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Poverty, Welfare, and the Affirmative State

Frank Munger

- John Gilliom, Overseers of the Poor: Surveillance, Resistance, and the Limits of Privacy. Chicago: University of Chicago Press, 2001.
- Michael B. Katz, The Price of Citizenship: Redefining the American Welfare State. New York: Metropolitan Books, 2001.
- Alice O'Connor, Poverty Knowledge: Social Science, Social Policy, and the Poor in Twentieth-Century U.S. History. Princeton: Princeton University Press, 2001.

Progressive Ethnography of Poverty

thnographic study of American poverty from the Progressive Era to the present has provided a sympathetic window on the lives of the poor. Ethnographers bear witness to the world of need, oppression, and survival, but the best ethnography has always provided more than the stark facts of life in poverty. Carol Stack, Elliott Liebow, Joyce Ladner, and earlier generations of scholars helped us do more than put faces on the poor; their mission was to understand poverty in its social and institutional context-how the institutions of a democratic society create poverty and limit the capacity of the poor to participate fully in social life. Their scholarship grew first from a powerful moral and political principle: unless such institutions "work" for the poor as well as the better off, we cannot say that the poor have received an equal opportunity to become autonomous, successful participants in our society. Second, their scholarship exposes the myth of universal citizenship rights in the American welfare state, revealing such rights to be contingent upon identity.

Recent work in this tradition is taking another important step toward a deeper understanding of inequality by connecting the

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lives of the poor to the lives of all citizens of the welfare state, demonstrating the interdependence of poverty and wealth, market and social provision, and political power and governmental regulation of the poor. John Gilliom's interpretive study of welfare recipients' narratives is an important addition to the new ethnographic research on poverty. His interviews show us how---in the words of historian Michael Katz-poor women "navigate the welfare state from below" (personal correspondence with Michael Katz). The narratives of poor mothers about oversight by welfare officials are important not only because they tell of a world of need and oppression but also because they help us understand how poverty policy is no backwater of programs for marginal citizens but an integral part of the welfare state in an age when the rhetoric of policy connects all of its elements to the market and to globalization. Narratives of these regulated lives help us gain a better understanding of citizenship, identity, social participation-and the role of law-in contemporary society.

In this review essay, I describe Gilliom's research in relation to recent books by Katz and Alice O'Connor. Katz and O'Connor's studies situate poverty policy in the evolution of the American welfare state from the early twentieth century to the present. Together, the three studies tell complementary stories about poverty policy. Gilliom provides a compelling account of the capture of administrators and regulatees alike by a system of information control in welfare offices; he examines compliance and subversion and draws our attention to their implications for democratic citizenship. Katz's wider lens suggests that Gilliom's account of surveillance and discipline is fundamental to both public and private institutions of the American welfare state, which are, by their nature, sites of surveillance and discipline that maintain subservience to the needs of the private labor market. O'Connor describes the failure of poverty scholars from the Progressive Era to the present to create "poverty knowledge" that describes the alliance of welfare policy and labor market discipline that stereotypes and stigmatizes recipients. The failure of liberal mainstream American scholars to emphasize these distortions of the moral image of welfare recipients has limited their ability to challenge the legitimacy of welfare policies.

Scholars of poverty and the welfare state, like these three, examine the past but also anticipate a possible future. By learning from history, Katz and O'Connor hope that a way will be found to restore an *affirmative* welfare state. Their histories suggest, however, that nostalgia for past visions of the welfare state may also be a trap. America has a long political history of limiting redistributive policies to the morally deserving. The dynamics that underlie present welfare politics and welfare policies must be replaced by new visions of democratic participation that find a place for the voice of those who need (and support) a more affirmative state. Recent law and society research has adopted a more critical stance than much of the mainstream poverty research that O'Connor describes. Notwithstanding their critical perspective, these sociolegal scholars have often faced the dilemma of choosing between pursuing critique and maintaining "relevance." Choosing to focus on the political dynamics of the welfare state itself may be a promising way to escape these alternatives. Scholars such as Gilliom are helping to identify new audiences among the citzenry and new discourses in which to address them that will stimulate political participation and change.

The Politics of Surveillance and Resistance

In Overseers of the Poor, Gilliom reminds the reader why the welfare state observed through the experiences of welfare recipients holds universal lessons. Citizens have become accustomed to surveillance by means once considered Orwellian—

[g]lobal positioning satellites; trackable cars and cell phones; closed-circuit television cameras in parks and streets; computer data matching of banking, insurance, and taxation records; "cookies" and other ways of monitoring Internet activity; the drug testing of students, workers, and welfare clients: all are now more or less routine parts of American life. (xii)

Likewise, citizens have become accustomed to the "sadly deficient" public discourse of threats to their privacy rights and, Gilliom argues, have found better ways of talking about surveillance and its effects on their lives and relationships with others.

Poor women's subordination through intrusive surveillance resonates with experiences widely shared among citizens of the welfare state. The women's lives are extraordinarily stressful and difficult, and their well-being as well as that of their children is vulnerable beyond the experience of most of us. Yet they exemplify a universal, identity-shaping attribute of welfare state citizenship—subordination to the regimes of surveillance required in exchange for the very means to maintain an ordinary and secure life.

The women who speak in *Overseers* eloquently describe their subordination to surveillance and its effects, but Gilliom's pathbreaking insight is that the women's narratives also hold the promise of resistance. The increasing powers of surveillance that bind citizens to the welfare state's central institutions of employment, market, and governance demand a broadly based politics of resistance to excessive intrusion. The women's discourse of care counters the powerful effects of surveillance. Their narratives not only illustrate a localized practice that blunts the effects of surveillance but also hold the further promise, argues Gilliom, that such local antisurveillance languages and practices will coalesce into a more powerful public discourse of autonomy and resistance to intrusion.

Dependency as Subordination

Dependency, say recent welfare reformers, sets the welfare recipient apart from the mainstream. Women on welfare bear the stigma of dependency. The term implies reliance on the collective resources of the community and, more negatively, a moral failure to become self-sufficient. Historically, the able-bodied poor were suspect and subjected to harsh treatment intended to reform the beggar and motivate the idle to work. Poor able-bodied men are still highly suspect, and they receive little aid under contemporary policies of poor relief. Poor mothers, who are harder to ignore because of the children they care for, are nevertheless stigmatized for their failure to work or, equivalently, failure to form a relationship with a working male. Back-to-thefuture welfare reform has emphasized requiring poor mothers to work, even if work leaves them poor and their children unattended, continuing a pattern that has characterized welfare since Elizabethan times.

Critics of welfare reform challenge the stereotypes of welfare dependency. Their research demonstrates that poor mothers possess a work ethic, and indeed, most have always worked and struggled to maintain self-sufficiency. Indeed, welfare reform itself should have removed the stigma of nonwork since the vast majority of those who left welfare after 1996 do work, although most remain poor (see Schram 2002).

