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INTRODUCTION

In recent years we have witnessed a sea of change in public attitudes toward poor women and their children. This transformation in values has led to the public's embrace of new social policies that will likely overhaul the financial safety net that has been provided to poor families for over six decades. At the heart of public discourse is a fundamental exchange about the appropriate role and responsibilities of women in contemporary society.

The public debate about Aid to Families With Dependent Children (AFDC), the income maintenance program designed to support poor single mothers and their children, has, at times, been fierce. AFDC has been condemned as responsible for the general decline in morals in the United States at the same time that it has been denounced for individual acts of brutality. House Speaker Newt Gingrich recently laid welfare to blame for the senseless slaying of a pregnant woman and her children, blaming "a welfare system which subsidize(s) people for doing nothing." Some of the welfare system's most strident critics assert that welfare simply provides cash benefits without expecting of its recipients common social behaviors

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1. Since 1988, AFDC has also been made available to dual-parent households in all states, although benefits are usually only extended for up to six months in a given year. JUDITH M. GUERON & EDWARD PAULY, FROM WELFARE TO WORK 1 (1991).
in return. But this view is an artifact of changing social perceptions of women and motherhood that were not considered when AFDC was first introduced.

Motherhood as Work

Around the turn of the century, several states developed programs to aid destitute mothers and their children. These “mothers' pensions” were very modest in the amount of financial support they provided, but they were offered in recognition of women's significant impoverishment once widowed or abandoned by their husbands. The nomenclature attached to the program is suggestive of two fundamental features of welfare and American social values. First, the subsidy was called a “pension” similar to the payment one might receive having worked in paid employment for several years. It is notable that from the beginning policy makers were most comfortable developing financial assistance for individuals whose circumstances of destitution were in some way tied to work or public service. Second, as indicated by the vocabulary of the times, the program was not designed for children, nor conceived of for women generally; the precursor to today's AFDC program was a locally-based social services system developed specifically to support the role of motherhood. These mothers' pensions were thus created to pay women for their work as children's caregivers.

Mothers' pensions developed rapidly, with a majority of states adopting permissive legislation allowing counties to implement such programs. But because few states required participation, only about half of the counties in the country developed mothers' pension programs. These states and counties were generally not represented in the south, where the denial of mothers' pensions kept thousands of needy women of color from receiving aid. Other states also restricted access only to widows, thus denying aid to women who might have been abandoned or deserted by their husbands. From the beginning, aid to poor women was predicated on certain conditions of circumstance, including race and character. In fact, mothers' pensions were more reflective of a shift in American political philosophy

7. GORDON, supra note 5, at 5, 45-47; ABRAMOVITZ, supra note 6, at 200. Both authors cite numerous examples that help illustrate the categorical approach to women's assistance in the mothers' pension program. Similarly they provide lengthy evidence of the denial of benefits to families based upon a woman's race, religious affiliation, and moral character. Id.
and our sense of responsibility to poor families than actually supportive of large numbers of these families. Benefits were inequitably and prejudicially distributed; when very large groups of women were impoverished by the depression of the 1930s, local and state authorities were unable to meet their demands.

During the Great Depression, local government, private charities, and religious institutions initially attempted to meet the need for services to the poor, but their efforts were dwarfed by the enormity of the task. In response to massive deprivation, President Roosevelt initiated the federal government's new role as guarantor of support to certain categories of American workers. Indeed, one of the prevailing features of the various social programs developed at that time was the focus on work as the gateway to program eligibility. Unemployment compensation and Social Security were both designed to reward men's work by providing a safety net during times of unemployment or at the point of retirement. Work-relief efforts were another chief feature of the Roosevelt administration, employing well over three million men in various construction, artistic, and service jobs across the country.

Financial support for mothers was cut from a similar cloth. With an emphasis on motherhood as work, mothers' pensions were, in effect, given federal support through the Social Security Act of 1935 and the development of the Aid to Dependent Children program, otherwise referred to as ADC. The continuing emphasis on the "job" of motherhood is apparent in the language of the debate at the time of the bill's passage. An excerpt from the Report of the Committee on Economic Security is illustrative of this consideration:

[ADC is] designed to release from the wage-earning role the person whose natural function is to give her children the physical and affectionate guardianship necessary not alone to keep them from falling into social misfortune, but more affirmatively to make them citizens capable of contributing to society.

