This social construction of

the family ran counter to the realities of black families and the labor demands on black women in particular. During the transformation of ADC to AFDC, the number of poor single black mothers on welfare increased. Significant shifts in policy suggested that black women were now undeserving because of a distinct deviant cultural behavior that encouraged immediate gratification, irresponsible financial management, and a refusal to engage in productive labor. Simply put, black women are constructed as lazy, dependent “welfare queens.” Based on these representations from the welfare reform agenda of the 1880s to the 1990s, a political backlash galvanized against black women, who became the symbol for eliminating public assistance and “ending welfare as we know it.” Scholars have predicted that policies adopted by states under TANF with regard to poor, black mothers will continue to be tough and result in punitive rules and conditions.¹²⁷ Finally, we cannot continue to construct welfare policy that focuses more on the misrepresentations of black women than on the structural inequalities that affect everyone. If we continue in this manner, there will forever be an unbreachable chasm between the socio-economic realities of all Americans and the terms on which we decide to further marginalize those very Americans for being poor.

Endnotes

¹ Bridgette Baldwin is an Associate Professor of Law at Western New England College School of Law. I would like to thank Martha Davis for her insightful comments and helpful criticism on earlier drafts of this essay. I greatly appreciate helpful insights from my colleagues, Erin Buzuvis, Jennifer Levi and Sudha Setty. Additionally, I would like to thank Dean Gaudio for the generous grant he provided so that I could conduct research. Finally, a very special “thank you” to Davarian Baldwin for numerous draft readings.

² Patricia J. Williams, *My Best White Friend: Cinderella Revisited*, 19 CALLALOO 809, 812 (1996).

³ See Otis B. Grant, *President Ronald Reagan and the African-American Community: Harmful Stereotyping and Games of Choice in Market-Oriented Policy Reform*, 25 T.M. COOLEY L. REV. 57, 86 (2008).

⁴ See *Welfare Queen Becomes Issue in Reagan Campaign*, N.Y. TIMES, Feb. 15, 1976, at 51 (Ronald Reagan used the story of Linda Taylor of Chicago, who was indicted for using four different aliases and collecting approximately \$8,000 as a platform for the welfare queen caricature. In Reagan’s version, she used 80 aliases, had 30 addresses and 12 social security numbers.).

⁵ Nancy J. Hirschmann, *A Question of Freedom, A Question of Rights? Women and Welfare*, WOMEN AND WELFARE: THEORY AND PRACTICE IN THE UNITED STATES AND EUROPE 89, 97 (Nancy J. Hirschmann and Ulrike Liebert eds., 2001).

⁶ See Otis B. Grant, *President Ronald Reagan and the African-American Community: Harmful Stereotyping and Games of Choice in Market-Oriented Policy Reform*, 25 T.M. COOLEY L. REV. 57, 76 (2008); Rosalee A. Clawson & Rakuya Trice, *Poverty As We Know It: Media Portrayals of the Poor*, 64 PUB. OP. Q. 53, 53-64 (2000); Franklin D. Gilliam, *The “Welfare Queen” Experiment*, 53 NIEMAN REP. 49, 49-52 (Summer 1999); Wahneema

Lubiano, *Black Ladies, Welfare Queens, and State Minstrels: Ideological War by Narrative*, in RACE-ING JUSTICE, EN-GENDERING POWER 323, 323-63 (Toni Morrison ed., 1992); see generally ROBERT M. ENTMAN & ANDREW ROJECKI, *THE BLACK IMAGE IN THE WHITE MIND: MEDIA AND RACE IN AMERICA* (2000) (Entman and Rojecki argue that white Americans learn about black Americans through how they are portrayed by the media which subtly suggest that there is a racial hierarchy with white Americans at the top.); MARTIN GILENS, *WHY AMERICANS HATE WELFARE: RACE, MEDIA, AND THE POLITICS OF ANTIPOVERTY POLICY* (1999) (Gilens argues that white Americans oppose welfare because this program has predominately portrayed the recipients as lazy, shiftless and black. Ultimately what he concludes lies at the root of this opposition is media portrayed racial stereotypes.); ANGE-MARIE HANCOCK, *THE POLITICS OF DISGUST: THE PUBLIC IDENTITY OF THE WELFARE QUEEN* (2004); Kenneth J. Neubeck & Noel A. Cazenave, *Welfare Racism: Playing the Race Card Against America’s Poor* (2001) (Neubeck and Cazenave offer an examination of the ways in which racist attitudes have intersected with administrative policies and practices to undermine how public assistance programs have been instituted); DOROTHY ROBERTS, *KILLING THE BLACK BODY: RACE, REPRODUCTION AND THE MEANING OF LIBERTY* (1997) (Roberts offers an examination of the history of how the government has controlled the reproductive rights of African American women.).