The distinction between the deserving and undeserving poor continues to defeat a more just and effective poverty relief policy. Harsh and intrusive welfare policies reflect an entrenched moral politics of the labor market that associates a woman's "good" moral identity with work or marriage to a man who works. Whether or not the majority of Americans agree with the values of capitalism and patriarchy expressed by these policies, they are given little choice. Katz (in *The Price of Citizenship*, discussed later) describes the relationship between the public and private components of the American welfare state that politically divides workers by creating a financial stake for most employees in maintaining a symbolic distinction between themselves and those who receive public benefits—even as their own privately financed employment security and benefits decline. Thus, the politics of welfare and the dependence of most workers on *private* welfare benefits are interlocked and unlikely to change unless dependency itself is understood differently and the identity of the poor is transformed.

Overseers of the Poor offers an alternative understanding of the universality of dependency, one that is unencumbered by the moral politics of welfare. Gilliom understands dependency not as illicit neediness, but as subordination arising from legitimate need. Poor women must subject themselves to a regime of public supervision. Thus, their dependency is a form of subordination constructed by welfare law. But such dependency by law is not unique to poor women.¹ Public and private surveillance is a universal fact of contemporary welfare state citizenship. Government requires a flow of information in exchange for its licenses, its tax deductions, its regulation, its subsidies, and its public benefits. Employers-backed by the power of dismissal-engage in surveillance for drugs, for union activity, for disloyalty, and for entitlement to benefits such as workers' compensation or medical treatment. Information extraction in exchange for essential benefits is ubiquitous. Although surveillance may be legitimate-"voluntarily" exchanged or "democratically" imposed so that one can qualify for employment, benefits, or services-surveillance is inherently an instrument of power and a characteristic of the welfare state.

Gilliom is well aware of the long history of state surveillance associated with the provision of benefits. *Overseers of the Poor* helps us understand that state surveillance and public provision for welfare were created by the same impulse.² Thus, the problems

¹ Viewed in this way, the recipients of social insurance such as Social Security and recipients of public benefits such as welfare, although viewed in categorically different moral terms, experience regimes of subordination that differ only in degree. More generally, Reich (1964) noted the near universality of dependency by law, for nearly all citizens receive benefits from the government through social insurance and public benefit programs, public education, licenses, public employment, and a wide variety of services. Reich argued that the benefits provided by government are so pervasive and foundational for civil society that their security must be viewed as fundamental, akin to the security historically presumed for property interests. He deemed public largesse the "new property," but in truth his landmark claims foregrounded the ongoing struggle over the terms and conditions of governmental benefits, which, in recent years, increasingly subordinate the privacy and security of individual benefit holders to the collective interests of the polity.

² The tension that his research foregrounds between provision for the needs of impoverished mothers and oppressive surveillance is not a product of contemporary retrenchment, for the two were thoroughly linked from welfare's inception. Yet the tension around rights may indeed be something new, a product of an intervening era of economic prosperity and civil rights in which entitlement to equal quality of life has grown and spread in the American sensibility.

associated with the surveillance of welfare recipients through an encircling net of computer databases and interview checkpoints are not the result of some dark ministry. Nor are they the product of the arbitrary administration of rules intended for a more benign purpose, or a byproduct of the discriminatory and biased actions of caseworkers alone. As Katz's broad history of twentieth-century welfare makes clear, surveillance and control originated in the conception of the mixed welfare state that promotes participation in a market society. Further, as O'Connor shows us, surveillance is also the product of theories of poverty articulated by scholars that reinforce the importance of differences between deserving and undeserving poor.

The embedding of surveillance in the welfare state is illustrated by the particular experiences of welfare recipients. Because welfare programs presume that poor mothers are morally suspect, benefits are based on degrees of rectitude and submission to disciplinary measures intended to force recipients to work and to "responsibilize" their parenting (see Rose 1999). Thus, American welfare providers have always deployed the power of surveillance to make judgments about the behavior (read deserving or undeserving character) of recipients, requiring detailed and intimate information about family and cohabitation, as well as about means of subsistence and personal needs. Thus, surveillance practices have required recipients of welfare to negotiate their moral identity with the providers to whom they are subordinate.

Gilliom is particularly concerned that the power exercised through surveillance has been enormously increased in recent years by the introduction of computerized data aggregation and manipulation that create a new threat to individual autonomy. Thus, technology has altered the process of sorting, categorizing, and qualifying welfare recipients. The women in Gilliom's study experience the leading edge of the new information state. A database innovation named CRIS-E checks and supplements information provided by an applicant. Judgments about qualifications for benefits previously based on interviews or an occasional home visit are now guided by information from a vast array of federal, state, and local law enforcement, motor vehicle, property ownership, public benefits, and court records. The recipient whose subordination was previously negotiated with the caseworker is now subjected more directly to the power of higher, more centralized, less flexible administration. Technology increases control exercised through surveillance, for now recipient and caseworker have far less space in which to negotiate the preemptive description of a recipient's identity presented by a database.

Gilliom reminds us that the domination experienced by women subjected to this new technology of surveillance resonates widely.

[T]he contemporary client information and surveillance system of the welfare bureaucracy exemplifies the reductive and authoritarian ways of knowing that mark modern bureaucracies. These systems of knowledge . . . are "state ways of seeing" that place a premium on efficiency and convenience for the execution of policy and systematically deny local and personal forms of knowledge or unique claims of particular people or contexts . . . they are themselves forms of domination. (41)

Subordination and Identity

Women on welfare confront domination previously explored in a rich literature on welfare bureaucracies. In theory, bureaucracies are organized hierarchically to limit the influence of irrelevant factors in decisionmaking according to specified criteria, and as a side effect of their formality, individuals subjected to bureaucratic administration are treated as bundles of abstract qualities relevant to formal decisionmaking. Weber himself understood the potentially oppressive effects of formality. In practice, the effects of bureaucratic administration are more varied, but no less potentially oppressive. Hierarchical controls are imperfect, criteria for decisionmaking are ambiguous, and, to varying degrees, decisions are negotiated with clients rather than unilaterally imposed. In the case of welfare recipients, who typically lack financial means or social capital, political influence, or appropriate advocacy skills,³ these factors increase the potential arbitrariness of decisions by caseworkers (Lipsky 1984; Handler 1986).⁴ Nor does the "voluntary" nature of welfare program participation limit the real power exercised by lower-level administrators over poor

³ This is a complex problem. The ability of poor women to engage in effective formal and rule-oriented advocacy in negotiations with lower-level bureaucrats may be limited by class and gender differences in advocacy style, and this problem may be compounded by low self-esteem.