10. The original program, passed through the Social Security Act of 1935 was called ADC, reflecting the emphasis on dependent children. GUERON & PAULY, supra note 1, at 52. Payments were made directly to the mother for support of the children; mothers were not included in the calculation of monthly grants. Id. In 1962 the name was changed to Aid to Families with Dependent Children (AFDC) to reflect the inclusion of mothers (and fathers in two-parent families) in the cash grants. Id. The program will continue to be referred to by its contemporary name, AFDC, for the remainder of the paper.
Women's role as mother, also designed to shelter, was thus identified as having a natural and therefore immutable quality, fixed in the social configuration of American family life. In this passage, the work-like qualities associated with motherhood are also highlighted; women are not only released from outside employment because of the passive act of shielding their children from harm, but they must also actively produce "contributing citizens." This terminology indicates a task of significant proportions.

Early supporters of AFDC from within the federal Children's Bureau suggested that it would allow a mother to devote herself primarily "to housekeeping and the care of her children." Reflecting the social climate of the times, women were not expected to work outside of the home and raise a family; women's employment was in fact thought to adversely affect children. This protective approach in women's social policy was thus also designed to shelter children from the harsh realities and adverse influences of the outside world. Few could argue with the intentions or the effects of the early AFDC program. When it was first developed it was generally considered a pro-family approach to a somewhat marginal problem. Author Mimi Abramowitz notes that in 1934, on the eve of the transition from mothers' pensions to ADC, there were only about 100,000 families on aid nationwide. Abramowitz also found that there were an additional 350,000 female-headed households on federal emergency relief rolls. Therefore, the scope of support for mothers and their children was not especially significant and commanded little attention from policy makers or the public at large.

It should be noted that as with mothers' pensions, only certain kinds of mothers qualified for assistance under the early AFDC program. Women with young children whose husbands had died, divorced, or deserted them were commonly thought of as the "deserving poor" because the circumstances of their poverty were outside of their control. Conversely, the unfortunate woman who had a child outside of marriage was often considered by public authorities as amoral or unfit. Because good motherhood was at the heart of AFDC, women such as these were normally disqualified from receiving public support. Until well into the 1960s, "suitable home" provisions were established from locality to locality.

ON ECONOMIC SECURITY OF 1935 AND OTHER BASIC DOCUMENTS RELATING TO THE SOCIAL SECURITY ACT 5-6 (1985).
13. ABRAMOVITZ, supra note 6, at 315.
allowing caseworkers to scrutinize mothers for moral, financial, or work infractions. Parenting practices and supervision of children were of the utmost concern; children's school attendance was also taken into consideration. Other behavior in women's personal lives, especially with respect to their sexual relationships with men, was carefully inspected as well.

Qualities of character, circumstance, race, and religion quickly entered into eligibility determinations, and many women often found that they were denied benefits due to some flaw in their motherhood as determined by a public social worker. For example, during the 1940s and ‘50s, the state of Nevada had no AFDC program in an effort to avoid providing benefits to Native Americans. Similarly, the state of Mississippi put a 10% ceiling on the number of participants on AFDC as it was well recognized that the majority of women who would need assistance were African American. For many years, Texas also purposefully excluded Hispanics from AFDC. Spending patterns of African American women were also examined more critically by caseworkers, as it was commonly believed that they and their children needed less money to get by.

Although public attitudes toward the most deserving of these mothers was somewhat generous, benefit levels were by no means liberal. AFDC payments were minimal, initially set at $18 per month for the first child and $12 per month for each additional child. Authors Cloward and Piven observed that AFDC benefits were maintained at a particularly low level to create a deterrent to dependency; AFDC was designed as a temporary benefit to help a family through a period of crisis. Most significantly, policy makers did not want women to become so complacent on AFDC that they might turn down an alternative offer for their support outside of the government. In the 1930s, the obvious choice for a woman was not support through work, but the financial support of a husband.

Some women found husbands while others did not. Those who remained single were forced by the penurious amounts of AFDC to secure additional means of support. Certainly some worked, although they took pains to conceal their employment from their caseworkers. Working was considered anathema to good parenting and was therefore judged as grounds for terminating aid. A curious but consistent theme in welfare policy during the early years was the emphasis on earning eligibility through work. Work, however, was considered synonymous to women's duty as mother.