⁷ See JILL QUADAGNO, *THE COLOR OF WELFARE: HOW RACISM UNDERMINED THE WAR ON POVERTY* 20 - 21 (1994).

⁸ JOANNE L. GOODWIN, *GENDER AND THE POLITICS OF WELFARE REFORM: MOTHER’S PENSIONS IN CHICAGO, 1911 – 1929*, at 8, 23 (1997).

⁹ Kathleen M. Keller, *Federalizing Social Welfare in a World of Gender Difference: A History of Women’s Work in New Deal Policy*, 8 S. CAL. REV. L. & WOMEN’S STUD. 145, 168 – 169 (1999).

¹⁰ JOEL F. HANDLER & YEHESEKEL HASENFELD, *WE THE POOR PEOPLE: WORK, POVERTY, AND WELFARE* 27 (1997).

¹¹ *Id.*

¹² See HORTENSE J. SPILLERS, *Mama’s Baby, Papa’s Maybe: An American Grammar Book*, Angelyn Mitchell, Ed. WITHIN THE CIRCLE: AN ANTHOLOGY OF AFRICAN AMERICAN LITERARY CRITICISM FROM HARLEM RENAISSANCE TO THE PRESENT 454 - 481 (1994).

¹³ Gwendolyn Mink, *Violating Women: Rights Abuses in the Welfare Police State*, 577 ANNALS AM. ACAD. POL. & SOC. SCI. 79, 82, 2001.

¹⁴ See *Progressivism and the Negro: New York 1900 – 1915*, AMERICAN QUART. 16.2, 153 – 168 (1964).

¹⁵ David E. Bernstein & Thomas C. Leonard, *Show me the Money: Making Markets in Forbidden Exchange: Excluding Unfit Workers: Social Workers: Social Control Versus Social Justice in the Age of Economic Reform*, 72 LAW & CONTEMP. PROBS. 177, 177 (Summer 2009) (arguing that the legislation developed during this time period was designed to exclude not only African Americans, but also women and immigrants).

¹⁶ Eileen Boris, *Reconstructing the “Family”: Women, Progressive Reform, and the Problem of Social Control*, in GENDER, CLASS, RACE, AND REFORM IN THE PROGRESSIVE ERA 73, 73, 78 (Noralee Frankel & Nancy S. Dye eds., 1991); See also Theda Skocpol, *African Americans in US Social Policy*, in CLASSIFYING BY RACE 129, 131-32 (Paul Peterson ed., 1995).

¹⁷ See SKOCPOL, *supra* note 15, at 139 (arguing that black mothers were excluded from “mother’s pension” benefits because there wasn’t enough money to support the program and not simply because of racism).

¹⁸ JACQUELINE JONES, *LABOR OF LOVE, LABOR OF SORROW: BLACK WOMEN, WORK AND THE FAMILY FROM SLAVERY TO THE PRESENT* 147 – 151 (1986).

¹⁹ Boris, in *GENDER, CLASS, RACE, AND REFORM IN THE PROGRESSIVE ERA*, *supra* note 15, at 73, 73.

²⁰ EVELYN BROOKS HIGGINBOTHAM, *RIGHTEOUS DISCONTENT: THE WOMEN'S MOVEMENT IN THE BLACK BAPTIST CHURCH, 1880 – 1920*, at 189 – 190 (1993) (noting that negative images of black women as compared to white women were more glaring than negative images of black men compared to white men. “Black womanhood and white womanhood were represented with diametrically opposed sexualities... ‘Negro women evidence more nearly the popular idea of total depravity than the men do...When a man’s mother, wife and daughters are all immoral women, there is no room in his fallen nature for the aspiration of honor and virtue...I cannot imagine such a creation as a virtuous black woman’”).