⁴ Neither the proliferation of rules nor strong and clear mandates guarantee accountability in welfare administration. Complex rules for welfare eligibility have actually increased the arbitrariness of decisions (Simon 1983), while strong value-oriented mandates have relied on the strength and content of internalization among the lowest-level decision makers—an invitation to further stereotyping and idiosyncratic decisions (Diller 2000).

women who have few alternatives for maintaining themselves and their children. 5

Overseers provides first-hand accounts of the impact of such arbitrary power, exercised through intrusive surveillance, on those who live under its rule. The women's narratives show that "ongoing record keeping, observation, and verification manifest a considerable and fearsome presence in their lives" (113). The effects of surveillance are no passing "visitation," lest we take these experiences as evidence only of the loss of an abstract right of privacy. Rather, subordination to surveillance changes the women, and the effects are complex and long-lasting. The effects of surveillance begin with the hassle of appearing before a caseworker to present the multitudinous forms of documentation required to categorize and verify the recipient's eligibility. Compliance is driven by the fear of failing to qualify, thereby risking her family's wellbeing. As one woman says, "[t]hey are telling you they need more and more, by the time you get it in you are run so ragged . . . it just makes you crazy" (59). The women are humiliated as well as frightened by such practices. The woman explains,

[E]ven the receptionist will look at you like, "could there be anything lower on the earth than you?" And I don't think that is right . . . Like with me: I can't have a driver's license; I'm disabled, so I can't not ask for it because it is what is keeping my kids alive. (59-60)

More costly than the humiliation, degradation, and fear, surveillance affects identity. Surveillance by the welfare bureaucracy is a form of "truth-making" (113) that denies the true identity of the recipient. Although welfare recipients are as diverse in character and circumstance as the human experience of society,

They must, as James Scott argues in *Seeing Like a State*, be made "legible" or fit into terms, categories, and characteristics that are observable, assessable, and amenable to the management and information regimes of modern bureaucracy . . . The state's simplification of identity "brings into sharp focus certain limited aspects of and otherwise far more complex and unwieldy reality . . . making possible a high degree of schematic knowledge, control, and manipulation." (21, quoting Scott 1998:11)

Women receiving welfare confront the state's narrowed vision of themselves. The women grapple not only with the humiliation and fear in what the state "sees," but also with the way

⁵ This paradox of perception is captured in *Wyman v. James*, a 1971 Supreme Court case upholding the surveillance of welfare recipients through intrusive home visitation in part because welfare is voluntary and, thus, a recipient is not compelled to open her home to inspection.

micromanagement of information about them dictates how they are to live—without other forms of support, without contact with their children's father, without the kinds of interdependence on others needed to supplement meager welfare benefits.

The women resist such oppressive control through everyday, ordinary means of concealment, evasion, and, occasionally, collusion with caseworkers. Their resistance is not a luxury; it is necessary to continue caretaking and basic survival. Welfare has never provided an adequate means for survival, yet welfare tries to force recipients to give up their routines for getting by. To get by, women have always combined welfare with other activities that supplemented its meager benefits (Edin & Lein 1997) while requiring them to evade surveillance—to deceive, conceal, or misrepresent the actual conditions of their survival.

Evasion for the sake of survival demonstrates that the women are responsible, savvy, and strategic parents, yet evasion inscribes the morality of welfare on self-perceptions. Acts of resistance take an enormous toll on identity, for the women know they are breaking rules and share the common understanding that such rule-breaking is immoral. Scott's critique suggests to Gilliom that the state's surveillance in part frustrates the women by "miscasting" them through its "bumbling" attempts to depict their identity in service to the goals of welfare programs (131). Yet the influence of surveillance is also more subtle and coherent. Like Foucault's description of the panopticon, modern welfare program surveillance reinforces the internalization of the rightness of welfare's patriarchal, individualistic values by making women who must evade the rules feel guilty because they believe that they are doing wrong.

Gilliom reminds us that the "multifaceted and diverse effects of surveillance that we have seen here" might be discovered in conversations with many more Americans,

... degradation, implied suspicion, the feelings of just being a number, the anxiety over errors or subterfuges being caught, the fear of malevolence or incompetence on the part of surveillance practitioners, the fear of breaking rules or departing from norms that are unknown, and, especially, need or desire to break the rules. (124-5)

Languages of Resistance

Citizens have rights to privacy that provide a formal recourse for intrusive surveillance. Gilliom argues that privacy rights have proven ineffective in two interrelated ways. Privacy's individualistic conception—the right of the individual to be let alone—is also its greatest weakness because it is readily subordinated to greater collective interests. In an era of growing sensitivity to social interdependence created by heightened threats to public security and economic stability, privacy has been sacrificed to meet collective demands for safer and more efficient governance that typically transfers risks to "undeserving" individuals. Further, privacy is abstract and impersonal rather than concrete and contextual, and thus it misses the "complex and very tangible effects" that surveillance and centralized administration have on "our personal power to control our bodies, income, and behavior" (125). Because of these limitations, privacy rights have proven ineffective as a bulwark against the growing technological capacity of the state to intrude.

Gilliom argues that the battle for autonomy in the trenches of everyday life does not depend on privacy rights so much as it depends on practices of resistance. As subjects of surveillance, citizens learn to negotiate space for individual autonomy through avoidance, deception, withholding, or outright violation. In Gilliom's view, the micropolitics of such antisurveillance practices provide the basis for a language and politics of democratic resistance that may be more effective than the discourse of rights.

The narratives of welfare recipients have revealed the existence of such practices even under particularly oppressive conditions. Gilliom discovered that poor women employ "a widely shared and principled critique of surveillance, but one that had very little to do with the ongoing mainstream legal and policy debates about rights to privacy and due process"(5–6). The women's "critique" is not about the unreliability or deceptiveness of rights. Gilliom concludes that their lack of knowledge of rights combined with their fear of confronting welfare authorities and extreme need for the benefits they provide greatly reduces the potential for rights consciousness. Under other circumstances, rights might be a tool for mobilizing and expressing their individual or collective interests (see McCann 1994), but for these women, and many like them who lack the necessary forms of connection and support, rights remain at the periphery of their consciousness.⁶

Instead, the women's discourse emphasizes the destructive effects of power and domination. Moreover, their everyday struggle "acts upon and reaffirms admirable and widely shared

⁶ Poor women who receive welfare often have some knowledge of the rules that caseworkers apply to them, even if their knowledge of the remedies they might invoke is limited. Yet their ability to use this knowledge may be limited both by the factors described by Gilliom—fear and need—and by their lack of appropriate advocacy skills. Notwith-standing such disadvantages, spaces for self-presentation in their own language and from their own perspective may occasionally be created. White describes one such case (2002). More generally, McCann (1994) describes contingencies that could enhance the mobilization of rights. Gilliom describes the languages of resistance used by poor women outside the formal settings in which rules and rights prevail.

principles of human responsibility" (16). Their discourse about the effects of domination and their need for autonomy foreground a form of widely shared connectedness based on care and concern. Through the women's narratives, Gilliom discovers that the dominance exercised through surveillance has threatened an interdependence based on caring relationships. The vision of interdependence in the discourse of poor women contrasts sharply with the dominant discourse of interdependence about security.

The interdependence of caring relationships in women's discourse and the interdependence of physical and economic security that dominates public debates may be equally important to the well-being of the welfare state.⁷ Fineman (1999) has argued that all workers, and patriarchal male workers in particular, are or have been dependent-in-fact on primary caretakers and the social support provided by family, friends, or paid services. The distinction between the dependency of women, who lack other means of support for their socially important work of caregiving, and the dependency of men or women in the workforce, who also rely on care provided by others, is both unjust and irrational. It is unjust because they are equally dependent-in-fact. But the distinction is also irrational because it fails to recognize that caregiving and care-receiving are interdependent.