15. Gordon, supra note 5, at 45-46.
18. Abramovitz, supra note 6, at 316.
Work that might generate an income outside of AFDC was viewed with public skepticism and reduced the moral character of the woman.

Worthy and Unworthy Motherhood

Case workers were hired to supervise AFDC mothers' behavior, but outside of the welfare offices AFDC was given little public notice throughout the 1940s and 1950s. By most accounts it was considered a relatively insignificant component within the larger Social Security Act. However, during the 1960s, the AFDC caseload swelled enormously calling considerable public attention to a previously unrecognized program. In 1960, about three million women and children were collecting AFDC, this number doubled in five years and then doubled again by 1975. The expansion that occurred in the 1960s continued unabated for the next two decades although growth rates were not as startling. The next sharp increase occurred quite recently when, in the late 1980s and early 1990s, Americans saw a thirty-four percent increase in caseload size in only four years. By the mid-1990s, over fifteen million women and children were relying on AFDC.

Some of the increase in caseload size could be accounted for by changes in eligibility rules. Most notable among these were numerous court decisions banning the use of suitable home criteria. “Midnight raids” and other unannounced visits to recipients' homes had become common in some states in an effort to establish the presence of male boarders, partners, or substitute fathers. These practices, along with others designed to test the moral fiber of mothers, were struck down as new laws were developed requiring strict enforcement of uniform means-tests.

Much of the growth in the welfare caseload was, and continues to be a result of powerful demographic forces at play in the United States. The 1960s and 1970s saw a dramatic shift in the composition of the American

24. Abramovitz, supra note 6, at 324.
family. More relaxed standards allowed family composition to change with somewhat less public censure than might have been found in earlier decades. For example, single parenthood grew rapidly for all women. In 1960, five percent of Caucasian children were living in female-headed households. That percentage tripled by 1980 to approximately fifteen percent.\textsuperscript{26} For children of color living in female-headed households during the same period, the percentage increased from fifteen to forty-five percent. Today, Census Bureau reports show that approximately thirty percent of all American children reside with a single parent. Among children living in single-parent households, thirty-five percent live with a never-married parent.\textsuperscript{27}

Divorce rates also climbed during this period. Today, thirty-seven percent of children live with a single-parent as a result of divorce.\textsuperscript{28} Between 1960 and 1980, the annual number of divorces tripled from approximately 400,000 to nearly 1.2 million.\textsuperscript{29}

Adolescent parenthood was also more likely from the 1960s onward. Although the rate of teenage pregnancy remained fairly constant, the percentage of young women giving birth and keeping their child increased significantly. Growing numbers of these young mothers were unmarried, few possessed strong educational and employment skills, and many were drawn to welfare for their support.\textsuperscript{30}

The group of women that AFDC was designed to serve originally was no longer visible on welfare. By 1961 the proportion of widows counted among AFDC recipients was only about seven percent. By 1971, that proportion dwindled even further to 4.3 percent; and in 1991 it was a mere 1.6 percent.\textsuperscript{31} AFDC was essential to numerous destitute women and children, although the circumstances of their families had changed significantly. Over time, AFDC was increasingly relied upon by mothers who were divorced, separated, or never married. In 1950, these groups represented thirty-seven percent of the AFDC caseload; by 1961, they had

\textsuperscript{29} Douglas J. Besharov & Alison J. Quin, \textit{Not All Female-headed Families are Created Equal}, 89 PUB. INTEREST, 51 (1987).
\textsuperscript{31} \textit{See} BERKOWITZ, \textit{supra} note 12, at 101.
grown to fifty-seven percent; and as recently as 1991 this group accounted for a full eighty-eight percent of the welfare population.32

Characteristics of race and ethnicity also played into the changing composition of the welfare caseload. In 1939, a few years after the initiation of the AFDC program, well over eighty percent of all recipients were Caucasian.33 Twenty years later, about half of the AFDC caseload consisted of women and children of color; today that figure stands at about sixty percent.34 The small proportion of African American and Hispanic families on AFDC during the early years did not signify less need among these groups. Previous to the civil rights movement of the 1960s, many state regulations regarding AFDC had been overtly racist, using suitable home criteria to systematically exclude African American children born outside of marriage.35 When these criteria were deemed unconstitutional, large numbers of families of color rapidly joined the welfare rolls.

