

Dependency by Law: Welfare and Identity in the Lives of Poor Women

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The End of Fate

My understanding of welfare law is taking shape through my research on the moral identity of poor women. The central principle of welfare—deservingness—is at stake in the identities that we create for welfare recipients. Following rhetorical battles about welfare waged by constructing identities for poor women, victories are reflected in the language of new welfare law. In contrast to the public rhetorical construction of moral identity of the poor, my research examines identity and welfare law in the lived experiences of poor women. In particular, I attempt to understand the embedding of deservingness in perceptions and treatment of the poor and in the concept that poor women have of themselves.

My research springs from concerns about welfare reforms enacted by Congress in 1996 that swept away a seventy-year-old program of poverty relief and replaced it with a work-oriented program that would “end poverty as we know it.” A new realism about the lives of welfare recipients drives these reforms.¹ Politicians across the spectrum of mainstream parties have declined to challenge the new realism’s first principle—personal responsibility must be the first goal of welfare policy.² A large literature suggesting that poverty and need for welfare are the result of background and social circumstances has been shelved.³ Public debate has assumed that poverty will no longer be excused by fate, and, indeed, few reformers have been willing to acknowledge that

fate—disadvantages of social origin and institutional structure—plays a predominant role in their understanding of the need for welfare. Rather the new realism claims persistent poverty arises from a perverse system of governmental handouts that has brought about a failure of personal responsibility on the part of the poor,⁴ notwithstanding historical and contemporary research suggesting otherwise.⁵

It has mattered little that the new realism is not new, and in fact returns to the oldest themes of poor relief in our society—the moral deservingness of the poor. “Coddling the poor” because of their fate as poor has always been denounced. The new realism provides images of welfare recipients who lack the will to leave welfare in order to support themselves and their families, and the imagery has shaped both the politics of welfare reform and the laws that determine welfare policies. Welfare reformers draw on such images to persuade us that poor mothers rely unnecessarily and undeservingly on welfare because they are dependent and irresponsible. The new law assumes that mothers receiving welfare require sticks and carrots to micromanage their maturation into responsible, working adults.⁶

Neither the statistics of well-meaning researchers nor the journalism of the best reporters has been effective in displacing the stereotypes on which the new realism of personal responsibility in welfare law rests. Indeed, as Herbert Gans pointed out thirty years ago in an insightful critique of poverty scholarship and journalism, scholars and journalists often approach the subject of poverty with questions and answers informed by their own or their audience’s stereotypes.⁷ In reality, while the moral issues may seem clear, the moral lives of the women to whom these judgments apply are complex. Like the lives of those who judge them, the moral lives of the poor are a mixture of worthy aspirations, fallible judgment, and ordinary virtue. Contrary to the presumptions of many liberals, questions of moral responsibility and deservingness at the heart of our welfare policies concern values and decisions made by the poor, not only their material circumstances or the events that befall them. Contrary to the presumptions of many conservatives, questions about the values of the poor implicate the way in which understanding and meaning take shape in a social context, and they may not be understood merely by comparing the behavior of the poor to the behavior of the more comfortable classes.

In this essay I describe my first attempts to explore and illuminate the moral identity of the poor. I have begun by studying the discourse

about moral identity that occurs in focus groups. My focus groups have been conducted in several contrasting settings. The first setting included members (and friends of members) of Project Dandelion, an organization founded by welfare recipients to help other recipients leave welfare. The second setting included women who are residents in the poorest and most isolated public housing in western New York, the Perry Housing project. These two settings bracket the experiences of women who have received welfare, the first group including women whose experiences were briefer and alternated with periods of greater affluence, while the second group included women who have received welfare for longer periods and whose poverty is much deeper. In a third setting I have attempted to tap a wider public discourse about poverty by conducting focus groups with women who have sought help from the local Private Industry Council (PIC) in making an employment transition. The local PIC, like PICs nationwide, previously administered the Department of Labor's CETA and JTPA programs and continues to conduct employment training, placement, and counseling under government grants for persons from a wide range of backgrounds. PIC contracts with the county Department of Social Services to assist women who are required to meet welfare-to-work requirements.

Below I describe and contrast conversations conducted with women who participated in focus groups in the latter two settings, women living in public housing in deep poverty and women from diverse backgrounds who shared only the experience of unemployment. My method for conducting these focus groups on moral discourse about the social citizenship of poor women has been to listen as women talk to each other about their lives and their opportunities. I report what I hear and my own responses to it. Later, I talk with each of the women at length about family, childhood, childbearing, welfare, work, hope, and other matters that are central to who they are and what they do in their lives. I have been helped to reach a clearer understanding by the participation of two co-interviewers, Carla Burke,⁸ an African-American mother on welfare, and Tamara Dent, a divorced middle-aged white woman who receives Supplemental Security Income for a severe learning disability. Carla Burke and Tamara Dent are leaders of Project Dandelion, and they and other members of Dandelion have been mentors and interpreters throughout this research.

What I learn from these women may not only challenge the con-

ventional understandings of the moral identity of poor women on which welfare law is based, but may also help begin the process of building new theory for two purposes. First, as Herbert Gans has concluded, in order to help individuals leave poverty we must understand their aspirations and capacity to act on their aspirations. Second, in order to enact programs that can accomplish this goal, we must understand how moral identities are formed in public narratives of poverty and welfare. Identity is central to both sides of this inquiry. Individuals acquire consciousness of identity through interaction with others over a lifetime. Public narratives about welfare recipients and the poor, including those narratives embedded in enactment and administration of the law, capture one aspect of this experience, conveyed through the media but also by means of more proximate actions and conversations. By means of life stories told in focus groups and interviews I explore more fully the way moral identity is formed and the part in this process played by welfare law and public narratives of welfare.

Stories We Tell and Laws We Create

Enacting a law requires imagining the persons who are to be affected by the law and the circumstances in which the law is to play a part. While imaginative constructions giving meaning to consciousness of law can be subtle and complex, the discursive practices of welfare reformers lie at the opposite extreme. The welfare reforms of the 1990s were created in a public and politicized debate, and the law embodies politically contrived and simplified constructions of the poor and their circumstances.⁹

The stories constructed by politicians and reinforced by the media have had a decisive impact on policies for the poor. The stories link the generosity of the public with the needs of recipients. Because welfare recipients are said to be inclined toward dependency by past policies that allowed them to remain on welfare beyond the point of real need, the generosity they require is discipline. Recipients are assumed to be weak-willed and self-indulgent because they continue to seek welfare support, and it is assumed they would be better off as self-supporting workers.

Welfare law is designed to force recipients to leave welfare for work and, through work, to become self-sufficient as other Americans are presumed to be.¹⁰ Under the federal reform known as the Tempo-

rary Assistance to Needy Families Block Grant, welfare recipients must begin work activity within two years and may not receive welfare for more than a total of five years.¹¹ Responsibilities for caring for young children or other dependent relatives will not excuse the obligation to work, and opportunities for education beyond high school as an alternative to work are severely restricted. Not only does the law's requirement that all recipients work reflect an assumption that seeking welfare is conclusive evidence of the lack of a work ethic, the law also assumes that recipients can be motivated and morally educated by very small, short-term changes in incentives—much as parental discipline imposes moral lessons on a child through constant supervision and sanctioning. Further, the law assumes that such moral deficits in financial responsibility are closely related to other forms of moral deficit, failure to marry, childbearing out of wedlock, dropping out of school, and a variety of other presumptive requirements for successful self-support. The reformers have required the states to impose behavioral discipline on welfare recipients that will alter each of these deficits. As a consequence of these presumptions about the causes of poverty, the level of moral supervision and control of welfare recipients imposed by welfare law is indisputably very high.

Welfare law is closely related to the public's perceptions of dependency. Receiving welfare benefits has historically been a marker for dependency. Only those who are involuntarily dependent are considered deserving beneficiaries, and many conditions are attached to weed out those who could work and do not deserve benefits. Receiving welfare, though formally restricted to the "deserving" poor, taints the character of recipients, though deserving and undeserving poor have always been difficult to distinguish.¹² Further, dependency is a problematic category in our society. Historically, dependent persons, such as slaves and women, were denied the full benefits of citizenship.¹³ In contemporary society, those who are dependent are often not treated as social equals of those who are perceived as self-sufficient, a distinction that applies to persons with disabilities, the unemployed, and the poor.

Recent welfare reforms reflect widespread revival of an argument about the relationship between welfare and dependency.¹⁴ Reformers have suggested that receiving welfare actually increases dependency. Poor women, they argue, have sought or remained on welfare when they did not truly need it, and they have become less capable of surviving without it. Welfare, it is claimed, is a moral hazard, and poor

women lack the moral judgment or will to resist the temptation to receive welfare when they might, through sufficient effort, become independent. Moreover, reformers have argued that receiving welfare has even weakened the identity of poor women as potentially self-sufficient persons. Children of recipients are also said to be affected by a mother's dependence on welfare, and they are, therefore, more likely to choose welfare rather than work.¹⁵ The strict time limits, work requirements, and sanctions related to childbearing and parenting required by the 1996 federal welfare law are justified by these assumptions about the moral character of welfare recipients.

Few groups have been subjected to laws that call for such complete surveillance and control. Yet we know little about the most critical aspects of the involvement of poor women with the new realist welfare policies, namely the way in which their decisions concerning work and family relate to the law. In truth, we know little about whether the welfare law that so powerfully projects an identity for welfare recipients plays any part at all in their everyday lives.