Gilliom maintains that his study of those "who do not use rights or even speak of rights contributes to the many studies that center on those who do" (15). Gilliom's discovery of a perspective on social relations that may alter our understanding of what rights do has much in common with another important critique of rights, Minow's *Making All the Difference* (1990). Like Minow, Gilliom perceives that formal "rights" depend on an abstract construction of the rights holder. The construction of identity through privacy rights, like Minow's description of the construction of identity through civil rights, not only fails to capture the true needs and goals of the rights holder, but it does so in ways that benefit others. Minow argues that traditional civil rights limit and even stereotype women and minorities. Traditional civil rights are the product of politics in which the worldview of dominant groups, not the groups

⁷ A number of recent contributions to the study of rights consciousness among the politically subordinate and powerless overlook the interpretation of consciousness of the powerless as an alternative, and equally well-established, understanding of the balance between individual and collective interests that should limit the intrusions of those who hold power. For example, White's (1990) Mrs. G. also uses the discourse of caring to present her case in her own voice rather than allowing her lawyer alone to speak. Her use of a discourse of caring speaks to social interests as powerful and legitimate as those addressed by the discourse of rights. Similarly, Ewick and Silbey's (1992) story of Millie leaves the impression that she is an isolated individual resisting the state; in fact, she may be drawing on a discourse that is widely shared and may have southern, African American, and even civil rights roots.

that the rights are intended to benefit, informs the drafting and interpretation of law.

Likewise, *Overseers* addresses the politics of privacy rights and the failure of "normal" politics to protect what is most important in the lives of poor women. As in Minow's view, the law fails in a formal sense. Privacy is rooted in a false conception of the individual and ultimately leaves the individual at the mercy of the collective interest. Like Minow, Gilliom perceives that the remedy lies in a new politics, one that is informed by the experiences of the dominated, by the needs of poor women and their knowledge of the way in which the needs must be met to achieve "equality" and an end to their poverty.⁸

But Gilliom's study takes us beyond Minow's examination of civil rights. Through ethnography, he examines the effects of rights on the lives of rights holders and the content of their alternative "politics." Their knowledge illuminates the social relations that are influenced by rights and suggests means by which rights might be employed to make those social relations more equitable and inclusive. He suggests that we must hear the concerns of poor women expressed in their own language rather than in the formal language of rights. Others who share their concerns may ultimately join, creating the potential for a true alternative to "normal" politics.

Democratizing Welfare Politics

Gilliom's study opens the door to a profound subject, barely explored in his book: namely, the social relations of interdependency. Interdependency, according to the public discourse of rights, is created by risk and danger and is incompatible with individual autonomy. Autonomy is diminished by this discourse. To restore autonomy that will enable subordinated persons to enjoy a full social life, we have to rethink interdependency in terms that move beyond the limited conception that dominates the marketized state and the security state. The language of care, as well as other languages of social concern, will lead in this direction.

Caregiving by poor mothers is important, indeed necessary. The autonomy of caregiving women *supports* rather than undermines the communal strengths of social interdependence. The circumstances of their interdependence lead poor women to welcome benefits provided by the state—in the abstract. Research

⁸ Their retrospectives on the history of rights are complementary as well. Minow's greater sensitivity to the nuances of political history suggests that the politics of welfare state provision, and the rights that limit the power to intrude or to abuse, have more benign potential and that the battle for the victim perspective has precedents and is not one that must be invented.

such as Gilliom's shows that the conditions attached to welfare and the surveillance required to enforce them have a counterproductive effect on caregiving. Welfare as presently administered often makes caregiving and family survival more stressful, leaving identity and self-esteem indelibly marked. Gilliom's concern is heightened by the impersonalization and tightening of control that follows from centralized data gathering and management.

Overseers leaves us with important questions to ponder. Gilliom suggests at times that the state is always intrusive and only marginally necessary to social life. Yet as his interviewees attest, we have created a society in which individuals can and must depend on benefits provided by the state. The problem is not poor women's dependence on the state that enables caretaking—that kind of interdependence benefits all of us; the problem is the public perception of interdependence that excludes them and bars the kind of provision for their needs that would permit them to enjoy greater autonomy and thereby make a greater contribution to society.

Locating Welfare in the Welfare State

Katz's The Price of Citizenship: Redefining the American Welfare State describes the economic and ideological sources of contemporary welfare policy. Stigmatization of recipients, onerous conditions, and harsh administration of welfare are not unique to 1990s reforms. Although three icons of conservative ideology have altered late-twentieth-century American political discoursedependence, devolution, and markets-these discourses of change have bound the concept of full citizenship, and its mirror image, welfare dependency, ever more tightly to the labor market. Katz's panoramic view of welfare policy not only traces its origins but also describes the institutional isomorphism that characterizes public, independent (not-for-profit), and private welfare. We have to be reminded how large the private welfare sector is and, by comparison, how little money is spent on public programs for the poor.⁹ Katz's description of the movement of all three in tandem is particularly important.

⁹ Most American citizens receive their health care and retirement income as employee benefits. This part of the American welfare state is far larger than its counterparts in other industrial countries, amounting to nearly \$900 billion in 1992, or 7.82% of GDP (the next largest private welfare sector is Germany's, at 1.47% of GDP). By comparison, the United States spends about \$516 billion on its two largest public welfare programs, Social Security and Medicare, programs considered the backbone of the safety net for the "deserving." Unemployment compensation, a government insurance program covering about onethird of the unemployed in recent years, absorbs another \$43 billion, funded in large part through employer contributions. Direct public aid to the poor is a small expense beside

Private and public welfare articulate in complex ways, reflecting their intertwined political histories and mutual support for the private labor market. Private welfare is subsidized by the tax system and heavily regulated. Public programs for the poor target those excused from work because of disability or age. For those of working age and deemed "able," they provide limited aid designed to create a strong incentive to enter the private labor market (and many poor categorically deemed able to work receive no aid at all, such as poor men of working age). The independent sector has always received a significant portion of its funding from government, which has long franchised its responsibility for the poor by subsidizing private charities.

Histories of public welfare often overlook the interplay between these different institutional forms of welfare. Of course, private sector welfare—pension plans and health insurance that became the focus of hard-won union victories during World War II and the postwar period—is the principal source of economic security for Americans in the primary labor sector. Further, the sharp distinction between employment-linked welfare and public welfare makes the American welfare state distinct among economically advanced nations and often drives its peculiar class politics that pits sectors of the working class against one another.

Katz elegantly describes the architecture of this mixed welfare state in an early chapter, and thereafter we are better able to understand the historical processes by which public sector welfare grew to meet particular welfare needs the private sector could not, or did not want, to meet in the 1930s (including the Social Security Act) through the early 1970s (the creation of Supplemental Security Income). The same market forces have resulted in downsizing all forms of welfare—private as well as public—in the 1980s and 1990s under pressure of low-wage competition in the global marketplace.

Katz's description of the interconnections among public and private welfare institutions suggests why surveillance practices resonate widely among citizens of the American welfare state. *The Price of Citizenship* shows us that both public and private welfare programs have been instruments of subordination to labor market discipline. In the 1930s and 1940s, Social Security alleviated some competition by removing older workers from the labor market, but

these giant programs. In 1996, Aid to Families With Dependent Children (AFDC) cost \$22 billion (federal and state expenses combined) but still became the target of conservative cost-cutters who attacked programs for the poor as wasteful and misdirected government spending. Adding food stamps, Supplemental Security Income, the Earned Income Tax Credit, and Medicaid raises the total cost for the poor to only a fraction of that for Social Security and Medicare and other safety net programs for the nonpoor. Public programs for the poor are supplemented by charities—a second private welfare sector—that spent an estimated \$568 billion annually in the mid-1990s.

workers were denied the power to make serious inroads on management prerogatives to set wages. Denied the most obvious way of pursuing greater economic autonomy, they turned to bargaining over fringe benefits, and their efforts received indirect support from the state through regulation and tax benefits to companies that provided private welfare. Ironically, the resulting mixed system of public-private welfare left workers even less autonomous, making them dependent on their employers for most of their pension and medical benefits.