Racism, combined with public animosity toward single parenthood and ambivalence about divorce, made for a climate that was increasingly suspicious of motherhood as an inalienable right worthy of public support. Public sympathy for children in need of care, support, and supervision from their mothers did not extend to the women who were the primary beneficiaries of cash aid. Whereas widows were victims of circumstance, women who gave birth outside of marriage had more choice in determining their situation.36 Categorization of deserving and less-deserving mothers quickly entered into the social equation of government assistance. Within a matter of a couple of decades, women on welfare were transformed from worthy mothers into women of sexually deviant behavior. Attention was focused less on the children in their care than on the sexual and procreative practices of these poor women. The work of motherhood was reconstructed so that the visible aspects of bearing children dominated the public debate; the parenting practices of mothers on AFDC had all but disappeared from public view. Suitable home criteria,37 which had been used so unjustly to deny hundreds of thousands of women access to AFDC, had also played a symbolic role in assuring the public of the value of motherhood. As cash aid came to dominate the public transaction between

32. GENERAL ACCOUNTING OFFICE, FAMILIES ON WELFARE: SHARP RISE IN NEVER-MARRIED WOMEN REFLECTS SOCIETAL TREND 2 (1994).
33. BERKOWITZ, supra note 12, at 102.
35. QUADAGNO, supra note 23, at 120.
36. HANDLER & HASENFELD, supra note 9, at 25.
37. “Suitable home criteria” is the terminology used to describe the process by which caseworkers had traditionally examined and judged AFDC homes for their “suitability” in rearing children. See GORDON, supra note 5, at 36; ABRAMOWITZ, supra note 6, at 200.
government and AFDC recipients, and the work of motherhood diminished, debate became fierce about the extent to which the welfare system itself condoned and therefore contributed to increasing patterns of single mother households and poor parenting.38

In recent years, public discourse on the matter has grown increasingly bold in its racist and misogynistic tone. Author Jonathan Kozol relays radio and newspaper coverage about poor African American and Hispanic families that compares these women to animals or insects in their reproduction: “It's like maggots on a hot day,” one announcer says, while a woman cited in the New York Times declares “I didn't breed them, I don't want to feed them.”39 By eliminating the human aspects of family, and by grossly misstating the procreative conduct of poor families, motherhood has been reduced in the AFDC equation so that the principles upon which the program were initially developed are no longer relevant to today's notion of a fair and proper exchange.

Motherhood and the Protection of Children

Parallel to the historical conversion in the profile of the welfare population was a shift in public attitudes toward poor and neglected children. The contemporary child welfare system, that emphasizes government's role in protecting children from harm, is a fairly recent phenomenon in the history of government social services. Although the U.S. Constitution says little about the role of government in the lives of children, the Social Security Act of 1935 ushered in a new consideration of federal responsibility for ensuring the “protection and care of homeless, dependent and neglected children and children in danger of becoming delinquent.”40 Throughout this century, public attention to issues of child maltreatment and the government's role in safeguarding children has intensified. This is largely due to the shift in public considerations about children which at one time viewed them as property,41 but then evolved to regard them with greater sentimentality.42 During the early 1900s, social reformers worked to establish child labor laws to shield children from toiling in factories and other harsh industries outside of their homes.43

38. MURRAY, supra note 2, at 124, 157-59.
40. ALFRED KADUSHIN, CHILD WELFARE SERVICES 7 (3d ed. 1980).
41. MARY ANN MASON, FROM FATHER'S PROPERTY TO CHILDREN'S RIGHTS: THE HISTORY OF CHILD CUSTODY IN THE UNITED STATES 6-7 (1994).
43. See TRATTNER, supra note 8, at 179-85; JOHN H. EHRENREICH, THE ALTRUISTIC IMAGINATION: A HISTORY OF SOCIAL WORK AND SOCIAL POLICY IN THE UNITED STATES
These reformers were especially adroit at drawing close attention to the delicate nature of children and their significant need for protection. In the 1960s, Dr. Henry C. Kempe and his colleagues introduced an influential paper entitled *The Battered Child Syndrome* which identified patterns of physical trauma in children that were caused not by accident, but by mistreatment at the hands of their caregivers. Some years later, federal law established guidelines for all states to develop child maltreatment reporting laws to protect children from harm by their caregivers and others. Public concern was also heightened by numerous sensational incidents of child abuse and neglect that were widely covered by the media. Training and educational programs rapidly developed across the country to teach professionals about their responsibility to report incidents of maltreatment and to teach parents how to develop less harsh disciplinary patterns with their children. The result of these historical developments has been an annual deluge of child maltreatment reports to child welfare agencies from concerned professionals and lay members of the community. Today, over two million reports of child abuse and neglect are taken annually by child welfare authorities.