²¹ Boris, in *GENDER, CLASS, RACE, AND REFORM IN THE PROGRESSIVE ERA*, *supra* note 15, at 73, 81.

²² GOODWIN, *supra* note 7, at 7; *see* *MOTHERS OF A NEW WORLD: MATERNALIST POLITICS AND THE ORIGINS OF WELFARE STATES 2* (Seth Koven & Sonya Michel eds., 1993); MOLLY LADD-TAYLOR, *MOTHER-WORK: WOMEN, CHILD WELFARE, AND THE STATE, 1890 – 1930* (1994); D. E. Roberts, *Racism and Patriarchy in the Meaning of Motherhood*, 1 *AM. U. J. GENDER SOC. POL’Y & L.* 1 (1993) (Roberts article explores how racism and patriarchy interact to socially construct images of motherhood.).

²³ HANDLER & HASENFELD, *supra* note 9, at 28.

²⁴ *Id.* at 27; *see also*, HIGGINBOTHAM, *supra* note 19, at 190 - 191.

²⁵ MICHAEL B. KATZ, *IN THE SHADOW OF THE POORHOUSE: A SOCIAL HISTORY OF WELFARE IN AMERICA*, Tenth Edition, (New York: Basic Books, 1996), 133.

²⁶ GOODWIN, *supra* note 7, at 31.

²⁷ *Id.* at 31–36; On the NACW and the larger “politics of respectability” *see*, HIGGINBOTHAM, *supra* note 19, at 206-07; VICTORIA WOLCOTT, *REMAKING RESPECTABILITY: AFRICAN AMERICAN WOMEN IN INTERWAR DETROIT* 207 - 240 (2000); GLENDA GILMORE, *GENDER and JIM CROW: WOMEN AND THE POLITICS OF WHITE SUPREMACY IN NORTH CAROLINA, 1896 – 1920* (1996) (Gilmore discusses the successful attempt of African American women in the Jim Crow South to forge ties with white women and engage in political activism.).

²⁸ *See* Jacqueline A. Rouse, *Atlanta’s African-American Women’s Attack on Segregation 1900-1920*, in *GENDER, CLASS, RACE, AND REFORM IN THE PROGRESSIVE ERA*, *supra* note 15, at 10, 10 (explaining that Atlanta had instituted Jim Crow laws as early as 1890 which separated the city into distinct white and black areas).

²⁹ 163 U.S. 537 (1896).

³⁰ *See*, Rouse, 12.

³¹ *See* Bernstein & Leonard, *supra* note 14, at 191 - 194 (explaining the example of the Davis-Bacon Act of 1931, a seemingly neutral law that essentially banned African Americans from working on federal construction projects by requiring preference for white workers and characterizing black labor as “cheap bootleg labor”).

³² *See* DEBORAH GRAY WHITE, *AR’N’T I A WOMAN?: FEMALE SLAVES IN THE PLANTATION SOUTH* 163 (1985).

³³ *See* GOODWIN, *supra* note 7, at 8, 23 (leading to the inference that they had proven their employability during slavery).

³⁴ Stanley J. Lemons, *The Sheppard-Towner Act: Progressivism in the 1920s*, 55 *J. AM. HIST.* 776 (1969).

³⁵ *See* SKOCPOL, *supra* note 15, at 131.

³⁶ DOROTHY MCBRIDE STETSON, *WOMEN’S RIGHTS IN THE U.S.A.: POLICY DEBATES AND GENDER ROLES* 262 (2d ed. 1997).

³⁷ *See* Louis L. Athey, *Florence Kelley and the Quest for Negro Equality*, *LVI J. OF NEGRO HIST.* 249, 255 (1971).

³⁸ MICHAEL K. BROWN, *RACE, MONEY, AND THE AMERICAN WELFARE STATE* 69 (1999).

³⁹ *See* SKOCPOL, *supra* note 15, at 132-3.

⁴⁰ *See* QUADAGNO, *supra* note 6.

⁴¹ BROWN, *supra* note 37, at 64.