Welfare law may become active in the lives of poor women in at least three ways.¹⁶ First, the meaning that the women themselves give the rights and obligations created by the law will shape the law's most immediate effects on their lives. If the assumptions of legislators about the values and motives of welfare recipients are wrong, then the instrumental effects of the law may be very different from those anticipated. Indeed, life stories show that the law has had few of its intended effects on the trajectories of work and family of some women. While any failure of welfare law to achieve its objectives may be attributed in part to imperfections of administration,¹⁷ far more may be due to a profound misreading of the character of recipients, the dilemmas they face, and a consequent misunderstanding of the support they would most benefit from. Conversely, some of the "success" of the reforms arises because the women have been successful in adapting welfare to goals that better suit the circumstances and needs of their lives. Such adaptations often accommodate complexities not anticipated by the law.

Second, the new welfare law may also become active in the lives of poor women indirectly but no less powerfully by influencing the actions of the organizations with which poor women must interact. Poor women interact with government agencies far more frequently than others who are affluent. Welfare administrators, as well as employers and private social service providers, are directly affected by

welfare laws, and, in turn, their actions affect poor women. More subtly, welfare reform has influenced the public's perceptions of welfare recipients and might well influence incidental social interaction between poor women and others.

Third, closely related to the law's influence on the public's perceptions of the poor, welfare reforms may influence a welfare recipient's sense of herself. Law is a powerful cultural presence affecting meaning, actions, and expectations in everyday life. Morally freighted terms such as *workfare*, *welfare recipient*, and *personal responsibility* become building blocks of everyday awareness. These terms are built on an identity presumed by the law. What role do they play in the self-awareness of welfare recipients?

Welfare laws, like civil rights laws, carry implications about identity and the distinctiveness of rights bearers, and they may, therefore, create a double bind for persons who take advantage of them.¹⁸ Because in the minds of many members of the public the beneficiaries of welfare laws have a particular demographic or social identity, all individuals in that demographic or social group may carry the stigma of welfare. Indeed, the law communicates such strong assumptions about the identity of welfare recipients that one of the law's primary effects may be potentially to reinforce the social fault lines embedded in the reformer's and the public's stereotypes. I will explore the possibility that welfare law, far from being ameliorative, has destructive consequences, isolating welfare recipients from family, community, and other poor women. Among other important factors, race tacitly informs the stereotype of the welfare recipient.¹⁹ I will consider how welfare plays out differently in the lives of women whose identity falls on one side or the other of the fundamental fault line our society has constructed around race.

Exploring the ways in which the law becomes active in the lives of poor women who receive welfare may provide important pieces in a larger puzzle. The life stories of poor women reveal their moral identities as well as the similarities and differences between the identity of the poor who receive welfare and the identity of those who do not receive welfare. In one sense, to interrogate this distinction is to pursue a red herring. Statistical, historical, and ethnographic studies have suggested that women who receive welfare are mostly members of the working poor.²⁰ Individuals and families move on and off welfare, in and out of work, as well as in and out of poverty. The poverty line itself

is arbitrary, and the very meaning of poverty is in part determined by the politics of poverty rather than a comprehensive understanding of the capabilities and opportunities of the poorest members of society.²¹ Thus, the law attributes a distinct moral identity to a group that cannot be distinguished from the poor in general, and the distinction maintained by the law has had real effects on the lives of poor women. Life stories illuminate the interplay between the law and women's decisions about work and family that are relevant to the assumed line of demarcation between the moral identities of the deserving and undeserving upon which the institution of means-tested welfare is based.

*Culture and Authority: The Perry Housing
Focus Group*

I am listening to the tape of the Perry Housing project focus group. The six African-American and Hispanic women in the group live in dilapidated public housing owned and run by the Buffalo Municipal Housing Authority (BMHA) in a barren waterfront neighborhood. The housing is so bad that a substantial portion will be razed during the coming year, and some of the women will have to leave, a move they welcome. Nearby houses are falling into ruin. Drug dealing is common on nearby streets. There is no supermarket, chain store, or fast food restaurant in this neighborhood, nor can they be reached easily by public transportation. Residents rely on one or two bodegas that provide overpriced items and cash public assistance checks.

My first impression is that the lives of this group of women seem prototypical welfare cases, examples of the pattern of nonwork, child-bearing, and struggle to manage a family made familiar by the extraordinary attempts of sophisticated news media to report the inside story of poverty and welfare reform. Yet, unlike the image the media often create, these women are not passive and unreflective. The women readily identify the problems the public associates with poor mother-only families living in barren ghetto neighborhoods with other poor families and individuals: poor housing, the dangers of the street (their first thoughts are for their children), and dependency on public assistance for an adequate income (the nickel-and-dime under the welfare rules). The group quickly creates a discourse of protection, defense, self-help. Without prompting, their attention frequently turns to their involvement with public authority and with law. They perceive public authority as oppressive, but they respond to different kinds of author-

ity in different ways. They support each other's stories of trouble with housing administrators, caseworkers, and police on the streets. Their perceptions are often subtle and understanding.

As I listen, I sense the strength they require to confront the daily interaction with others having authority over them. To me the women do not seem humiliated or humbled by their experiences with welfare officials, in contrast to many women on welfare I had spoken with previously. Later, Carla Burke, who is African American, and Tamara Dent, who is white, my collaborators from Project Dandelion, comment that the Perry Housing women are indeed coping with the pressures of poverty, welfare, and low self-esteem. Carla and Tamara are strong believers that receiving welfare has a profound effect on identity. "Welfare redefines you," Carla said. Tamara added that simply having "to come and go all the time" at the command of a caseworker affects how you feel about yourself. Yet self-esteem seems to me to be a more complex issue, not constructed by the broad authority of public officials who can influence their lives. I hear something not in the give-and-take of the women who participated in earlier groups who seemed closer to leaving public assistance. Hovering over the discussion of the dangers of the street and the temptations presented by their children's peers is a sense of the personal responsibility they assume for their dilemmas. In response to our first question for the group, "How are you doing?" Anita Clark says, "I don't like myself." Sarah Cox says, "I fell and I had kids." Rosalyn Workman says, "I am struggling right now."

A clue to the identities of these women is suggested by the way they speak to each other. There is something remarkable about the flowing discourse. The discourse is not always a conversation, but sometimes confessional and something closer to bearing witness to a shared experience. When a statement confirms an important element of their shared experience, Anita Clark shouts, "*Thank you! . . . Thank you!*" I have not been to a Pentecostal church or Sanctified Christian service, but I sense the origins of this form,²² and it is very moving. The culture that gives form to this interaction has also had a profound effect on their identities, and I believe that their consciousness of authority, law, and opportunities in their lives has been shaped by the culture of domesticity and family learned and reinforced in childhood.

Anita Clark speaks first, and she talks about the neighborhood. She is thirty-nine. She lives with her five children in Perry Housing, and the protection of her children is at the core of many of her concerns. Anita is vocal about the many dangers on the street—drug dealers and

gangs, neighbors' children . . . and cops. Police terrorize the children; they frequently chase kids or rough them up. The women agree that the police behave differently in this neighborhood. Jackie James says, "They have the mentality because we are in the BMHA that we don't have feelings, we aren't people."

Anita angrily points out that the teens have rights under the law, and she has been outspoken in her criticism of abuse when she encounters police in her neighborhood. The women know how easily the exercise of public authority over them becomes disrespectful and abusive. Yet Anita's talk about legal rights of suspects strikes some of the other women as an attempt to shift blame for misbehavior of her children or perhaps for risks that Anita herself has imposed on her children. Sarah Cox, who is thirty and has two children, is not so inclined to be critical of the police. Sarah believes that the dangers of the street are real, and neighbors like Anita should not be so quick to assume that the police acted without reason when they are observed chasing teens in their neighborhood. Nevertheless, Sarah concludes that the surest protection standing between her children and the street is her front door.

The police comprise one important aspect of a complex relationship between the lives of women in Perry Housing and the law. Power to control children is given to the police, while at the same time public agencies undermine the authority of poor parents. Anita describes the difficulties of disciplining her teenage daughter in a dangerous neighborhood. During one argument with her daughter about coming home a half hour later than the 10:30 curfew set by Anita, a neighbor called Child Protection Services, and the police responded with an alacrity they do not always show under other circumstances. The irony was not lost on Anita.

They got all this problem with you whoopin' your kids, but they ain't got no problem with layin' that billy club upside your child's head after you let 'em grow up any kind of way . . . No problem whatsoever! Crap! They gonna bust 'em upside the head, but they tryin' to tell me that I can't whoopin' somethin' that came out of my body . . .

Anita Clark often seems angry. When I spoke to her after the focus group, I learned that her life has been profoundly affected by lost opportunities. Her identity is deeply embedded in the history of her migration from Alabama and

upbringing in Buffalo by middle-aged cousins. She has been influenced by the strict observances of her Sanctified Christian cousins, her outstanding achievement in high school, and her increasing isolation after the death of her cousins due to a dispute with relatives over the cousins' house, which was left to her alone, and the severe economic decline of the African-American community in which the house is located.

As a child, Anita flourished in her cousins' financially comfortable home in a vibrant working-class neighborhood. Anita was a top student, and "mother" encouraged her to attend Hutchinson Central Technical High School, a school sending many of its graduates to the best colleges. At the same time, Anita was raised in strict accordance with the teachings of the Sanctified Christian church. Although encouraged to achieve in school, she was also taught a woman's role, denied an opportunity to wear jewelry or to maintain friendships outside of strict limits set by her "mother."