Child maltreatment reports are not typified by incidents of physical battering. While the public commonly conceives of the child welfare caseload as overburdened by physical and sexual abuse, child neglect has always outstripped the more sensational forms of maltreatment by a large margin. Nationally, child neglect represents over half of all reports of maltreatment to child welfare authorities. In California's foster care system, home to more children in care than any other state, over two-thirds of all children have been removed from their parent's homes due to general or severe neglect, parental incapacity, or abandonment. Neglect is a unique phenomenon, differentiated from other forms of maltreatment primarily by the actions of the parent which might be characterized as

48. NATIONAL RESEARCH COUNCIL, *supra* note 45, at 78.
49. Id. at 82.
51. RICHARD P. BARTH ET AL., FROM CHILD ABUSE TO PERMANENCY PLANNING: PATHWAYS AND PLACEMENTS 110 (1994).
behaviors of omission rather than acts of commission. Because child neglect involves the passive act of failing to care for a child, it has been closely correlated with family poverty.

Although the receipt of child welfare services, particularly for neglect, is closely associated with AFDC, the inverse relationship is not necessarily correct. That is, while the majority of child neglect cases involve very poor families, many of whom are receiving AFDC, the vast majority of AFDC recipients do not maltreat their children and thus do not come to the attention of child welfare agencies. Nonetheless, heightened public awareness about the problems of child maltreatment, coupled with a misunderstanding of the scope of the problem, have led many to assume that AFDC receipt is necessarily associated with child neglect. Public confidence in the parenting practices of AFDC mothers has waned considerably at a time when public recognition of government's role in ensuring the safety and protection of children has expanded.

Although the responsibility for child well-being still rests principally within the family, Americans are relatively quick to call on public officials to intervene in the interest of children. The public's increasing interest in the state as guarantor of children's well-being has coincided, however, with the diminished capacity of the state to review and monitor the parenting practices of AFDC mothers. In addition to the Supreme Court decisions of the 1960s that disallowed public agency infringements on the privacy rights of AFDC clients, the 1962 federal Social Service Amendments also disjoined family services from cash payments in AFDC, further reducing the state's involvement in the personal and familial affairs of AFDC


53. Recent evidence shows that while poverty is an overarching characteristic of most neglectful families, other characteristics of household configuration, social support, depression, and emotional distance of mothers from their children play a larger role in predicting the incidence of neglect. See generally Jim Gaudin and Howard Dubowitz, Family Functioning in Neglectful Families: Recent Research, in CHILD WELFARE RESEARCH REVIEW, Vol. II (forthcoming from Columbia University Press, November 1996). LEROY H. PELTON, FOR REASONS OF POVERTY: A CRITICAL ANALYSIS OF THE PUBLIC CHILD WELFARE SYSTEM IN THE UNITED STATES 38 (1989).

54. Large numbers of children served by the child welfare system come from homes that were receiving AFDC or were AFDC-eligible at the point of contact with the child welfare system. See BARTH ET AL., supra note 51, at 110. For example, in California, approximately 87,000 children have been removed from the homes of their parents due to abuse or neglect and about fifty percent are AFDC-eligible. Barbara Needell et al., Performance Indicators for Child Welfare Services in California 7 (1995) (Unpublished report, Child Welfare Research Center, School of Social Welfare, University of California at Berkeley). California is home to almost one million AFDC families, however, and only a small fraction have contact with the child welfare services system. Id.

55. BERKOWITZ, supra note 12, at 109-19.
recipients. Thus, the protocol for ensuring the quality of motherhood was lost, and the result has been a heightened interest among welfare critics to encourage states to develop new policies that again link “good” parenting to AFDC receipt.56

The Responsibility of Parenting

In addition to the more generous attitudes that developed toward protecting children's well-being, the public's understanding of childhood as a unique and fragile period in the life cycle also changed perceptions about poor families. Prior to the introduction of child labor laws, children frequently participated in the labor force, contributing significantly to a family's total income.57 The more children in each family available for labor, the greater the economic gain. With the introduction of child labor laws, children were precluded from working and could no longer be relied upon to boost a family's income. Author Viviana Zelizer has suggested that rather than providing an economic benefit to families, children have now become economic liabilities depleting precious family resources for their growth and development.58 As children lost their economic worth, their emotional value to parents gradually multiplied, shifting the economic equation of child bearing.