⁴² *Id.*; *See also* QUADAGNO, *supra* note 6.

⁴³ Athey, *supra* note 36, at 253.

⁴⁴ BROWN, *supra* note 37, at 64.

⁴⁵ JACQUELINE JONES, *THE DISPOSSESSED: AMERICA’S UNDERCLASSES FROM THE CIVIL WAR TO THE PRESENT* 188 (1992); Walter I. Trattner, *FROM POOR LAWS TO WELFARE STATE: A HISTORY OF SOCIAL WELFARE IN AMERICA* 257 (1989)..

⁴⁶ *See generally* BROWN, *supra* note 37.

⁴⁷ In *Schechter Poultry Corp v. United States*, the Supreme Court held that the NRA was unconstitutional because it delegated impermissible legislative powers, which violated the separation of powers under the United States Constitution. 295 U.S. 495 (1935).

⁴⁸ Pub. L. 73 – 10, enacted May 12, 1933. In *United States v. Butler*, this act was held unconstitutional because the tax provision violated the Tenth Amendment. 297 U.S. 1 (1936). Subsequently, Congress enacted the Agricultural Adjustment Act of 1938 to remedy the unconstitutional provision.

⁴⁹ Theda Skocpol & Kenneth Finegold, *State Capacity and Economic Intervention in Early New Deal*, 97 *POL. SCI. Q.* 255, 255-56 (1982).

⁵⁰ *Id.*

⁵¹ Bernstein & Leonard, *supra* note 14, at 196-200.

⁵² *See* Bernstein & Leonard, *supra* note 14, at 195 - 196.

⁵³ *See*, JONES, *supra* note 17, at 210 – 211.

⁵⁴ Slave labor of course.

⁵⁵ Bernstein & Leonard, *supra* note 14, at 197, 199 (noting that southern states objected to the minimum wage requirement of the Fair Labor Standards Act. Within two weeks of its ratification, African Americans were systematically terminated and replaced by white workers).

⁵⁶ *AFRICAN AMERICANS IN THE INDUSTRIAL AGE: A DOCUMENTARY HISTORY 1915–1945* 170-71 (Joe W. Trotter and Earl Lewis eds., 1996)..

⁵⁷ *See* PATRICIA SULLIVAN, *DAYS OF HOPE: RACE AND DEMOCRACY IN THE NEW DEAL ERA* 50 (1996) (including the example that at the Maid-Well Garment Company in Arkansas, approximately 50% of the women employed were black. The company was required to pay wages of \$12 a week under the cotton code but black women received wages of \$6.16. When the black women complained, Maid-Well fired all of its black employees).

⁵⁸ *AFRICAN AMERICANS IN THE INDUSTRIAL AGE: A DOCUMENTARY HISTORY 1915–1945*, *supra* note 55, at 172.

⁵⁹ Jessie Carney Smith and Carrell Peterson Horton, Eds, “Occupations of Person Employed by Gender 1940, 1960, 1970,” Table 1299. *Historical Statistics of Black America: Agriculture to Labor and Employment, Vol. 1*, (New York: Gale Research Inc. 1995), 1089.

⁶⁰ Smith and Horton, “Number/Percent: Employment in Agriculture in the United States and the South 1940 – 1950,” Table 143: 115.

⁶¹ Bernstein & Leonard, *supra* note 14, at 197 (noting that approximately 500,000 African Americans lost employment during the brief implementation of the NRA).

⁶² JONES, *supra* note 44, at 217; *See also* Bernstein & Leonard, *supra* note 14, at 198 - 199.

⁶³ Gareth Davies & Martha Derthick, *Race and Social Welfare Policy: The Social Security Act of 1935*, 112 *POL. SCI. Q.* 217 (1997).

⁶⁴ ROBERT C. LIEBERMAN, *Race and the Organization of Welfare Policy*, in

CLASSIFYING BY RACE *supra* note 15, at 169 -176.

⁶⁵ JONES, *supra* note 44, at 171; LINDA GORDON, PITIED BUT NOT ENTITLED: SINGLE MOTHERS AND THE HISTORY OF WELFARE 1890 – 1935 5 (1994); *see* MARY POOLE, THE SEGREGATED ORIGINS OF SOCIAL SECURITY: AFRICAN AMERICANS AND THE WELFARE STATE 20 (2006).