These two strong values, achievement and family, came into conflict during high school. Her grades were good, and she received a letter from Duke University urging her to apply. She was offered a scholarship, but she never left Buffalo to attend the university. During her last years in high school her cousin was diagnosed with cancer, and Anita's first priority was to care for her cousin. After her cousin died, Anita chose to enter the army as a career.

Anita Clark's failure to follow up on her striking opportunity to attend an elite university may mystify a middle-class observer. Yet, the closeness of Anita's family not only meant commitment, but enclosure. From a sheltered adolescence Anita was thrust into adulthood without an older generation to guide her and immobilized by ownership of a house located in a neighborhood that was declining rapidly under the impact of Buffalo's deindustrialization. Anita's decision to enter the army did not surprise Carla Burke, my co-interviewer from Project Dandelion. Carla understood immediately that to an African-American woman from a strict religious upbringing the army was an opportunity to break free of the extremely confining gender role ingrained by her religious upbringing. At the same time, the army reproduced Anita's strict upbringing.

After several years in the military, Anita suffered a debilitating leg injury, and she asked to be discharged. Following her discharge, reinjury to her leg in an automobile accident has left her with a permanent disability. She has not had full-time employment, and she began to use drugs and alcohol. Unlike most women in the Perry Housing focus group, she has continued have children after age thirty.

As I listen, the conversation shifts to other forms of oversight by public authority. Sarah Cox is grateful for the safety of her home in Perry Housing. However, many of the other women say they feel trapped. Jackie James said she often thinks of herself as a displaced person. Jackie reluctantly applied for Perry Housing when she was driven by financial necessity. Another woman describes being coerced to live in BMHA housing by the Department of Social Services, which refused to pay her rent anywhere else. Several of the women expressed relief that the housing would soon be torn down.

Officials of the BMHA, which owns and manages the public housing, are well known to the focus group's participants. The women describe how they manage when behind on rent, or handle trouble with neighbors' children, or make complaints about upkeep. Relations with the managers of the housing project are personal, if not always friendly. The women know the managers well enough to negotiate with them; sometimes the women have connections through friends or relatives with higher-ranking BMHA officials that enable them to "go right to the top" to get what they want.

Jackie James's attitude toward BMHA officials is distinctive. The other mothers seem paralyzed by their inability to close their doors to the street life that invaded their homes and took their children. As one of my university colleagues put it, the women have a fortress mentality; they want to associate with a few families and close out the rest if possible. Much of their discourse is about their inability to protect themselves, but Jackie seems ready to take action. She assumes that the mothers who live in the Perry Housing project can act as a community, confronting the problems of the street and the Housing Authority collectively. She alone says nothing self-deprecating about her life.

Jackie James, age forty-six, lives in a two-story apartment in Perry Housing with her sixth and seventh children. Five-year-old Brandon interrupts repeatedly. He is being watched half-heartedly by his nine-year-old sister. Finally, in exasperation Jackie threatens to call her father, who will speak to Brandon over the phone. Only her father and her current (second) husband, the father of both of these children, command sufficient respect to control them when they get out of hand. Jackie's second husband lives with her some of the time, but he is often unable to support her and has been in Tennessee for eight months looking for work. One of Jackie's siblings, an older brother, is living with her temporarily. Her father and mother live in a subsidized apartment in another part of town.

Jackie's first husband is paying child support and helping in other ways when he can. He is a police officer assigned to the narcotics squad, and often in the Perry Housing project. His presence in the community may be an important factor in keeping Jackie's twenty-one-year-old son from complete immersion in street life. Jackie uses these connections to maintain a distance between herself and the other residents of Perry Housing.

Jackie James is a case study of the mismatch between old-fashioned values and the social and economic demands of a new age in poor African-American communities. Her skepticism about early marriage comes from her own experience. Jackie interprets her teenage pregnancy and marriage as an act of rebellion against her father's strict upbringing. His "Christian" values emphasized marriage and childbearing while forbidding contraception and abortion. Like Anita, she was not allowed to participate in activities outside the home, such as Girl Scouts, or have clothes conforming to contemporary styles or have a social life. She aspired to be a dancer, but her father strongly opposed it and would not allow her to consider such a career. So, she says, "I decided I might as well get married."

If she has achieved a greater awareness of the importance of being able to maintain her family independent of marriage, why has she continued to have more children, and why has she not worked? She is energetic and certainly does not lack a work ethic. Her planned childbearing stopped within a few years of her second marriage. Resistance to contraception and to abortion is deeply ingrained, but it is also at odds with her sense of the practical reality in which she lives. She felt compelled to speak to her pastor before making a decision to have a tubal ligation after giving birth to her last child. The pastor supported her decision indirectly, saying it was between herself and God, but I am not sure what Jackie would have done if he had strongly objected.

Working has been complicated her disability, narcolepsy, that remained undiagnosed until she reached her forties. She remembers falling asleep in school and later in job training programs. At work, the symptoms of her disability were taken as evidence of her laziness and drinking on the job. Her father is a believer in herbal medicines and home remedies, and he did not encourage further diagnosis of her problem. She sought diagnosis and treatment in her early forties as a result of seeing a TV program about the disease. Medication now makes it possible for her to hold a job, but few jobs have been offered because, she suspects, she always faithfully lists her disability on her job applications.

All of her older daughters have completed high school, but not her twenty-one-year-old (the first child of her second marriage). So far the lure of the street

is stronger than his interest in completing school. The examples set by Jackie's first husband and his grandfather have been undermined by the lack of firm discipline at home and the readiness of the Department of Social Services to pay for an apartment for her son to "solve" the problem created by the lack of supervision at home. Jackie acknowledges that requesting a separate apartment for her son was a mistake because her son lacked the self-discipline to live on his own, attend school, and finish his education. While not permanently lost to the streets, his future hangs in the balance between the drug-selling friends he values for good times and money and his claim that he will continue his education when he is ready.

During the focus group, Jackie criticizes the interventions of welfare officials. She has come to believe that "social services is the breakdown of family." The Department of Social Services offers immature teen sons and pregnant daughters their own apartments. Further, BMHA and the welfare office have strict rules about who can live with her that bar significant others, sick children, or any other member of her family from staying for more than a few days. These rules are at odds with the relationships that sustain her resource-poor extended family, and she has been prepared to "go to court . . . cause you're not gonna tell me who can come in and out of my house." Like Anita's invocation of rights, Jackie's threat to mobilize the law attempts to legitimate a claim that seems, even in her own mind, to rest on contested ground, shifting blame for her family's problems to others.

Jackie Jones's story about her son's apartment marks yet another complex shift in the conversation that occurs when the women describe experiences receiving welfare. At one extreme, Jackie views the intrusion of public supervision of her family in negative terms. Sarah Cox has a different view. In her teens, Sarah alternated between work and welfare, and when she was forced by circumstances to stop working, she became a drug addict. She voluntarily gave up her children to foster care. Through her own efforts she conquered her addiction, and she has reunited her family. She says repeatedly that is grateful to the Department of Social Services for "being there for me."

During the focus group, Sarah in particular voiced the "fortress" mentality of Perry Housing project mothers—keep your kids at home and away from other children who lack supervision. In my conversation with her, she repeated her determination to separate herself and her children from her neighbors, and to

call on her relatives when she needs help. Her sisters also live in Perry Housing. Her mother lives in public housing on the west side of Buffalo, and these vital connections helped her through an extremely dangerous period of her life.

Sarah Cox was born after the family migrated from the south to the same Buffalo neighborhood that Anita Clark and Carla Burke grew up in. Her alcoholic father abandoned the family when she was an adolescent. The neighborhood had a dangerous street life, but Sarah had friends in school. She got "good" grades—by which she meant Cs earned without a struggle. Her mother cared about completing high school, although she did not place great emphasis on high grades. Sarah wanted to become a teacher.

At age sixteen Sarah became pregnant, and at age seventeen she had a second child by the same man. After the second child she dropped out of high school to take care of her children. I asked her why she had become pregnant, an event that affected the course her life has taken, and one which she seems to regret. "I was hard-headed; I didn't listen to my mother's advice about contraception," she says. Although Sarah's mother did not belong to a strict Baptist denomination, her religion was nevertheless clear about the menial role of women and their subservience to men.

Sarah began working after the birth of her second child, leaving her children with her mother while she took a company bus every day to a packing plant where she bagged vegetables for freezing in a cold, damp room. She became ill from the dampness, but the company had no nurse or dispensary on the premises, and Sarah was told she could wait on the bus until the end of the working day. Her illness eventually led to her decision to leave work, obtain her own welfare grant, and to move into her own apartment.

Her decision to leave work had serious consequences. She did not return to any form of employment for eight years. She began living with a man who used drugs. Through him she fell in with a "good time" crowd where she lived, began using drugs herself, and neglected her children. After years of deteriorating care for her children, Sarah gave legal custody of her children to her older sister Dolores. Dolores told Sarah to stay away as long as she was on drugs.

Sarah says that separation from her children forced her to get off of drugs. Through great determination she rescued herself by entering a rehab program and ending the relationship with her drug-using and abusive boyfriend. For a year and half after leaving the drug program she lived by herself in a one-bedroom apartment. Not until she had lived successfully on her own for this length of time did she seek custody of her children again and fully resume her role as mother.

Sarah Cox's story demonstrates how the new welfare law's moral construction of a "work ethic" falls short. The law permits commitment to work and self-sufficiency to be demonstrated in just one way, continuous employment. Sarah has never lacked determination to take care of herself and her family, surviving the job at the packing plant, getting herself off of drugs, and separating herself completely from the former friends in "the life." Her determination makes her a protective and capable parent, doing everything she can to protect her children in a predatory environment. Many others have failed in this task; she has a chance of succeeding. Her determination is currently directed toward some goals that demonstrate her "work ethic" (e.g., raising and protecting her children) but not toward others (such as full-time employment, to which she is likely to return at a later point in her life).