Rather than financial assets, children are now considered valuable social investments, providing an important sense of status in the community.59 This appears to be especially true among low-income, young, urban women of color.60 But the trade-off in this new social equation is a developing awareness of the significant financial expense associated with child rearing. For families of means, the financial loss connected to childbearing is of little material significance. However, for poor families, raising children has become an increasingly expensive undertaking and often a significant hardship. For poor single women, child birth is extremely risky financially. American families of somewhat limited means have grown acutely aware of the cost of children and have thus become less tolerant of family planning that does not appear to take economic considerations into account. Mothers on AFDC have borne the brunt of these criticisms, as they embody the ultimate social consequences of childbearing under financially limited

57. Zelizer, supra note 42, at 58.
58. Id. at 58-64.
circumstances. Especially since the explosive growth of single mother families in the 1960s, the apparent tension between motherhood as a "natural function" and motherhood in the context of personal, social, and economic circumstances has grown.

The Downsizing of Motherhood

Family formation patterns and family practices contributed to changing public attitudes about motherhood and AFDC, but these views were also molded by outside factors, including dramatic changes in women's work activities across the country. Until the mid-1960s, the participation of women in the labor force hovered around thirty to forty percent. After the mid-1960s, women's work outside of the home increased notably. By 1983, more than seventy percent of women were either working or looking for work;61 twenty-seven percent of women in two-parent families worked full-time, all year long; another one-third worked part-time. Even single mothers, whose family demands were far more taxing than those of most dual-parent families, began to work in very large numbers. Almost half (41%) worked full-time, year-round in the early 1980s; one-quarter worked part-time or for part of the year.62

With the explosive entrance of women from all walks of life into the labor market, women's work was no longer singularly equated with motherhood. In fact, motherhood became divorced from the concept of work entirely. The vast majority of women were participating in the labor market to help support their families financially, and the disparity between these women and mothers on welfare became evident. Of course, the unspoken reality about welfare and work has rarely been raised in our new calculation of motherhood, work, and worth. Common notions of employment among women on AFDC are gathered from official statistics which indicate that less than ten percent of the AFDC caseload is employed outside of the home.63 More in-depth analyses of the economic circumstances of mothers on AFDC64 suggest that women are often forced to work in the informal or underground economies—where their welfare benefits are not taxed—in order to make ends meet. This contrast between

62. Id. According to Ellwood, supra, note 61, 41% of single mothers worked full-time, year-round. Another 20 percent of single mothers chose not to work because of family obligations and about 10 percent of women did not work due to illness or disability. Id. at 43. About four percent were unable to find work. Id.
the actual work patterns of AFDC recipients and the perceived employment of welfare mothers rarely enters into discussions regarding welfare and work. Most recipients are characterized as unusual in comparison to non-AFDC mothers by their dissociation from the labor market; those who are discovered working are roundly denounced for welfare fraud. As their work effort is largely hidden from public view, women on AFDC continue to be viewed as full-time mothers—an occupation now shared by a minority of women outside of welfare who are, by and large, financially well-off. Because full-time motherhood is more commonly considered an entitlement of the few, motherhood has been recast. No longer a natural duty, motherhood is now a privilege.

In order to remold mothers on welfare into the image, not of the privileged, but of other working women in the country, various work and training programs were developed throughout the 1970s and 1980s that are with us today. The ostensible goal of these programs is to provide AFDC mothers with opportunities for educational and employment-related advancement, while the actual purpose is to nudge them out of the home and into the labor market. The current JOBS program, established through the Family Support Act of 1988 represents the most recent overhaul of the U.S. welfare system and contains features similar to its welfare-to-work predecessors (most notably WIN, and JTPA). An array of services are offered to JOBS clients, including short-term Job Club, Job Search activities, basic education, vocational training, and on-the-job training. Participation in the JOBS program is mandatory for all women with children over the age of three, although women targeted for the program are those whose children are sixteen or older, and teenage mothers who have not completed high school. The language of the program is important to consider. It is mandatory for all women to take part in the program, but funding is only available for a very small fraction of the