⁶⁶ U.S. BUREAU OF CENSUS, HISTORICAL STATISTICS OF THE UNITED STATES: 1789 – 1945 25, 63 (1949) (indicating that approximately 20% of African Americans were employed as agricultural workers while representing about 10% of the population); *see* SKOCPOL, *supra* note 15, at 142 (noting that within the field of domestic work and agricultural employment, African Americans made up two-thirds of the employees).

⁶⁷ AFRICAN AMERICANS IN THE INDUSTRIAL AGE: A DOCUMENTARY HISTORY 1915–1945, *supra* note 55, at 173.

⁶⁸ Smith and Horton, “WPA 1936 – 1942,” Table 1260: 1046. By way of example, the 1931 Urban League report claimed that African Americans constituted about 17% of the population but provided 34% of the people on relief. Similar rates were also reported for Akron, Des Moines, Houston and St. Louis. *See* IRVING BERNSTEIN, THE LEAN YEARS: A HISTORY OF THE AMERICAN WORKER 1920 – 1933 318 (1960).

⁶⁹ GORDON, *supra* note 64, at 267.

⁷⁰ GORDON, *supra* note 64, at 275-76; *see generally* JENNIFER MITTELSTADT, FROM WELFARE TO WORKFARE: THE UNINTENDED CONSEQUENCES OF LIBERAL REFORM 1945–1965 (2005) (Mittelstadt argues that gendered and racialized assumptions about the poor moved the welfare program from an income support program for the poor to a paternalistic system of moral reform.)

⁷¹ GORDON, *supra* note 64, at 275.

⁷² *See*, Shapiro v. Thompson, 394 U.S. 618 (1969); King v. Smith, 392 U.S. 309 (1968).

⁷³ GORDON, *supra* note 64, at 275.

⁷⁴ *See* GORDON, *supra* note 64, at 276.

⁷⁵ Until they were struck down in 1960s.

⁷⁶ BROWN, *supra* note 37, at 92.

⁷⁷ JONES, *supra* note 44, at 218.

⁷⁸ E. Franklin Frazier, *Some Effects of The Depression on the Negro in Northern Cities*, 2 SCIENCE AND SOCIETY 489, 494 (1938).

⁷⁹ BROWN, *supra* note 37, at 90–91.

⁸⁰ BROWN, *supra* note 37, at 325.

⁸¹ Linda Gordon, *Black and White Visions of Welfare: Women Welfare Activism, 1890 – 1945*, 78 J. AM. HIST. 559 (1991).

⁸² Mink, *supra* note 12, at 83.

⁸³ JONES, *supra* note 17, at 263.

⁸⁴ R. KENT WEAVER, ENDING WELFARE AS WE KNOW IT 55 (2000).

⁸⁵ *See* SKOCPOL, *supra* note 15, at 147.

⁸⁶ STETSON, *supra* note 35, at 340.

⁸⁷ *See* SKOCPOL, *supra* note 15, at 148-49.

⁸⁸ *See* Michael K. Brown, *Ghettos, Fiscal Federalism, and Welfare Reform*, in RACE AND THE POLITICS OF WELFARE REFORM 47, 48-49 (Sanford F. Schram et al. eds., 2003).

⁸⁹ JONES, *supra* note 17, at 263; STETSON, *supra* note 35, at 340.

⁹⁰ *King v. Smith*, 392 U.S. 309 (1968); JONES, *supra* note 17, at 263; STETSON, *supra* note 35, at 341.

⁹¹ JONES, *supra* note 17, at 263.

⁹² GORDON, *supra* note 64, at 5.

⁹³ Trattner, *supra* note 44, at 286.

⁹⁴ Trattner, *supra* note 44, at 264; *see also* SKOCPOL, *supra* note 15, at 147.

⁹⁵ *See* SKOCPOL, *supra* note 15, at 148.

⁹⁶ US Department of Labor, Office of Policy Planning and Research, *The Negro Family: The Case for National Action* 29 (1965), reprinted in LEE RAINWATER & WILLIAM L. YANCEY, THE MOYNIHAN REPORT AND THE POLITICS OF CONTROVERSY 75 (1967).