In the 1980s and 1990s, the tide has changed; employers have successfully limited both contractual and statutory welfare, such as employee pensions, medical care, unemployment compensation, and workers' compensation. In many cases, the limitations have taken the form of increased contingencies, conditions, or qualifications for coverage.

Thus, with respect to welfare in both the public and private spheres, benefit administrators are increasingly empowered to make inquiries about intimate life details that qualify an individual for benefits. In both spheres, such inquiries are justified in moral terms—benefits must be earned and may be denied if deemed a scam for the lazy or a refuge for the unreasonably risk averse. Private as well as public welfare policies reinforce subordination to labor market discipline and in principle require surveillance in order to ensure that benefits reach only the deserving. Gilliom's research on subordination among welfare recipients takes on greater importance in the framework that Katz creates.

Citizenship as a Discourse of Class Conflict

The Price of Citizenship introduces contemporary downsizing of social provision across all sectors of the welfare state as a story of moral politics and ideological change. The broader meaning given to welfare by the New Deal-economic equity-lost ground as a combination of political and social forces converged in the decades after mid-century: growing power in the New South and among conservative suburban Democrats, the exploitable backlash among working class constituencies in the face of civil rights on one hand and the demand for labor market flexibility on the other, a loss of faith in government solutions, and the disappearance of communism together with the corresponding free-market triumphalism that has greatly reduced the range of social alternatives to markets. The rise of conservatism accompanying these changes brought together three ideological themes that have had a powerful effect on welfare reforms: ending dependence, devolving control of welfare policies to local officials and the private sector, and following the principles of the private market—in particular by letting the free market provide for as many welfare needs as possible. Katz concludes that the evolution brought about by contemporary social and political forces has worked nothing less than a "redefinition of the American welfare state" (26).

As Katz subsequently demonstrates, this story must also be understood in relation to the economic principles of the American welfare state—in particular, its support of the capitalist labor market. But telling the story this way requires a coherent account of how moral politics is connected to the continuing dominance by the labor market's needs. Katz shows us that class conflict—the desire of a capitalist economy for a subservient labor market versus the desire of workers/citizens for economic security—underlies the welfare state. Why has this conflict never emerged in these terms—indeed, why is "class" (like "socialism") a term that is suppressed in American politics? A full answer is beyond the scope of *Price*, but Katz's epilogue leads in the obvious direction throughout American history, the politics of class has emerged as a discourse of citizenship.

Late in the book, in its epilogue, Katz attempts to draw together the loose thematic strands that link the rhetoric of market and devolution to class politics and to conservative ideology. In a synthesis that might well have caused him to reshape his history if placed earlier in the book, he turns to the political theory of citizenship. At the core of Katz's explanation of the development of welfare policy is a theory of the economic role of citizenship. Marshall's account of the inevitable progress toward social rights as universal entitlements of all citizens never reflected reality, not in Britain and especially not in the United States (Marshall 1992).¹⁰ In America, social rights—and, therefore, full citizenship—follow from fulfillment of the obligation to work. Full social citizenship is a benefit derived from fulfillment of a social contract and not from legal status as a citizen.

Because social rights are contingent upon moral identity as a worker, full citizenship is a byproduct of the labor market. The identity of those expected (as well as entitled) to work has changed

¹⁰ Full citizenship rights, according to the classic theory of Marshall, are the product of a historical process of the development of civil, political, and, most recently, social rights for all citizens. Marshall's citizenship rights are accorded to anyone who has the status of citizen; they are not earned or achieved. Social rights, in particular, are entitlements that protect individuals from the risks of the economy. As Katz observes, Marshall's description of the inevitable progress of history toward full civil, political, and social rights is historically inaccurate (Marshall 1992). Civil rights—the rights to own property or to work, and political rights—the right to vote, have not been universal throughout most of American history. Even when they were granted to some, they have, until recently, not been available to all adults. Social rights have never been a universal entitlement in the Anglo-American welfare state.

over time. Slaves were not permitted to "work," but later, as citizens, African American welfare recipients were required to work. Women were historically excluded from the labor market (except poor women) and also from full citizenship. Now women are full citizens and face increasing pressure to work as both welfare recipients and members of traditional households. Likewise, the moral identity of the elderly who did not qualify for Social Security has changed. At first considered improvident and relegated to miserly state programs, since the 1970s they have been included in a more generous federal program. Thus, the moral identity and labor market status of whole categories of persons has changed, and the moral obligation to work has been the key. Politics draws the line between deserving and undeserving, but the rhetoric is driven by labor market expectations, and in recent debates about reforming welfare (in the broadest sense), the rhetoric explicitly refers to the work ethic.

This concept of citizenship further illuminates the rhetoric of interdependence and security that justifies intrusive surveillance. Welfare state citizenship, says Katz, "codifies our collective obligations toward one another and defines the terms of membership in the national community" (2). Thus, citizenship is the key to the politics of welfare reform. Reformers must seek a moral foundation for restrictions on welfare that trump individual need because welfare must be denied only to the undeserving, to those who lack full citizenship. As dependence, devolution, and the market have increasingly dominated political debate about the basis for our mutual obligations, the moral basis for citizenship has shifted even further, argues Katz, from social justice to market relations. The market has increasingly become our public vision of interdependence and a basis for the benefits to which a citizen is entitled: what the market provides is a citizen's primary source of social and economic support. Conversely, benefits that do not meet market tests-privately provided, benefiting only those who cannot work, or "earned" through work-are presumptively suspect and illegitimate. A society so-conceived increasingly subordinates "undeserving" poor and "deserving" wage earners alike to the needs of economic interests that dominate the labor market.

The book's ambitious conclusion—tying our incoherent and often counterproductive welfare policies to the values and politics of the market—is not sufficiently refined to explain all the evils suffered by the poor that Katz wants to include in his survey. The divisions created by racial conflict, gender, immigration, and other sources of social cleavage have consequences of their own that are not easily understood through class structure and labor market policies alone. Yet Katz's illuminating story of class conflict bears an indirect relationship to the circumstances of the urban poor, immigrants, or African Americans. Katz helps us understand why the potential allies of those who are poor—the employed working class, which shares many of the same oppressions, and the corporations, which might find it useful to employ the urban poor—have turned their backs on them. This is where the next analysis should begin.

Knowing the Poor

Liberal poverty scholars, argues O'Connor in Poverty Knowledge: Social Science, Social Policy, and the Poor in Twentieth-Century U.S. History, are partly to blame for "bringing welfare as we knew it to an end" (3). Conservative welfare reformers have found ample support in mainstream poverty knowledge for making welfare more disciplinary. O'Connor asks, how could poverty knowledge have contributed to the oppression of the poor despite the contrary intentions of many scholars? Among the many strengths of her analysis, O'Connor examines the role of race more directly and thoroughly than either Katz or Gilliom, exploring its influence on theories and perceptions of poverty researchers.