Under New York's Community Work Experience Program, Sarah has tried working as a building cleaner, but she has suffered a leg injury that makes it difficult to perform jobs that require long hours on her feet. She is aware that workfare was touted as a training program leading to the acquisition of work skills and jobs, but she knows different. A real job lasts, and a good job requires education that welfare won't provide.

In Sarah Cox's perception, welfare law is legitimated not by the law's requirement that recipients work for their welfare, which makes little sense given their multiple responsibilities and lack of resources, but by the fact that welfare recipients are workers and will provide help to others when they are in a position to resume work. Indeed, she views welfare as a necessary form of social reciprocity because "some way, somehow, everybody needs help." As a taxpayer she would not criticize welfare recipients.

Everybody needs help, and there's not like they're taking a lot away from you to help keep social service going to benefit others. So I wouldn't feel that way. I just would always say, "Well, if I'm workin' and I can maybe eventually somewhere down the line, they'll go to work, and they'll give back what was given to them."

Sarah Cox's story, like the stories of the other women, suggests that self-esteem and aspirations are closely related. Sarah is a determined mother, and she aspires to independence through employment. She lacks self-confidence, not because she has never worked, but because the culture in which she was raised prepared her for roles in a family she cannot form and did not prepare her for self-sufficiency in a community that offers little social support.

These women were raised to achieve in contradictory ways. Their religious upbringing taught them roles that were self-destructive in the contemporary ghetto setting. They have had to set other goals for themselves with no role models or mentors to guide them, to give them instruction, to tell Anita about other colleges, to tell Jackie James about other outlets for her rebellion, to help them understand and guide their own children. Rebellion is a youthful way of breaking from an oppressive culture that offers no opportunities. These African-American women are attempting to give effect to their aspirations in a profoundly isolated social setting with almost no social capital to draw upon.

The lack of self-esteem of these women does not arise from dependence on welfare. Rather, it arises from a seamless convergence between the moral judgments derived from their strict upbringing and the identity of the iconic welfare-dependent mother conveyed by welfare law and its administration. Thus, poor women make choices within an overdetermined opportunity structure shaped in part by the law. At the same time, their paths to and through poverty, and in particular the role played by the law we create for the poor, have been affected by how they understand themselves and how they view the opportunities that they have.

*Race, Dependency, and Identity: The Private
Industry Council Focus Group*

I am conducting our sixth focus group. The participants are receiving job training and counseling from the Private Industry Council (PIC). This group of women is different from the Perry Housing group in important ways. These women come from a variety of backgrounds, but all are unemployed and seeking work. By inviting a conversation among women from different backgrounds, some from deep and continuous poverty, others from relative affluence, some from African-American origins, others from a variety of white cultural origins, I hoped to learn more about mutual perceptions across major boundaries of social difference. I was particularly interested in the differences and commonalities in the women's perceptions of themselves and each other.

Two of the women, Khala Tomkins and Cheryl Clauson, both African American, are receiving welfare and are engaged in welfare-to-work job searches. One of the five other women, Claire Lewis, is also African American. Claire has been a single parent but has been married

for many years. She was pushed out of a high-ranking state administrative job for political reasons, and she is seeking meaningful activity rather than employment that resembles her former job. The four other women are white. They include Mary McCurtis, a divorced single parent who tends bar by night and is looking for day work in an office. Krista Egri, in her fifties, has recently remarried but was a single parent for many years after her first marriage ended in divorce. Krista's confidence and self-esteem have been severely shaken by the loss of highly responsible executive positions in two firms that closed in Buffalo. Sue Cort is young, recently married, and seeking a job that will enable her and her husband to own a home and begin a family. The seventh participant, Ann Courtnall, is a nurse administrator with a husband and children who has been forced to leave her job by her employer's decision to reorganize her office. All except Khala Tomkins have recently lost jobs; Khala is seeking work to qualify for welfare. Together their lives illustrate the problems of women's economic dependency in the 1990s.

As I lead the group, I am struck by how much the two women on welfare have in common with the other members of this group of women. Cheryl Clauson, age thirty-one, mother of four children, married thirteen years, describes her strict upbringing, escape from home with a man in the service, and the eventual breakup of her marriage three years ago. She has survived much hardship, she says, and believes her mother's statement, "If it doesn't kill you, it will make you stronger." The group comes alive, expressing strong agreement. The traumatic experiences of job loss, unemployment, and seeking employment have created bonds among the participants in these focus groups notwithstanding the great differences in background. The next to speak is Khala Tomkins, age twenty-seven, and mother of one child. Khala's voice is so soft she can barely be heard. She is a college graduate with a major in computer programming. The group comes alive again. Many of the women are older, and upgrading their computer skills is an important stepping-stone to employment. They are clearly impressed by Khala's mastery of computers well beyond the office applications they themselves are learning.

Claire Lewis speaks next. She is an African-American woman in her forties, married to an elected official and seeking work because "she needs a purpose" following the termination of her state administrative job to make room for someone with better political connections. Claire places herself on a different track from the others because she says she

is seeking work for the enjoyment, not for the income. Claire also mentions that she has been a single parent; notwithstanding, she does not engage Cheryl Clauson or Khala Tomkins as some of the others do.

As the women speak, I hear spoken and unspoken judgments about the women on welfare. When Khala acknowledges that she has a problem being effective in interviews, the other women are maternal toward her, giving her advice about the importance of being more outspoken and self-confident with prospective employers. Khala seems younger than her twenty-seven years, and they treat her almost as a daughter. She might almost be perceived as immature, and I, too, wonder why she seems to have stayed home with a child although her degree in computer science suggests that she could find a good job that would pay for child care. The group would like to believe that she represents hope for her generation of young, poor but educated black women.

I no longer doubt Khala Tomkins's ambition or self-possession. Her story has dimensions not apparent in the focus group. By the time I interviewed Khala at her home, a week after the focus group, Carla had already recruited her to join a delegation that drove to Albany to lobby western New York legislators about social services legislation. Carla reported that Khala had no problem speaking to the legislators. While Khala is quiet, she is articulate and thoughtful and does not hesitate to stand up for her interests. She has compensated for her quiet disposition by choosing a college with small classes that would allow her to participate more comfortably.

Her career decisions place her in a small group of success stories among the graduates of an all-black inner-city high school. She and a group of close friends have postponed their first pregnancy into their twenties and limited their childbearing. For nine years she has lived with her boyfriend, the father of her child. He has stayed at home and cared for their daughter, allowing Khala to finish school and to work. She will not marry him, however, because neither of them is ready to provide support for a family. She might easily find work and in fact has a job earning \$7.38 an hour when I interviewed her, but her long-term goal is to find work in her technical field at a much higher, family-supporting wage. The focus group members believed that the economy, particularly the high-tech economy, was providing extraordinary opportunities for young persons in Khala's field, but I believe Khala, who says the opportunities do not exist in Buffalo. She is considering moving to North Carolina, where she believes the opportunities are better.

In contrast to the sympathetic responsiveness to Khala, there is little interaction with Cheryl Clauson. Cheryl seems much older than Khala, although she is only thirty-one and Khala twenty-seven. She has been married most of her adult life, but her four children and spotty work experience suggest to the group a different identity. The group falls silent after she tells a long story about being repeatedly deceived by a used-car dealer. The group's faces read, "Why is this woman paying so much for a car?" "This woman does not know how to handle her own affairs." Later, Sue Cort, the young newlywed, tells of totaling her car a day or two earlier. She has borrowed another car to make her job interviews and has handled the problem more effectively than Cheryl. I learn during the lunch break that Sue's father is a used-car dealer.

Although there is no direct interaction with Cheryl, there are what I read to be strong indirect responses. Mary McCurtis is Boston Irish, a divorced single parent. Growing up, she was not encouraged to think ahead to college or independence; marriage was expected instead. She escaped her troubled middle-class home by marrying a man in the service (just as Cheryl had). When the marriage failed, she was far away from home and chose to remain at a distance from her family. Her sisters also have failed marriages, and they returned to their parents' home. Mary has refused to return and resists dependence on her parents. Mary declared to the group that though poor, she would never have applied for welfare. The statement was spontaneous, but I cannot help wondering whether Cheryl's and Khala's presence made the statement necessary. Mary did apply for the emergency fuel assistance program (HEAP), but has never been on welfare.

When I later asked Mary McCurtis about her refusal to apply for welfare, she was unable to give what I would call a rational response. She suggested spontaneously that Khala and Cheryl probably needed the money more than she did. Although it was difficult to determine precisely what Mary's financial resources were at that point in her life, I suspect that her income was low enough to qualify for welfare. She had resources, of course. She was white and had made friends in the community where she had lived with her husband, including her husband's sister. She was able to turn friendships into jobs. Neither Khala nor Cheryl possessed such social capital.

Mary commented that she looked on Khala with greater favor than Cheryl. She mentioned Cheryl's trouble dealing with the crooked used-car dealer. Cheryl had become the stereotypical welfare recipient.

Krista Egri spoke last. She has survived three emotionally devastating job terminations after playing an important role within each company. In her fifties, she describes her track record as an extraordinarily capable personnel manager and business administrator, and her misfortune that two of the companies she has picked soon went out of business. The third, a large bank, downsized her department. Her lack of formal education has been a lifelong barrier to a more secure career. Krista left a marriage with teenage children and became instantly poor. She, like Mary McCurtis, commented to the group that she never relied on welfare, but also like Mary had applied for emergency fuel assistance.