⁹⁷ *Id.* at 65.

⁹⁸ *Id.* at 58-59; *See also* BROWN, *supra* note 37, at 93.

⁹⁹ *See generally* OSCAR LEWIS, FIVE FAMILIES: MEXICAN CASE STUDIES IN THE CULTURE OF POVERTY (1959) (expounding for the first time on the culture of poverty theory); THE UNDERCLASS QUESTION (Bill E. Lawson ed., Temple University Press 1992) (including a survey of the larger debates and their racialized implications).

¹⁰⁰ *See* STETSON, *supra* note 35, at 343.

¹⁰¹ *See* BROWN, *supra* note 37, at 335; *see also* ARNOLD HIRSCH, MAKING THE SECOND GHETTO: RACE AND HOUSING IN CHICAGO, 1940 – 1960 259 - 275 (1998); THOMAS J. SUGRUE, THE ORIGINS OF THE URBAN CRISIS: RACE AND INEQUALITY IN POSTWAR DETROIT 199 - 207 (2005); ROBERT SELF, AMERICAN BABYLON: RACE AND THE STRUGGLE FOR POSTWAR OAKLAND 215 - 327 (2005). On the whiteness of public policy and metropolitan development, *see* IRA KATZNELSON, WHEN AFFIRMATIVE ACTION WAS WHITE: AN UNTOLD HISTORY OF RACIAL INEQUALITY IN 20TH CENTURY AMERICAN (2006) (Katznelson argues that social programs of the New Deal discriminated against African Americans and created an even bigger disparity in wages, housing, employment opportunities and education along racial lines); LISA MCGIRR, SUBURBAN WARRIORS: THE ORIGINS OF THE NEW AMERICAN RIGHT 12 - 17 (2001); GEORGE LIPSITZ, THE POSSESSIVE INVESTMENT IN WHITENESS: HOW WHITE PEOPLE PROFIT FROM IDENTITY POLITICS (1998) (Lipsitz argues that race neutral policies, such as the Federal Housing Act, steered money towards “white only” communities and away from communities of color.).

¹⁰² John O’Connor, *US Social Welfare Policy: The Reagan Record and Legacy*, 27 J. SOC. POL’Y 37, 56 (1998).

¹⁰³ WEAVER, *supra* note 84, at 66.

¹⁰⁴ WEAVER, *supra* note 84, at 68, 75.

¹⁰⁵ WEAVER, *supra* note 84, at 103.

¹⁰⁶ He co-chaired the National Governor’s Association Task Force, which had originally advocated for welfare reform in the FSA in 1988.

¹⁰⁷ WEAVER, *supra* note 84, at 127; STETSON, *supra* note 35, at 345.

¹⁰⁸ WEAVER, *supra* note 84, at 103.

¹⁰⁹ *See* Jacqueline Jones, *Race and Gender in Modern America*, 26. 1 REV. IN AM. HIST. 220, 234 (1998).

¹¹⁰ Holloway Sparks, *Queens, Teens, and Model Mothers*, in RACE AND THE POLITICS OF WELFARE REFORM, 171, 172.

¹¹¹ Jones, *supra* note 109.

¹¹² Holloway Sparks, *Queens, Teens, and Model Mothers*, in RACE AND THE POLITICS OF WELFARE REFORM, *supra* note 110, at 171, 178; *see also* MARY JO BANE & DAVID T. ELLWOOD, WELFARE REALITIES: FROM RHETORIC TO REFORM 67 - 123 (1994).

¹¹³ Brown, *supra* note 88, at 47-71.

¹¹⁴ Holloway Sparks, *Queens, Teens, and Model Mothers*, in RACE AND THE POLITICS OF WELFARE REFORM, *supra* note 110, at 171, 178; Richard C. Fording, “Laboratories of Democracy” or *Symbolic Politics* in RACE AND THE POLITICS OF WELFARE REFORM 72, 78.

¹¹⁵ *See* Brown, *supra* note 88, at 61.

¹¹⁶ Signed into law by President Bill Clinton on 8/22/96. U.S. Public Law 104 – 193. (104th Congress) 22 Aug. 1996. Personal Responsibility and Work Opportunity Reconciliation Act.