O'Connor is surprised and angered by the support that mainstream research has given to welfare reforms that reinforce the obligations of individuals to perform market labor and raise children in two-parent families, and which fall more heavily on poor minorities. O'Connor describes poverty research as a narrowing funnel beginning from its American origins in the social survey pioneered by Progressive Era reformers to document the effects of poverty. Home-grown and practical, the research of social workers was in close touch with the lives and needs of the poor. With each step toward formalization of theory and method and toward institutionalization of the research in universities and institutes, poverty research became more preoccupied with differences between poor individuals and the American mainstream and gave less attention to the institutional causes of poverty.

American social science was shaped from its early stages by the pragmatism of the Chicago School, which turned away from European social theories of class according to which poverty and class conflict are inevitable byproducts of unregulated capitalism (Simon 1999). Chicago School sociology embraced a perspective more consistent with the faith that America is a "classless" society, conceiving of poverty as a product of transient social disorganization, dysfunction, and individual failure, while the forces of the market were considered an inevitable, indeed foundational, aspect of American society. O'Connor identifies this perspective as a problem at the core of "poverty knowledge." Poverty scholars have persistently focused on the capacities and competitiveness of the poor. When they have also considered the political and institutional sources of poverty, they have failed to develop an effective counterperspective to the popular political discourse about the moral failure of the poor and individual accountability; to the contrary, they have reinforced that perspective by the amount of time and attention they have devoted to it, making it more complex and nuanced, but never effectively contesting its legitimacy.

O'Connor offers an especially powerful indictment of the ineffectiveness of scholars who attempted to advise policy makers during the most recent welfare reforms. Perhaps most important, economists and other poverty researchers knew that the labor market was an important key but failed to make this point central in their reports on poverty. Instead, poverty experts chased grants, evaluated narrow policies, and developed "a dependency problem of their own" (291). No research supported an "independent policy agenda for dealing with poverty at its roots" (291). Poverty researchers themselves created the body of theory and research that the reformers could deploy to legitimate narrow and contingent categories of eligibility that presume that the poor are irresponsible and in need of discipline.

Seeing Like a Researcher

At the center of mainstream poverty research is its inescapable emphasis on the individual. O'Connor describes the unfolding of this theory, through its critics as well as its disciples, in the work of both African American scholars such as DuBois and Frazier, and in the work of majority scholars such as the Lynds, Myrdal, and Lewis. At the center of her history lies the interplay between inquiry and the cultural and institutional influences that shape the professional research enterprise. Scholars such as DuBois, whose vision suggested that poverty had institutional sources, were also drawn to consider the culture created by persistent poverty among social groups isolated by the mainstream. Other scholars, such as Lewis, claimed that the culture of poverty could radicalize as well as incapacitate individuals but were heard only to say that poverty marked a cultural difference between the poor and the mainstream. The work of these scholars, as well as that of contemporaries who have focused more narrowly on the impact of poverty policies, has legitimated the long-standing assumption upon which post-World War II poverty policy has been based: that poverty can best be addressed through programs that improve the capacities of the individual. The culture of poverty theory reassured the architects of the War on Poverty and the Great Society that

the poor required job training, supplementary education, temporary income support, and other short-term benefits, while placing less emphasis on the persistent failure of the job market to provide jobs at a living wage and on the institutional isolation of the poor.

O'Connor vents her frustration as a former foundation program officer with research characterized by a "narrow, individualized focus," "technical language," "decontextualized, rational choice models of human behavior," and a "refusal to acknowledge the value judgments underlying measures of welfare 'dependency'" (5). Most important, she argues, poverty knowledge failed to provide a "convincing narrative to counter the powerful, albeit simplistic story of welfare state failure and moral decline—a narrative that, with the help of well-organized conservative analysts, has come to inform policy discourse to a degree hardly imaginable twenty years ago" (5).

Primary among its faults, "[P]overty knowledge is fundamentally ideological," she concludes (8). Researchers have clung to their faith in the necessity and effectiveness of state interventions to individuals against the hazards of capitalism through "knowledge applied for the common good" (8). Their faith in the activist state has encouraged members of the public to believe in the solutions to poverty that the state created, legitimating policies that were not supported by the actual findings.

Central to the legitimacy they have indirectly given to ideologically oriented and empirically unfounded reforms is scholars' nearly universal decision to focus on the individual. Twentieth-century poverty scholars have encountered the tension inherent in liberal theory "about the nature of inequality... whether it is best understood [as] ... individual experience or as a matter of institutional and structural reform (9). Both views play a role in understanding poverty. Why then has mainstream poverty scholarship focused on poverty as a problem for individuals rather than for the entire class of wage earners, and why have scholars refused to contest the categories established by social welfare institutions themselves to identify, and thereby isolate, the "deviant" poor-for example, unmarried mothers? In their policy research, complex cultural and social identities associated with gender and race have been reduced to mere demographic variables.

Part of the explanation lies in researchers' professional and institutional commitments. During the New Deal, government sponsors became a major source of funding for research designed to validate (or incrementally modify) the identities and behaviors devised by legislators and administrators to direct poverty programs. Expertise in specialized areas using standardized methods and data sets, using accepted theories, assured poverty researchers their access to funding. Professional identity included the desire to remain "relevant" to policy arenas and eclipsed "an alternative, more institutionalist and social democratic research tradition" (9).¹¹ Likewise, professionalization increased the subordination of research subjects, already powerless by virtue of class, gender, and race, who lacked the authority to speak for their own poverty and instead had the "truth" about their lives imposed upon them.

Increasingly, after World War II, an array of institutional vendors, foundations, institutes, universities, and think tanks funded the researchers, giving the appearance of an independent research community strengthened by competition among diverse perspectives. In truth, these institutions were themselves subject to pressures that shaped the content of research, such as dependence upon expanding government research programs, increasing competition for funds, the desire to have an immediate influence on those in the policymaking core, and the rise of politically committed conservative and libertarian think tanks that eclipsed efforts to build more complex, nuanced, and deeply researched understandings.

In addition to the influence of professional self-interest, O'Connor's intellectual history suggests that the tradition on which scholars have relied is deeply compromised and has blinded researchers to the unintended impact of their research. American social science in its early stages suggested that that poverty arises from social disorganization, deviance, or dysfunction rather than from economic institutions that inevitably create inequality. Research continues to focus on individual behavior, and whether it shows that individuals have succeeded or failed in meeting tests of moral worth such as work, family formation, or child-bearing, such research inevitably reinforces the belief that poverty is an experience outside the mainstream and an individual's responsibility. "Poverty knowledge," she concludes,

has been perhaps most effective as a form of cultural affirmation: a powerful reassurance that poverty occurs outside or in spite of core American values and practices, whether those are defined in terms of capitalist markets, political democracy, self-reliance, and/ or a two-parent, white middle-class family ideal. (15)

¹¹ O'Connor rejects the explanation suggested by some that the focus on the individual reflects a disciplinary shift among favored researchers from sociology to economics. As she correctly perceives, the favoring of a new research paradigm was itself a result of a complex change in politics and perceptions of change that occurred in the last three decades of the twentieth century. She concludes that researchers might have made other choices—trivially true—but she does not confront the question of whether such choices would have reversed the tide of institutional forces that changed the paradigm for research compatible with the government's policy objectives.