I learned later that Krista Egri is a third-generation American of Hungarian descent (on her father's side). Her grandfather was a craftsman who settled in Lackawanna and worked in the steel plants until the factory's took a toll on his health. He and his wife ran a corner grocery store after that. Her father was a tool-and-die maker with a GED. Her mother finished high school, and she met her father while they were both working at DuPont (during the war, since she is about my age). She was a shift supervisor. Her mother stopped working when she became pregnant and never worked after that. Krista says her mother was restless and would have liked to work; she was active in the community.

Krista worked during high school. She herself made a decision to attend a private Catholic high school that was more orderly and serious than the public high school she would have attended. Her parents agreed to pay her tuition, but they allowed her to make her own decisions and never pushed her to go to college. While her parents set up college funds for each of their three children, family traditions (work and marriage) worked at cross-purposes with educational aspirations. None of the children finished college, although her two younger brothers have received associate's degrees in technical fields.

Her marriage lasted almost twenty years, but for many years it was not a good relationship. She did not mention abuse, but her husband had a problem (something like compulsive gambling—I did not ask), and she eventually left. She was very private about the breakup. She did not tell her parents at first and has always been reluctant to accept help. Her parents had to sneak food into her house, she said. She has received help in other ways, too—a tolerant employer who valued her work and permitted flexibility to take care of kids.

She would not take welfare. The self-esteem issues are huge. She feels responsible for the breakup, as she does for her job losses, even though she knows she is not responsible and would not be viewed that way. Later, when I asked again why she thought Khala and Cheryl were on welfare while she her-

self had never applied for welfare, she gave reasons for the difference between her own attitude and theirs. She expressed her tolerance in spite of the difference. Their kids are small, she said; they face minimum-wage employment that will not support a family. Taking care of kids comes first.

But this does not capture the strength of feeling she expressed, which suggested to me that applying for welfare would have contributed to further loss of self-esteem by a person who already felt herself to be a failure. She had used the terms “those people” and “them” to refer to welfare recipients. I trust this first take—she needs to be different from them. Like Mary McCurtis, Krista Egri has social capital in the form of friends and a safety net in the form of her family even if she is very reluctant to use it.

Beneath the surface a careful appraisal was being made across the table as the others made up their minds about the two African-American welfare recipients. But the appraisal of the welfare recipients by the other women was at the same time a self-appraisal and an indication of the difficulty and complexity of the problem of dependency for poor women, and indeed all women in our society.

At the end of the focus group I asked what should be done to help women like themselves. Notwithstanding the undercurrents that suggested that some of the women viewed “welfare recipient” as a status and an identity did they not want, there was consensus about the deservingness of women who were supporting children. Mary McCurtis immediately said that day care should be publicly provided, and Krista Egri said the issue has become so important that corporations are concerned. Krista also suggested that an increase in the minimum wage would go a long way toward helping women, who disproportionately rely on low-wage jobs. Others thought that support for the unemployed, whether in need of welfare or not, should be more comprehensive. Their belief that there was an overall lack of fit between public benefits and the needs of women supporting children was quite apparent. Claire Lewis suggested that welfare should be more generous with much more support for making the transition to work by providing services, counseling, and transportation. Her suggestion that welfare should be more generous, as much as her silences about her single parenting, may reflect conflicted feelings about having shared Khala’s and Cheryl’s experience. Cheryl Clauson and Khala Tomkins did not speak during the discussion of ways to help women supporting small chil-

dren, although they were in many ways the subject about which the women were speaking.

Dependency by Law

The life stories of poor women suggest that the law's authority is deeply embedded in their lives, but their stories suggest that there is a difference between *dependency on welfare* and *dependency constructed by welfare law*. As we have seen, poor women are not weak or without the will to protect their families or to work to support them. Most of the women not only managed child rearing and work, but also dealt with major problems—family needs, neighborhood dangers, personal addiction, or hostile caseworkers and other public officials. Welfare provided benefits for these women, but the law also constructed their dependency, by giving arbitrary authority over them to public officials, by sanctioning their isolation, and by reinforcing social fault lines that separate poor African-American women from others who share their needs and interests. The women were aware of the law's destructive influence, and their stories displayed their resourcefulness and determination in resisting the construction of their dependency.

Scholars who have considered the place of law and the role of rights in the consciousness of welfare recipients have concluded, not unreasonably, that the law is oppressive to the poor. Law subjects few other persons to such close supervision and dependence on the will of administrators as welfare law imposes on welfare recipients. Although it might be argued that recipients voluntarily submit to the terms and supervision required by welfare law, the extreme necessity that must be demonstrated for eligibility suggests recipients have severely constrained choices, and to decline welfare has high costs. Recipients can hardly be said to consent knowingly and freely to the maze of terms and regulations through which benefits trickle or to the nearly unfettered discretion that the complex interplay of conditions grants to administrators. John Gilliom concludes that the welfare recipient lives in a world of "confusion and ignorance about basic regulations" and "fear of the welfare agency and its enforcement of those regulations" that constitutes "an almost totalizing system of laws." The recipient's entrapment is complete, Gilliom notes, because the women are also denied access to the legal system's emancipatory capacity to give voice

to those aggrieved by authority.²³ In the world of dependency created by welfare, he concluded, law renders poor women rights-less and without consciousness of rights.²⁴

While it cannot be disputed that the power exercised by welfare administrators over poor women is one-sided, the identity and legal consciousness of these women is far from one-dimensional. Welfare mothers' life stories suggest that their understanding of law can be both more complex and, at times, more effective than would follow from the stark picture of naked oppression.²⁵ The picture of law's oppression of the poor confuses the identity of the welfare recipient constructed by the world of legal and administrative practices with the capabilities of welfare recipients. It confuses dependency as a legal construct with the ability of the poor to use their interactions with welfare administrators in strategic ways. It overlooks the fact that the women's interactions with different institutions of law can be quite different. And it assumes a close relationship between rights and identity, overlooking other sources of identity that provide a different framework for understanding authority and moral behavior (as suggested by Gilliom at other points) and ground legal consciousness in experience outside the welfare system.

Understanding the legal consciousness of poor women and the role of law is made more complex by the women's self-presentation, which often seems to concede that they are incompetent to engage in the discourse of rights required by law. Few of the women spoke of their interactions with welfare administrators in terms of rights. Of course, to expect welfare recipients to speak of welfare in terms of rights seems to be on quite the wrong track because few citizens think of their routine interactions with government bureaucracies in terms of rights. In the welfare setting, however, recipients are often practical and strategic about their relationships with caseworkers and other administrators.²⁶

Further, the law's legitimacy in imposing public authority on the irresponsible behavior of the poor seems to be confirmed by widely observed "irrational" behavior of the poor—the welfare recipient buying luxuries with food stamps, the poor family dining out. Similar behavior—including extravagant or self-indulgent purchases—occurs at all income levels. The problem of poverty is that the poor have too little money to live tolerable lives and to be considered rational.²⁷ Mis-perception of complex personal histories and the cultural context of

poverty also contributes to validation of the supervisory powers created by welfare laws. In our PIC focus group, Cheryl's story about unsuccessful attempts to get a used-car dealer to repair a lemon suggested to other members of the group that she was immature and foolish, as they unself-consciously expected a black welfare mother to be. Her ineptitude following a recent divorce could have created a bond with the white divorcees if her race and demeanor had counted for less. Such misperceptions and the new realism of welfare reform mutually reinforce each other.

As I noted, at my first listening the Perry Housing focus group seemed to confirm the story of the iconic welfare mother. The slice of each individual biography that was shared in the conversation contained elements that welfare reformers have remarked upon in their efforts to redirect the lives of mothers who rely on public assistance. Each of the participants received some form of public assistance. Each has two or more children. They recounted difficulties with drugs and with live-in boyfriends. Most worked irregularly or were not working.

Yet the picture that is composed from just these elements, like the interpretations embedded in the new law by welfare reformers, is outside of biographical time, outside the life cycle that sequences building social capital, learning about work, making decisions about childbearing, and supporting, in many different ways, other members of a family. The period of time on welfare for most women is far shorter than the public imagines.²⁸ It is relatively short not because the women eventually acquire the work ethic they lacked, but because childbearing and child rearing constitute only one phase in a life cycle that includes other phases. As a society we allocate these burdens uniquely to women; yet as a society we are unwilling to recognize that women's decisions about work and other desired activities must always take account of that responsibility. Nor are such life cycles constituted in the same way in all parts of our culture.²⁹ Childbearing, work, marriage, and caring for other members of the family can fall in a very different order in different cultures.³⁰

Thus, dependency is often misperceived through the lenses that the law helps to construct. The Perry Housing women often seemed unready to participate in the labor market. How is this to be understood? In general, women in our society are expected to assume responsibilities that are not assigned to men; indeed society pressures women to make child rearing their priority notwithstanding personal aspira-

tions for market labor or a career. In the African-American community of the Perry women, their Christian fundamentalist background and limited family resources combined to make their early childbearing trajectory intelligible. As teenagers, their belief that completing school would have been a waste of time was not unreasonable because so many peers who finished school were unable to make a living wage in the job market. As adults, most have an increased appreciation for their need for education, but the rules of public assistance now bar that alternative. They are undaunted by the risks of working; contrary to the expectations of new realist welfare reformers, all have worked. They have accepted public assistance rather than take other kinds of risks, for example risks that might affect the well-being of their children. Yet, the law brands them as morally dependent and disrupts an efficient plan for managing both child rearing and education,³¹ for example, by imposing a family cap or time limits and requiring work instead of education.³²

As the PIC women made clear, the public identity of welfare recipients affects the choices of all poor women. The unemployed poor white women in the PIC group made a point of rejecting welfare. Their reasons for doing so may have been influenced in part by the complex interplay between the stigma of welfare and the stigma of a “failed” marriage, or the moral degradation associated even with “deserving” dependency for women. Most of all the white women’s rejection of welfare seemed to reflect the racialization of welfare and the stereotype of the welfare mother.³³

Not only may dependency be misperceived through the lenses that law helps to construct, but poor women have become more dependent through the interplay of law and the conditions of their poverty. The women are often aware that the law contributes to their dependency. Anita Clark, the strongest voice in the Perry Housing focus group, understood the irony that public supervision leads to loss of autonomy. She observed that public officials undermined the autonomy of parental supervision through welfare conditions that removed parents from the home in order to work or fulfill bureaucratic requirements, through the disorder characteristic of vast, anonymous public housing projects, and through intrusive oversight by Child Protection Services. She was angry that, as a result of undermining parental authority, children grow up requiring greater public supervision on the street, in schools, and ultimately in prisons.