65. JOBS stands for Job Opportunities and Basic Skills. GUERON & PAULY, supra note 1, at 1.
67. BERRICK, supra note 64, at 10. The Work Incentive Program (WIN) was enacted in 1967. The program called for AFDC clients to register with their state employment department, to take part in job search activities, and to accept a job if one were offered. Although by 1971 it was mandatory for AFDC recipients to register for WIN, few recipients participated because funding was often inadequate. Id. at 10-11. In 1982, the Job Training Partnership Act (JTPA) was passed, offering job search, job skills training, and on-the-job training to voluntary adults considered economically disadvantaged, or poor, out-of-school youth. GUERON & PAULY, supra note 1, at 9. In From Welfare to Work, Judith Gueron and Edward Pauly provide a detailed examination of the 1988 Family Support Act and its implications for welfare recipients. Id.
68. Women lose eligibility for AFDC after their youngest child turns 18. Id. at 62-63. The JOBS program targets these families in order to prepare them for their days after AFDC eligibility is terminated. Id.
AFDC population to participate. Most recent estimates indicate that JOBS reaches only about thirteen percent of the eligible AFDC population.69 JOBS, therefore, mandates participation in a program for which there is little funding. Evidence on the effects of the JOBS program indicates that while more women work in the formal economy as a result of JOBS, the effects are modest.70 Again, what the JOBS program and the research on its effects do not consider is the actual work patterns of AFDC recipients, including work in the informal and underground economies. Therefore, when JOBS does not routinely show a large effect on AFDC recipients' formal work effort, the value of the program is questioned. Nevertheless the new emphasis on formal work for welfare recipients is important to the public because it attempts to bring a degree of visibility to AFDC recipients' efforts that are currently hidden.

Aligning welfare recipients' daily activities with those of the general public has always been a hallmark of the AFDC program. Whereas sixty years ago efforts were taken to ensure women's duties as good mothers, today's emphasis lies in ensuring their productivity. Whether very low income women will be able to fully participate in the labor market as compared with other women, or whether they will have the psychological affiliation with work that many other women hold, remains to be seen. Evidence from numerous studies exemplifies the burdens all employed women face as they work, care for children, and often care for their aging parents.71 But women in two-parent families and women of greater means have other resources to draw upon in rearing their children, including the purchase of outside services (e.g., day care, housecleaning, etc.). Poor women and women on AFDC have fewer external supports for the daily management of household tasks.72 Children in these poor families are more likely to suffer health conditions that require significant parental attention; and some evidence also suggests that low income women are more psychologically attached to their role as a parent than their role as a

69. Id. at 68-78.
70. Judith Gueron, Work Programs and Welfare Reform, 53 PUBLIC WELFARE 6, 9 (Summer 1995).
73. See Nicholas Zill et al., Child Trends, Welfare Mothers as Potential Employees: A Statistical Profile Based on National Survey Data (1991).
provider. These factors combined suggest that while women on welfare may move into the formal economy, other factors in their homes are likely to interrupt their employment. Further, while much of society has developed a perception about AFDC mothers' duty to work, many women on AFDC may still view the role of motherhood as preeminent. Unlike other sectors of society, these women's sense of responsibility as mothers to their children may frequently take precedence over their sense of duty to work.

Motherhood and Responsibility

The interplay between the decline in the value of motherhood and the ascent in the significance of work, combined with changes in the characteristics of poor families, and an increasing reliance on the state to safeguard children, has wrought a new era in our considerations of welfare as a social policy. Work and personal responsibility are the hallmark of the current welfare debate and while the details of welfare reform have become mired in controversy, consensus surrounds these broad themes from across the political spectrum. Several features of the current welfare debate are instructive in portraying contemporary views of women's roles and the responsibilities of motherhood.

TIME LIMITS

The current emphasis on work for welfare recipients can be seen not only in public comparisons of women on welfare to non-AFDC recipients' work patterns, but also by comparing AFDC recipients to one another. Bane and Ellwood's work, which has shown the volatility of the welfare population, indicates that welfare spells are frequently short in duration, and exits to work are common. National data from other sources also show a high degree of previous work experience among AFDC recipients. These data have led many welfare critics to conclude that all women on welfare can work, and that we should therefore expect very short stays in the welfare program. The new stereotype, now legitimated by the current national debate, reconstructs welfare women as workers rather than

75. Id.
76. Mary Jo Bane & David T. Ellwood, The Dynamics of Dependence: The Routes to Self-Sufficiency ii-iv (unpublished manuscript on file with the author); MARY JO BANE & DAVID T. ELLWOOD, WELFARE REALITIES: FROM RHETORIC TO REFORM 41-69 (1994).
77. HOUSE COMM. ON WAYS AND MEANS, supra note 22.
mothers and has resulted in a new mentality that will allow only a few years of AFDC receipt, with no subsequent government support.