Although a growing body of critical research now exists at the margins of this enterprise (see Munger 2003), most of the research available to legislators and to the public now emanates from a handful of institutions directly or indirectly funded by government. This domesticated research enterprise has become an accepted part of policymaking, and indeed, the 1996 welfare reform legislation included funding for research to evaluate the micromanagement of recipients' lives under the new disciplinary policies. While the research occasionally raises questions about the emphasis or direction of program changes, report writers almost always employ the identities and categories that structure policy in ways that presume the irresponsibility of the poor. Such research inevitably strengthens the perception of the public that welfare recipients' benefits, and more generally their own welfare state benefits, are earned through discipline-moral obligations of "personal responsibility" symbolically owed to the community but which are in truth the product of political choices that scholars should lay bare.

Poverty Knowledge and the Liberal Conscience

O'Connor prescribes a dose of self-examination for researchers who wish to avoid these compromises in the future. Scholars must change the culture of poverty research. First, scholars must "depauperize" poverty as a social problem "by making poverty knowledge a broad-gauged study of political economy rather than a narrow study of the poor" (292). By examining the practices that "shape the economy and distribute economic opportunities" (292), scholars would treat the state as active in creating poverty, not as merely a passive and often ineffective force for amelioration. This change would open up inquiry into markets as social and political institutions shaped by class, gender, and race, which would become "legitimate 'units of analysis,' not simply... demographic variables ..." (292).

Second, researchers must reformulate the lens of cultural analysis "to acknowledge the distorting effect of the 'culture of poverty' and its variations in order to understand the broader cultural dynamics that sustain, indeed encourage, social and economic inequality" (293). The new question would "not be about whether poor people have a cultural affinity for poverty but about the cultural mechanisms for according status and privilege, deserving- and undeserving-ness, social value and denigration" (293). Scholars must cease using "stigmatizing language" that suggests value judgments—"hard core," welfare 'users,' 'recidivism,' and 'intergenerational transmission'" of poverty are examples of such terms that have become part of the standard vocabulary of scholarship and journalism alike (293). She also notes the implications of an apparently benign term such as "working poor," which mirrors an unspoken disparaging distinction between workers and welfare recipients. Instead, research should be cast in "a more humanistic and less distancing language that respects how poor people think of themselves as citizens, workers, parents, and neighbors" (293).

Third, O'Connor calls for "a far more diversified set of institutional arrangements" for generating poverty knowledge. A structure is required that, unlike conservative think tanks, which create propaganda in the guise of research, will "generate a genuinely independent and critical body of knowledge that aims to set rather than follow the agenda for policy debate" (293). Of "crucial" importance will be a commitment to overcoming the disciplinary boundaries that, in O'Connor's own experience, have engendered encounters between proponents of "social scientific ways of knowing and other forms of expertise" (293).

Finally, reconstruction of knowledge about poverty should "embrace rather than deny its inherently political nature" (294). Scholars should expose "its usually buried interests and ideological assumptions to scrutiny and debate" (294). This will require rediscovering a part of the liberal tradition that has been suppressed in the prevailing research: namely, the liberal tradition that "has used poverty research to challenge and open up the ideological boundaries of liberalism" and encourages connecting "with social movements and a much broader vision of political and economic reform" (294).

Barriers to Change

We can admire O'Connor's call for poverty knowledge to be free from the institutional and ideological constraints that have reduced much contemporary poverty scholarship to evaluation research for programs that have been designed to fail. Yet her prescriptions are couched in the broadest and most general terms, and she provides neither details nor examples of poverty knowledge that might serve as a guide for future development of her program. Indeed, she gives little evidence of the magnitude or complexity of achieving the changes in orientation that she describes. Ironically, the weakness of her history, as well as her proposed remedies, are precisely the flaw that she finds in poverty research itself: its lack of insight about how to change institutions and politics.

First, O'Connor underestimates the strength of institutional constraints on academic research, including professional standards for merit and criteria for government or foundation funding.

Embedded in this culture herself, O'Connor wants research to maintain its integrity—to be "true" as well as politically effective. She accuses conservative think tanks of worrying only about the latter. How such effectiveness may be matched while avoiding simplistic, or worse, propagandistic research is a serious challenge. A massive reorientation is required, not an occasional book or article with an alternative perspective (books by Galbraith or Reisman notwithstanding).¹² Unless these institutional factors are neutralized, there will be no research equal in heft to the privately funded, ideologically guided work product of conservative think tanks.

Second, a call for research that focuses on changing institutions rather than changing individuals ignores the problems inherent in choosing a perspective. Such research requires selecting a model of political economy in which to frame new questions—and there are many such models, especially among progressive scholars. Likewise, her third point, calling for more ethnographic research, ignores long-standing disagreement about underlying principles of research that distinguish positivism from interpretivism, among other axes of disagreement. That such perspectives can be complementary will get no argument from me, but this view is not widely shared.

Third, O'Connor's history concerns a discourse about poverty shared among elite academics and policy makers. This elite discourse derives some of its content from the culture at large, and in turn, the scholars' views have had some impact on politics and popular discourse, although not always the desired one. But these exchanges between elite and popular discourses do not mean that these audiences interpret values, ideas, or experiences in the same way. To answer O'Connor's call for research on the construction and legitimacy of moral values at play in poverty policy, researchers must confront the meaning (or meanings) of "work ethic" or "responsibility" in the popular culture and in specific contexts. How will they approach such challenging research, and who will be their audience? While such cultural self-examination may be morally and ethically appropriate, we have few examples of social scientists making headway in such a mission. I am particularly drawn to the idea that public discourse on poverty can be reframed to make members of the public more thoughtful about the meaning of poverty and dependency. But poverty researchers cannot easily persuade the public to

¹² A better example might be Stack's *All Our Kin* (1976), which has been a leader in sales for years among books produced for an academic market and is widely read among policy makers.

deconstruct such values using the traditional tools and concepts of academic research.

Some of what O'Connor has in mind can be inferred from her history of the Progressive Era, in which the first social surveys of the poor and their poverty by caseworkers were linked to first-hand experience, respect for the poor, and activism on their behalf. Others have also found early-twentieth-century social work a model for the production of nonstigmatizing knowledge of inequality and difference (see especially Minow 1990). Yet the specific conditions that permitted social workers to blaze such a trail may no longer exist, and we know that this kind of knowledge also has its limitations (which inspired, in part, the methodological developments that have characterized subsequent university-based inquiry). Her call for politically informed knowledge of the political economy of poverty must be incorporated into a much more specific plan for conducting research in the twenty-first century.

Finally, assuming that the hurdles of production can be surmounted, does O'Connor really believe that policy makers did not know that poverty was a problem, rather than moral decline? Or does she believe that no research supported such a perspective? At a minimum, ethnographers such as Stack, Ladner, and Liebow and more recent reports by Edin and Lein, White, Sheehan, Newman, and Boo have provided careful portrayals of poverty among those who receive welfare (as well as those who don't) for those who cared to read their work. Clearly, something besides the research itself drives the choice made by policy makers and public about which research to "see" and rely upon, as well as their interpretation of its findings.