Further, Anita and other group participants understood that the

greatest task of a single mother in the projects is policing boundaries between family and the world outside in order to protect her children. She, like the others, has fought to maintain the boundary between her apartment and the unpredictable environment outside, the boundary between her children and the children of neighbors she could not trust, the boundary between the de facto nuclear family (mother and children) and a nonresident father or lover, the boundary between the nuclear family and relatives who have a claim on her emotional, moral, and financial resources. In the complex social and spatial geography that dominated the group's discussion, the public-private boundary became one more border to police.

Welfare law makes poor women dependent by isolating them. For example, the Perry Housing women described ways in which the law's authority has created and reinforced barriers to relationships that might have assisted or sustained them or members of their families. The most pervasive influence in the lives of the Perry Housing women was the Perry Housing project itself. The women emphasized that it was housing of last resort; each of them had lived in better housing and entered the housing project only after misfortune reduced their means of social and financial support. The project is old, poorly maintained, dangerous, but, above all, isolated from public transportation, services, and shopping. The neighborhood is a good example of William Julius Wilson's second-generation ghetto, without members of the working class or middle class to sustain a sense of connection to possibilities for work and a better life. Unless relatives live in the project, the women are unlikely to see them on a regular basis. Sadly, there is a waiting list even for these apartments. The women are not provided opportunities to live elsewhere, and as long as they live in Perry Housing, their chances of reconnecting fully to a better life continue to decline.

Jackie James has another perspective on the interplay between welfare and family separation. Welfare authorities offered to place her teenage son in an apartment of his own during his last years of high school. Their offer seemed an easy way out of her difficulties in parenting the boy. In the project neighborhood, however, teenage boys are at great risk to gang influence and drugs. Jackie's first husband is a member of the police undercover detail that apprehends drug dealers. He is not the boy's father, but his influence over Jackie's son has been extremely important in keeping him from the worst influences on the streets. Those risks were greatly increased, Jackie says, by the welfare

department's misplaced generosity. The other strong male presence in her son's life, Jackie's father, will have less frequent contact with him as a result of the change in living arrangements. It is possible to imagine a far better use of the cost of rental housing for the son, for example paying for his enrollment in a private school or doubling Jackie's own rent subsidy and allowing her to move with her children to a better neighborhood closer to her parents.

The cooperation by the Department of Social Services in setting up separate living arrangements for Jackie's son to leave her home is just one example of welfare's micromanagement of household composition. Welfare eligibility rules are far less benign, making it difficult to combine incomes to assure a poverty-level subsistence. Although the days are gone when fathers had to leave a household supported by welfare, new rules for combining sources of income received by others in a household disqualify many individuals living with an extended family with multiple, yet collectively inadequate, sources of income.³⁴

Welfare also creates dependency by affecting the way poor women perceive themselves. We know women who receive welfare are not dependent in the way the public thinks because they often work and because their behavior does not support the theory that welfare is a moral hazard.³⁵ They do not lack determination. Yet, there is a connection between welfare and self-concept.

The moral icon to which welfare is calibrated is the working male.³⁶ Women are viewed by the new realism of welfare just as the male job market often perceives them, as workers with baggage. After offsetting the distinct cost factors that make female caretakers' job market participation visibly different from males', for example, by providing day care, welfare requires recipients to behave like males. The PIC men's focus group validated this standard by accepting the dominant discourse of the contemporary job market, aptly reflected in the faith expressed by one participant that "there's a job out there for everyone." The implication of this standard is that unemployed men should feel bad about themselves (and they do) and expect no assistance. The self-concept of the women in both focus groups was more complex. The PIC women were sensitive to the imperative imposed on women to care for children. They wanted public resources to help with child rearing and not just resources for minimal day care. Yet, even for them child rearing was not the moral equivalent of work and did not excuse nonwork. Of all the women interviewed in both focus groups, Sarah Cox, the

reformed drug addict who had traveled the longest road back to redeem her family and her life, provided a justification for the women's claim to welfare as a universal entitlement based on fair play. Significantly, the foundation for her claim of entitlement to welfare rested on two assumptions, first that everyone will work when they are able to and second that everyone is dependent at some point in life and must give back to the community for the support they receive. Sarah's insightful theory would relieve women of the stigma of welfare, but other women in the focus groups had difficulty separating their experiences and their own values as single parents from the wider cultural significance of their mother-only child rearing.

For the Perry Housing women welfare was often a symbol of a deficiency—unreadiness to become self-sufficient by morally acceptable means, either marriage or work. For the white women in the PIC group, the identity imposed by welfare reinforced preexisting moral fault lines, a failed marriage, the struggle to preserve class and race identity in the descent into poverty. The African-American recipients in the Perry Housing group made a seamless connection between their identities as welfare recipients and the moral degradation they experienced through religious beliefs that identified them as fallen women. The simultaneous moral degradation of their religion and stigmatization by law surely made it harder to resist the public's condemnation. Recipients, including the Perry Housing women, readily criticized other recipients for their abuses of welfare. Their own low self-esteem, evident from the opening moments of their conversation, cannot be very far removed from the public's perceptions of them.

Fighting Dependency in the Trenches

Although women's stories show that the law's assumptions about the dependency of poor women with children can become a self-fulfilling prophecy, many of the women struggled to avoid the dependency constructed by welfare law. Some women refused to apply for welfare benefits that might have alleviated their poverty because they found the symbolic costs too high. Other women adopted creative strategies that instrumentalized their relationship to the law in order to benefit themselves or their families in ways that the law did not formally permit. Differences among the women's stories of their resistance to dependency by law remind us that race deeply colors the identity and con-

sciousness of all poor women and their moral judgments about each other.

In the lives of poor women the boundary between public and private always seems to be problematic. Less affluent members of our society have far more contact with government agencies in general,³⁷ and poor women approach such contacts with far fewer social and cultural resources than most others. The Perry Housing women did not always overtly contest the domain and authority of officials, but they often attempted to manage incursions into their lives. Identity itself may be in the balance for these women. As Tamara commented, self-esteem is affected simply by the power of minor officials to require recipients to come and go, often by making extraordinary efforts to transport and present themselves to satisfy trivial, routine, often apparently meaningless requirements.

Welfare recipients must deal with the enormous discretionary authority of minor functionaries in the welfare bureaucracy. The proliferation of rules under prereform welfare created effectively unlimited discretion.³⁸ Far from simplifying and clarifying eligibility and other conditions of welfare, reform greatly complicated the task of determining eligibility and coordinating provision of benefits and services. Caseworkers retained their discretionary authority. Many recipients echoed the complaint of Tamara Dent, my collaborator from Project Dandelion, that the power of the system, however it was exercised by caseworkers, was degrading and humiliating. Yet some women described effective strategies for dealing with the discretionary authority of caseworkers. Sometimes, the women found a sympathetic caseworker who used her discretion to the recipient's advantage and occasionally colluded with the recipient in bending rules. For example, one participant found it was possible to extend educational benefits well beyond the permitted maximum time period by judicious cycling on and off welfare and with the help of a sympathetic caseworker. Her goal was a college education and a thirty-thousand-dollar-a-year job, not a minimum wage job. She has postponed marriage until she can, in Carla's words, "bring something to the table."

There are reasons why recipients and caseworkers might be able to establish a sympathetic relationship, although this is by no means universal. Many caseworkers have had experience living on low incomes, and they are themselves closely supervised. Bonds of empathy can be created between recipients and caseworkers, but caseworkers can also

respond to their own oppression by becoming hostile to recipients, increasing the frustration and oppression of mothers on welfare. The women in Perry Housing quickly learned how to change caseworkers if necessary by complaining to a supervisor, and a number have asked for fair hearings when dissatisfied with decisions. Few of the Perry women expressed animosity toward or fear of a caseworker, although the women often expressed frustration with the system and the way its rules impeded progress toward independence. The relationship that the women establish with the welfare bureaucracy was instrumental, not rights-oriented, serving specific goals by practical means. In the words of welfare historian Michael Katz, the women have found means of "navigating the welfare state from below."³⁹

The women in the Perry Housing group approached other legal authorities with a different consciousness. Their complex relationship with the police reflected their dual perceptions of the role of the police. On one hand, the women believed that the police generally abused their authority in ways that did not occur in other neighborhoods. Anita Clark's claim that the police violated the legal rights of the kids they stopped, threatened, or arrested on the street seems consistent with this perception. On the other, some of the women suggested that Anita Clark's claim that the police violated the rights of kids inappropriately shifted blame away from the kids themselves and their parents. Anita's attempt to place responsibility for her children's troubles on the police by asserting rights was undermined by her own identity as a problematic mother. More generally, the women's responses to Anita revealed their troubled self-perceptions because they blame the police but also blame themselves for the risks their children face.