¹¹⁷ Public Law (104 – 193) Title I, sec. 408(a)(2).

¹¹⁸ Joe Soss, Sanford F. Schram, Thomas P. Vartanian & Erin O’Brien,

The Hardline and the Color Line: Race, Welfare, and the Roots of Get-Tough Reform, in RACE AND THE POLITICS OF WELFARE REFORM 225 (Sanford F. Schram, Joe Soss & Richard Fording eds., 2003).

¹¹⁹ Richard C. Fording, "Laboratories of Democracy" or Symbolic Politics in RACE AND THE POLITICS OF WELFARE REFORM 72 (Sanford F. Schram, Joe Soss & Richard Fording eds., 2003); see also, Mink, *supra* note 12, at 80.

¹²⁰ See Mink, *supra* note 12, at 84-86; see also GWENDOLYN MINK, WELFARE'S END (1998) (Mink argues that racism, sexism and class bias fuels the fire on welfare reform which pulls the safety net from under poor single mothers by requiring them to work outside the home.).

¹²¹ See Soss et al., *The Hardline and the Color Line: Race, Welfare, and the Roots of Get-Tough Reform*, in RACE AND THE POLITICS OF WELFARE REFORM 225 (describing the story of the "Chicago 19" where several black welfare mothers were reportedly arrested during a drug raid and accused among other things of neglect of 19 children in their care.)

¹²² See BANE & ELLWOOD, *supra* note 112 (discussing the problems associated with an administrative culture which seeks an interest in rule enforcement as opposed to social services, thus creating a culture which makes the welfare bureaucracy and administration appear adversarial.)

¹²³ See Lee A. Harris, *From Vermont to Mississippi: Race and Cash Welfare*, 38 COLUM. HUM. RTS. L. REV. 1 (2006) (noting that empirical research suggests that there is a correlation between the population of African Americans within the state and the amount of cash assistance distributed within the state).

¹²⁴ To begin a discussion about race, gender and welfare reform see Mary Jo Bane, Race, poverty and public policy (2005) Villanova University, KSG Faculty Research Working Paper Series RWP05-030, available at <http://web.hks.harvard.edu/publications/workingpapers/citation.aspx?PubId=2921>; Brown, *supra* note 88, at 47 – 71; see also Lisa D. Brush *Impacts of Welfare Reform*, 10 RACE, GENDER & CLASS 173, 175, 179, 183, 185 (2003); Linda Burnham, *Racism in U.S. welfare policy: A human rights issue*, in FROM POVERTY TO PUNISHMENT: HOW WELFARE REFORM PUNISHES THE POOR 121 - 138 (George Delgado ed., 2002); Martin Gilens, *How the Poor Became Black: The Racialization of American Poverty*, in RACE AND THE POLITICS OF WELFARE REFORM, *supra* note 88, at 101; HANCOCK, *supra* note 5; NEUBECK AND CAZENAVE, *supra* note 5; Frances Fox Piven, *Why Welfare is Racist*, in RACE AND THE POLITICS OF WELFARE REFORM, *supra* note 88, at 323; Sanford Schram, *Race and state welfare reform choices: A cause for concern*, in FROM POVERTY TO PUNISHMENT: HOW WELFARE REFORM PUNISHES THE POOR 89 - 107 (George Delgado ed., 2003); Sanford F. Schram, *Putting a Black Face on Welfare: The Good and the Bad*, in RACE AND THE POLITICS OF WELFARE REFORM, *supra* note 88, at 196; see also VANESSA SHEARED, RACE, GENDER, AND WELFARE REFORM: THE ELUSIVE QUEST FOR SELF-DETERMINATION (1998) (Sheared discusses the impact of welfare reform on African American women.).

¹²⁵ HANDLER & HASENFELD, *supra* note 9, at 28.

¹²⁶ GORDON, *supra* note 64, at 7.

¹²⁷ Soss et al., *The Hardline and the Color Line: Race, Welfare, and the Roots of Get-Tough Reform*, in RACE AND THE POLITICS OF WELFARE REFORM, *supra* note 88, at 225, 230.