**WORK REQUIREMENTS**

New legislation recently passed to reform welfare highlight work as a “personal responsibility.”\(^7\) The language of the debate suggests that women must be cajoled into work, intimating instead their preference for welfare. Yet numerous studies have documented welfare recipients' willingness, if not enthusiasm for work, given a fair economic exchange.\(^8\) The problem most AFDC recipients face is an economic trade-off that is just marginally superior on welfare than in a low-wage job. Women on welfare often face an economic cliff when they transition to employment, losing health and housing benefits at the same time that costs for child care and transportation increase significantly.\(^8\) Rather than target the current debate on the inadequacies of U.S. family policies, the minimum wage, wage supplements, or the structure of the American economy, the welfare controversy focuses attention on individual women and their personal responsibilities. By deflecting attention away from government obligation and towards personal responsibility, any deficiencies that may be evident in the implementation of the new welfare policy will appear to rest with women.

**FAMILY CAP**

In addition to the significance afforded to work in recent public discourse, responsible motherhood has also become a hallmark of the welfare debate. The family cap,\(^8\) which denies additional payments to children whose mothers are already receiving AFDC, suggests the importance of timing child bearing to the family's economic prospects for supporting the child. Similarly, denial of welfare benefits to teen parents and their children symbolizes the public’s reconsideration of motherhood as


\(^8\) LEONARD GOODWIN, DO THE POOR WANT TO WORK? A SOCIAL-PSYCHOLOGICAL STUDY OF WORK ORIENTATION 112-13 (1972); Marta Tienda & Haya Stier, Joblessness and Shiftlessness: Labor Force Activity in Chicago’s Inner City, in THE URBAN UNDERCLASS 138 (Christopher Jencks & Paul E. Peterson eds., 1991).

\(^8\) Edin, supra note 64, at 1-9.

\(^8\) Many states have requested waivers from the federal government in order to impose restrictions on benefits to families who bear additional children while receiving AFDC. GENERAL ACCOUNTING OFFICE, WELFARE WAIVERS AND IMPLEMENTATION: STATES WORK TO CHANGE CULTURE, COMMUNITY INVOLVEMENT AND SERVICE DELIVERY 1-54 (1996).
a right to motherhood as a trust, bound by significant economic consequences to the individual and to society as a whole.

PARENTING EDUCATION

Moving full circle to the origins of AFDC, some current proposals compel teen mothers to live with their parents, while other reforms assign social workers to those women who do not quickly join the labor force.\(^3\) The prevailing goal of these proposals is a renewed interest in children and the public's assurance of their sound upbringing. But these efforts again divide the welfare population into the deserving and the undeserving and are based on the presumption that poor women are inferior mothers because they are unattached to the labor market and unattached to a husband.

CONCLUSION

Certain aspects of welfare policy have remained unchanged in the midst of the dramatic evolution seen in family and society over the last sixty years. Work remains the gateway to government support, but the concept of work has been restructured with the changing roles and expectations of women. Motherhood as work has been transmuted into work for income; capital has fully surpassed the family in modern conceptions of value. Motherhood and the rearing of children was once considered an obligation to the state, as women remained outside of the labor force, and devoted their full attention to the care of their children. Society's interest in supporting motherhood has declined over time, and with it the importance of one's ability to fully support one's children has increased substantially. Thus not only rearing children, but the decision to bear children has grown increasingly meaningful. In the late twentieth century, public conceptions determining the worthiness of mothers will be driven less by the absolute need of families for financial assistance. Instead, the personal choices about when, how many, and under what circumstances children are born will become preeminent in the valuation of motherhood and the public's determination of eligibility for government support.

83. Several states have requested waivers from the federal government in order to introduce these changes. \textit{Id.} Notably, California's recent welfare reform package includes a requirement that teen parents live with their own parents. Some women would also be assigned a social worker to monitor their parenting abilities. Cal. A.B. 3140, \textit{Supra} note 78.