The women spoke confidently about mobilizing formal legal proceedings when they felt more secure about the legitimacy of a claim to a contested entitlement. For example, a number had requested fair hearings to contest welfare decisions. One mentioned employing an attorney to obtain larger support payments from her former husband.

Perry Housing officials required yet another approach. Because the relationship between the women and housing officials was more frequent and familiar than relations with other officials, it was also more complex. Sometimes the women could go right to the top administrators of the Buffalo Municipal Housing Authority through personal friends. On the other hand, disputes with a housing supervisor were sometimes harder to resolve formally because they could become

entangled in mutual personal grievances, involving the women in constant arguing and complaining to obtain services. Thus, the legal consciousness of the Perry Housing women was often pragmatic, depending upon their expectations of results as well as their assessments of the wrongdoing of others and their own deservingness.⁴⁰

We have created a class of dependents by law, but their descriptions of problems they face reflect a double consciousness of dependency and agency. Poor mothers take the moral framework for their public identity seriously, as evidenced by affirmation of the public perception that welfare is widely abused, and at the same time they convey a double consciousness of their moral state. Poor persons, persons of color, and women are often not only conscious of their difference but perceive the world simultaneously in terms of the dominant (male or white) view and in terms centered in their own identity. Some may be more sharply aware of their double consciousness than others, and may believe in the importance of maintaining and developing the difference between meanings and concepts used in the dominant discourse and in their own situated discourse. W. E. B. Du Bois argued that this kind of double consciousness was a necessity among blacks who were destined to live compatibly with whites but never to become assimilated to their culture.⁴¹ Others may simply be ill at ease with the images, rhetoric, or practices that mainstream social relations require. Consciousness is a behavior that responds to context and opportunity and, like identity, grows with the possibilities for new activity.

Culturally specific consciousness of the world may work both for and against African-American women. Investing in a career from an early age requires an enormous trust in the educational system and job market—faith that the widely shared mainstream belief in opportunity is valid for the individual. Trust in such abstract systems is, according to Anthony Giddens,⁴² fundamental to participation in modern society. In this respect, poorer African-American communities reflect a deeply flawed modernity. Many African Americans in poor communities have understandings of education and work that do not reflect the abstract faith in the opportunities and careers shared by the black or white middle class but rather reflect their own experience and the experience and knowledge of those they have learned to trust. Anita Clark and Khala Tomkins missed extraordinary educational opportunities in part because they lacked knowledge they trusted about how to pursue them. Both chose an alternative validated by the experience conveyed by a

source closer to the community that has formed their identity. Their double consciousness is manifested in their capture by local knowledge on one hand and the placement of their aspirations squarely in the mainstream on the other by pursuing education, postponing marriage, and, in Anita Clark's case, lecturing at local high schools about the importance of staying in school and avoiding drugs.⁴³ Carla Burke reoriented her career by trusting the example of her sister, who escaped poverty and who, in turn, trusted a middle-class white family's mentoring. Double consciousness, therefore, can play a part in personal evolution, adaptation, and the potential for change.

Black and White Welfare

Poor women who are supporting children carry a double burden: a financial burden they are often poorly prepared and poorly positioned to assume and an identity burden associated with receiving assistance from public programs. Welfare law contributes to both burdens by constructing dependency. Contrary to the arguments of the critics of welfare, the benefits provided by law did not render these women incapable of supporting themselves. Rather, the law contributed to their isolation and incapacity for individual or collective self-help, separating poor welfare recipients from members of their own families, from more affluent members of the community, and from other poor women. Law even works against the liberating effects of double consciousness by reinforcing dominant imagery of identity and the causes of poverty.

Universally, the women tell us about their oppression but also about their capacity to be autonomous individuals and to act on aspirations they share with each other and a large part of the mainstream. But the women are stopped by the racial fault line.

Moral judgments about welfare recipients in the 1990s always seem to come back to race. Although the women in these focus groups accepted the need of all women for collective resources to help them manage child rearing, race became entangled in their perceptions of individual moral character, so that a black woman's dependency and a white woman's dependency were read differently. Material and cultural differences that set the lives of white women and black women in poverty apart were read as moral differences. The law encourages such a reading of moral accountability for dependency by presuming that

“there is a job out there for everyone,” ignoring the differences in our society in such institutions as kinship and the racial fault lines we refuse to eradicate in education and the job market. Welfare law inevitably reinforces the racialization of dependency.

We have learned that the racialization of dependency has affected all poor women who are supporting children by themselves and black women in particular. All poor women with families and without a husband must confront moral judgments. But an African-American woman confronts a much heavier burden of stigmatization and moral presumption. A poor white woman avoids welfare in part because it makes her identity black. Every poor black woman is a potential welfare recipient. These judgments do not begin with welfare law, but welfare contributes to the seamless degradation that begins with inequalities of race and gender.

NOTES

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1. Katherine Kost and Frank Munger, “Fooling All of the People Some of the Time: 1990s Welfare Reform and the Exploitation of American Values,” *Virginia Journal of Social Policy and Law* 4 (1996): 3; Anne M. Cammisa, *From Rhetoric to Reform? Welfare Policy in American Politics* (Boulder, Colo.: Westview, 1998).

2. Joel Handler and Yeheskel Hasenfeld, *Moral Construction of Poverty: Welfare Reform in America* (Newbury Park, Calif.: Sage, 1991).

3. Lucy Williams, “The Ideology of Division: Behavior Modification Welfare Reform Proposals,” *Yale Law Journal* 102 (1992): 719; Kost and Munger, “Fooling All the People”; for a summary of the research literature see R. Kent Weaver and William Dickens, eds., *Looking before We Leap: Social Science and Welfare Reform* (Washington, D.C.: Brookings Institution, 1995); Michael Wiseman, “Welfare Reform in the United States: A Background Paper,” *Housing Policy Debate* 7 (1996): 595; Sheldon Danziger, Gary Sandefur, and Daniel Weinberg, *Confronting Poverty: Prescriptions for Change* (Cambridge: Harvard University Press, 1994).

4. Lawrence Mead, *Beyond Entitlement: The Social Obligations of Citizenship* (New York: Free Press, 1986).

5. Joanne Goodwin, *Gender and the Politics of Welfare Reform: Mothers’*

Pensions in Chicago, 1911–1920 (Chicago: University of Chicago Press, 1997); Jacqueline Jones, *Labor of Love, Labor of Sorrow: Black Women, Work, and the Family from Slavery to the Present* (New York: Basic Books, 1985); Kathleen M. Harris, "Life after Welfare: Women, Work, and Repeat Dependency," *American Sociological Review* 61 (1996): 407; LaDonna Pavetti and Amy-Ellen Duke, *Increasing Participation in Work and Work Related Activities: Lesson from Five Welfare Reform Demonstration Projects* (Washington, D.C.: Urban Institute, 1995).

6. Mead, *Beyond Entitlement*.

7. Herbert Gans, "Culture and Class in the Study of Poverty: An Approach to Anti-poverty Research," in *On Understanding Poverty: Perspectives from the Social Sciences*, ed. Daniel P. Moynihan (Basic Books: New York, 1969).

8. All names are fictitious to preserve the confidentiality of these conversations.

9. Lucy Williams, "Race, Rat Bites, and Unfit Mothers: How Media Discourse Informs Welfare Legislation Debate," *Fordham Urban Law Journal* 22 (1995): 1159; Kost and Munger, "Fooling All the People"; Robert Solow, *Work and Welfare* (Princeton: Princeton University Press, 1998).

10. See generally Kost and Munger, "Fooling All the People." The assumption of nondependency should be the subject of serious challenge because it is obvious that no one in our society maintains quality of life through individual effort. In the most general sense, society is a collective effort. More specifically, as Martha Fineman argues in "Cracking the Foundational Myths: Independence, Autonomy, and Self-Sufficiency," *American University Journal of Gender, Social Policy, and the Law* 8 (2000): 13, families are a collective effort, as is the productivity of the "self-sufficient" male breadwinners who have the support of a family. Most particularly, every individual is the product of someone else's effort to parent, nurture, and raise that individual. We tend to perceive little of this effort as productive labor, and, therefore, we are inclined to consider it to be undertaken for personal pleasure and those who perform it as "dependent" on the productive labor of others. These perceptions badly confuse dependence and independence. My research is intended to examine how individuals experience dependence and independence in contrast to our public rhetorical constructions of dependency.

11. Temporary Assistance to Needy Families was enacted as part of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, 104th Cong., 2d Sess., sec. 910 (1996). It is codified at 42 U.S.C. sec. 601, and includes both work requirements (see, e.g., 42 U.S.C. sec. 602(a)(1)(A)(ii)), and time limits (see, e.g., 42 U.S.C. sec. 607(a)–(d), 608(a)(9)). For a review of the law and its requirements, see Kost and Munger, "Fooling All the People."

12. Joel Handler and Yeheskel Hasenfeld, *Moral Construction of Poverty: Welfare Reform in America* (Newbury Park, Calif.: Sage, 1991).