O'Connor's book is written against the backdrop of scholars' belief in the activist state. Though she acknowledges that liberals naively thought they could influence the state, she does not take seriously the relationship between the production of knowledge and its use. She well understands how researchers have been influenced but offers no alternative theory about how research in turn enters into administrative, legislative, or political discourse and decisionmaking. Here the history of moral politics and class conflict provided by Katz may suggest some alternatives. Clearly, the force of class conflict can be directed by politics, but within the boundaries of a discourse of the labor market, race. and gender that defines moral identity. Scholars may have an opportunity to influence public responses to this discourse, but only by gaining a better understanding of its meaning and deployment in the everyday settings in which the welfare state is manifested to people in different walks of life in different ways.

Seeking the Affirmative State

Gilliom, Katz, and O'Connor examine different aspects of welfare state evolution. Gilliom examines the increasing impact of benefits-related surveillance on poor citizens. Katz describes the changing architecture and the conditions that brought about change. O'Connor describes the part played by researchers who provide expertise about poverty to the architects. Their efforts are complementary. Because O'Connor's conception of institutional pressures is limited to public governance and to politics channeled through government, she ignores the vast private welfare state described by Katz. This larger, and largely private, institutional structure has its own force, affecting the intuitions and ideas that poverty researchers draw upon in precisely the way that the Chicago School was attuned to America's vision of itself. O'Connor's intellectual history, in turn, complements Katz's by describing one of the mainsprings of institutional continuity-poverty knowledge. She complements Gilliom's conception of surveillance by showing that the templates for the state's "seeing" are, in part, a product of interactions with poverty researchers. Government administration creates a market for the research that legitimates such templates, and what the state seeks is precisely the kind of poverty knowledge she condemns.

I understand these books not only as responses to the evolving welfare state but as attempts to push forward our vision of what might follow. Here the authors part company. Katz suggests that contemporary welfare reform violates a consensus about the welfare state's commitments and suggests broadly that limiting citizenship to labor market values will ultimately prove unsatisfying to Americans. O'Connor calls for reforming poverty knowledge to persuade policy makers (and the public) of the value of a more redistributive welfare state. Neither describes how a new affirmative state might be constructed, and they have strong feelings of nostalgia for a vision previously possessed but now lost. Yet their histories should make us skeptical of any promises made by the present welfare state. Without some new alignment of political or institutional forces, what will change the patterns in which welfare serves those who control the labor market and poverty knowledge is trapped in its own cycle of dependency on culture and politics?

Does Gilliom's discovery of a potential political voice among welfare recipients offer another direction for the poverty research that might contribute to democratic change and a new way of "seeing" poverty? The state's current policies "see" a dependent welfare recipient as a potential moral threat to the community —threatening illegitimate redistribution of taxpayers' property. Gilliom spoke with the recipients, who viewed themselves in a different way. Recipients understood that their capacity to care for their families, work, and lead a fully human life was closely related to their interdependency—the support they received from and gave to others.

Gilliom suggests that changing the state's disciplinary practices for welfare recipients will come about only as consciousness of resistance and new ways of seeing interdependence prevail. On a wider scale, he says, struggle takes place in particular episodes, "in local languages within our political culture" (117). More Americans would join this conversation of resistance and concern if they could use their own language and not be limited to "normal" politics. Only then will the state respond by changing the language, and policies, that discipline its beneficiaries.

The mainspring of this movement, as Gilliom suggests, is the reality that increasingly effective administrative control is reducing the autonomy of individuals, such as poor women, who perform essential care work with (or without) the state's help. The politics that he envisions that might be capable of reversing this trend constitutes a new domain of public discourse, one that can vie with rights in our national culture and restore a balance of power to oppressed citizens seeking greater space for nurturing and necessary relationships in their particular circumstances. But the landscapes of local resistance and emergent national politics that will achieve this goal, and the means by which it might coalesce from the daily experiences of typical Americans, are left entirely uncharted.

Gilliom's narrators only take us to the threshold of this new political landscape. They cannot describe its contours or its ecology—where poor women's resistance will converge with other local languages of resistance. The question that lies ahead is how we can transform moral politics in the welfare state by democratizing our understanding of interdependency and thereby creating a more inclusive discourse about need.

References

- Diller, Mathew (2000) "The Revolution in Welfare Administration: Rules, Discretion, and Entrepreneurial Government," 75 New York University Law Rev. 1121-220.
- Edin, Kathryn, & Laura Lein (1997) Making Ends Meet: How Single Mothers Survive Welfare and Low-Wage Work. New York: Russell Sage Foundation.
- Ewick, Patricia, & Susan Silbey (1992) "Conformity, Contestation, and Resistance: An Account of Legal Consciousness," 26 New England Law Rev. 731–49.
- Fineman, Martha A. (1999) "Cracking the Foundational Myths: Independence, Autonomy, and Self-Sufficiency," 8 American University J. Gender and Social Policy 13–29.

- Handler, Joel (1986) The Conditions of Discretion: Autonomy, Community, Bureaucracy. New York: Russell Sage Foundation.
- Lipsky, Michael (1984) "Bureaucratic Disentitlement in Social Welfare Programs," 58 Social Services Rev. 3–27.
- Marshall, T. H. (1992) "Citizenship and Social Class," in T. H. Marshall & Tom Bottomore, eds., *Citizenship and Social Class*. London: Pluto Press.
- McCann, Michael (1994) Rights at Work: Pay Equity Reform and the Politics of Legal Mobilization. Chicago: Univ. of Chicago Press.
- Minow, Martha (1990) Making All the Difference: Inclusion, Exclusion, and American Law. Ithaca, NY: Cornell Univ. Press.
- Munger, Frank (2003) "Rights in the Shadow of Class: Poverty, Welfare, and the Law," in A. Sarat, ed., *The Blackwell Companion to Law and Society*. Malden, MA: Blackwell, forthcoming.
- Reich, Charles A. (1964) "The New Property," 73 Yale Law J. 733-87.
- Rose, Nikolas (1999) Powers of Freedom: Reframing Political Thought. Cambridge: Cambridge Univ. Press.
- Schram, Sanford (2002) Praxis for the Poor: Piven and Cloward and the Future of Social Science in Welfare. New York: New York Univ. Press.
- Scott, James (1998) Seeing Like a State: How Certain Schemes to Improve the Human Condition Have Failed. New Haven: Yale Univ. Press.
- Simon, William (1983) "Legality, Bureaucracy, and Class in the Welfare System," 92 Yale Law J. 1198–269.
- Simon, William (1999) "Law After Society," 24 Law & Social Inquiry 143-94.
- Stack, Carol (1976) All Our Kin: Strategies for Survival in a Black Community. New York: Basic Books.
- White, Lucie (1990) "Subordination, Rhetorical Survival Skills, and Sunday Shoes: Notes on the Hearing of Mrs. G.," 38 Buffalo Law Rev. 1-58.

— (2002) "Care at Work," in F. Munger, ed., Laboring Below the Line: The New Ethnography of Poverty, Low-Wage Work, and Survival in the Global Economy. New York: Russell Sage Foundation.

Case Cited

Wyman v. James 400 U.S. 309 (1971).