13. Judith Shklar, *American Citizenship: The Quest for Inclusion* (Cambridge: Harvard University Press, 1991).

14. The argument that welfare encourages improvidence is at least as old as early English welfare but is associated by many with the work of Malthus, who argued that strict work requirements were the only cure for indolence,

irresponsible child-bearing, and poverty. See Philip Harvey, "Joblessness and the Law before the New Deal," *Georgetown Journal of Poverty Law and Policy* 6 (1999): 1.

15. The risk that women will choose welfare when they should choose work is said to be a "moral hazard." Many government subsidies create a moral hazard, namely the risk that recipients will change their behavior to make themselves eligible for more of the subsidy. Because subsidies are intended to induce changes in behavior, evaluation of the "moral" effects of a subsidy actually depends entirely on judgments about whether the subsidy induces too much or too little reliance. The language of "moral" hazard is misleading since in principle there is no clear threshold above which the motive for seeking an incrementally higher subsidy is corrupt rather than precisely what the law was intended to achieve. Judgments about whether reliance was too great or too little are strongly colored by political preferences; see Martha McCluskey, "The Illusion of Efficiency in Workers' Compensation 'Reform,'" *Rutgers Law Review* 50 (1998): 657. A great deal of research already suggests that the costs and benefits of welfare are a great deal more complex and create far less "moral hazard" than the reformers and the public have believed. See Kathryn Edin and Laura Lein, *Making Ends Meet: How Single Mothers Survive Welfare and Low Wage Work* (New York: Russell Sage Foundation, 1997); Karen Seccombe, "So You Think I Drive a Cadillac?" *Welfare Recipients' Perspectives on the System and its Reform* (Boston: Allyn and Bacon, 1999); David Zucchino, *Myth of the Welfare Queen: A Pulitzer Prize-Winning Journalist's Portrait of Women on the Line* (New York: Scribner, 1997).

16. David Engel and Frank Munger, "Rights, Remembrance, and the Reconciliation of Difference," *Law and Society Review* 30 (1996): 7.

17. Handler and Hasenfeld, *We the Poor People: Work, Poverty, and Welfare* (New Haven: Yale University Press, 1996); Sheryll Cashin, "Federalism, Welfare Reform, and the Minority Poor: Accounting for the Tyranny of State Majorities," *Columbia Law Review* 88 (2000): 1985.

18. Welfare law has some of the features of civil rights law because it provides benefits to a population that is assumed to have a distinct identity and to have fundamentally different needs and abilities from those who do not depend on welfare. But it is in truth an anti-civil rights law because it adds extra burdens to the lives of its target class. Welfare law also has some of the features of the law governing juvenile delinquents because recipients are assumed to be irresponsible and to require special supervision as a condition of receiving benefits. An individual cannot receive benefits under the law without acquiring a public identity as a person in need of help and supervision.

19. Martin Gillens, *Why Americans Hate Welfare: Race, Media, and the Politics of Antipoverty Policy* (Chicago: University of Chicago Press, 1999).

20. Handler and Hasenfeld, *We the Poor People*.

21. Christopher Jencks, "Is the American Underclass Growing?" in *Rethinking Social Policy: Race, Poverty, and the Underclass* (Cambridge: Harvard University Press, 1992); Amartya Sen, *Development as Freedom* (New York:

Knopf, 1999); Diana Pearce and Jennifer Brooks, *The Self-Sufficiency Standard for New York* (New York: Self-Sufficiency Standard Steering Committee, 2000).

22. Mary Patillo-McCoy, "Church Culture as a Strategy of Action in the Black Community," *American Sociological Review* 63 (1998): 767.

23. Austin Sarat, "The Law Is All Over: Power, Resistance, and the Legal Consciousness of the Welfare Poor," *Yale Journal of Law and the Humanities* 2 (1990): 343.

24. John Gilliom, "Welfare Surveillance, Rights, and the Politics of Care: A Case Study of (Non)Legal (Non)Mobilization," paper presented to the Western Political Science Association, Los Angeles, 1998, 4. Gilliom is not alone in making this argument about the law. Patricia Ewick and Susan Silbey similarly suggest that the poor stand disenfranchised before the law; see "Conformity, Contestation, and Resistance: An Account of Legal Consciousness," *New England Law Review* 26 (1993): 731, and *The Common Place of Law: Stories from Everyday Life* (Chicago: University of Chicago Press, 1998). Gilliom cites Catharine MacKinnon, "Reflections on Law in the Everyday Life of Women," in *Law in Everyday Life*, ed. Austin Sarat and Thomas Kearns (Ann Arbor: University of Michigan Press, 1993) to the same effect.

25. Gilliom proceeds to tell a more hopeful story, although outside the realm of legal consciousness. He describes an alternative consciousness oriented to an ethic of care. I think the women are not so incapable or so unsophisticated as to concede the realm of the legal altogether.

26. Lawyers, who prefer to think of welfare as a cluster of potential entitlements commanding administrators to award benefits, assert not so much the rights that recipients perceive as their own right to speak like lawyers in the administrative setting. See Lucie White's study of Mrs. G's successful self-styled presentation at a fair hearing, in "Subordination, Rhetorical Survival Skills, and Sunday Shoes: Notes on the Hearing of Mrs. G," in *At the Boundaries of Law: Feminism and Legal Theory*, ed. Martha Fineman (New York: Routledge, 1991). Other discourses are possible in the administrative setting, and they are sometimes successfully employed by welfare recipients, though they often fail.

27. Christopher Jencks, foreword to Edin and Lein, *Making Ends Meet*.

28. Harris, "Life after Welfare."

29. Carol Stack and Linda Burton, "Kinscripts: Reflections on Family, Generation, and Culture," in *Mothering: Ideology, Experience, and Agency*, ed. E. Glenn, G. Chang, and L. Forcey (New York: Routledge, 1994).

30. Even my attempt to describe the life course of the women in the focus group will leave the picture with enormous gaps. One reason for this is that disability, poor health, and limited education place severe restrictions on the ability of a large proportion of the poor to compete in the labor market or to manage daily life without adaptations. We have begun to take account of a limited range of such needs under the Americans with Disabilities Act. Accommodations for differences that limit access to the opportunities needed to have a minimally adequate life, let alone a full life, are now recognized as a civil right. We have not yet made the connection between this understanding of civil rights

and the condition of many poor persons who are not identified by any existing understanding of "disability" (Rukmalie Jayakody, Sheldon Danziger, and Harold Pollack, "Welfare Reform, Substance Abuse, and Mental Health," typescript, 1999). A surprising number of the women I interviewed appear to fall into this group, and the incidence of invisible disabilities may be high. Several of the woman in the Dandelion group are taking antidepressants. Two of the Perry Project women, Anita Clark and Sarah Cox, have leg injuries that have interfered with their performance of low-paying jobs that require standing for long periods of time or require lifting and carrying, and Jackie James has narcolepsy.

31. Donna Franklin, "Early Childbearing Patterns among African Americans: A Socio-historical Perspective," in *Early Parenthood and Coming of Age in the 1990s*, ed. M. Rosenheim and M. Testa (New Brunswick, N.J.: Rutgers University Press, 1992).

32. Handler and Hasenfeld, *We the Poor People*, provide a thorough discussion of the consequences of the moral politics of welfare, including incoherent policies, moral stigmatization of recipients, and blaming recipients themselves for the failure of welfare to relieve poverty. See also Frank Munger, "Immanence and Identity: Understanding Poverty through Law and Society Research," *Law and Society Review* 32 (1998): 931.

33. As I argue below, welfare law reinforces social fault lines, acknowledging the racialization of poverty. The micromanagement of welfare, the moral supervision of recipients, and compulsory work requirements increased dramatically in the 1960s as urban poverty emerged as a "black" problem. These requirements, while not new, historically have received greater or lesser emphasis depending on the public's images of recipients and their beliefs about their moral character (Harvey, "Joblessness and the Law"). Further, because poverty has become racialized, the perception of dependency is a feature of African-American poverty, not just welfare. Katherine Newman's study of low-wage work in Harlem, *No Shame in My Game: The Working Poor in the Inner City* (New York: Russell Sage Foundation, 1999), proceeds from an unstated but telling assumption, namely that we must redeem the *African-American poor* as a class.

34. In her pathbreaking study of poor mothers in the 1970s, *All Our Kin: Strategies for Survival in a Black Community* (New York: Basic Books, 1976), Carol Stack notes the entrapment of poor mothers who cannot survive without assistance but who are forbidden to accumulate sufficient resources to invest in their own future. The present law makes a token effort to change the pattern by permitting personal development accounts, but it continues the same destructive pattern by permitting states to pressure families to isolate their poor and to exhaust all resources before receiving minimal assistance.

35. Edin and Lein, *Making Ends Meet*.

36. See Fineman, "Cracking the Foundational Myths."

37. Leon Mayhew and Albert Reiss, "The Social Organization of Legal Contacts," *American Sociological Review* 34 (1969): 9; Felice Levine and E. Pres-

ton, "Community Resource Orientation among Low Income Groups," *Wisconsin Law Review* 970 (1970): 80.

38. William Simon, "Legality, Bureaucracy, and Class in the Welfare System," *Yale Law Journal* 92 (1983): 1198.

39. Personal correspondence with the author, August 1997.

40. Ewick and Silbey, *Common Place of Law*.

41. W. E. B. DuBois, *The Souls of Black Folk* (New York: Bantam, 1989).

42. Anthony Giddens, *The Consequences of Modernity* (Stanford: Stanford University Press, 1990).

43. Similarly, instrumentalization of welfare reflects a double consciousness. The women are and aspire to be respectable citizens, but they are able to reconcile their citizenship with cheating on welfare to achieve independence because they know that welfare rules insure their continued dependency.