

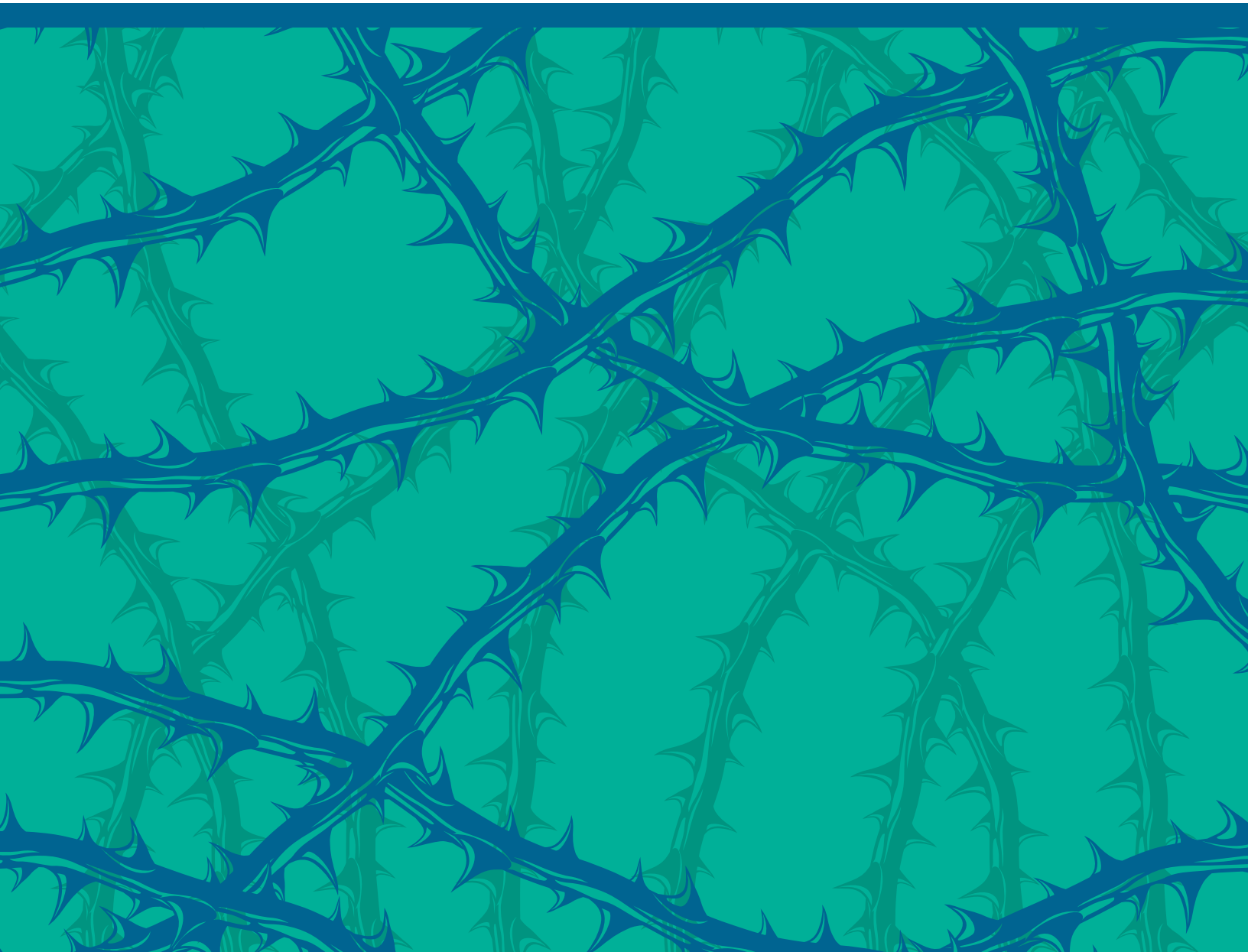


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Ideas into Action

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The Racist Roots of Work Requirements

Elisa Minoff



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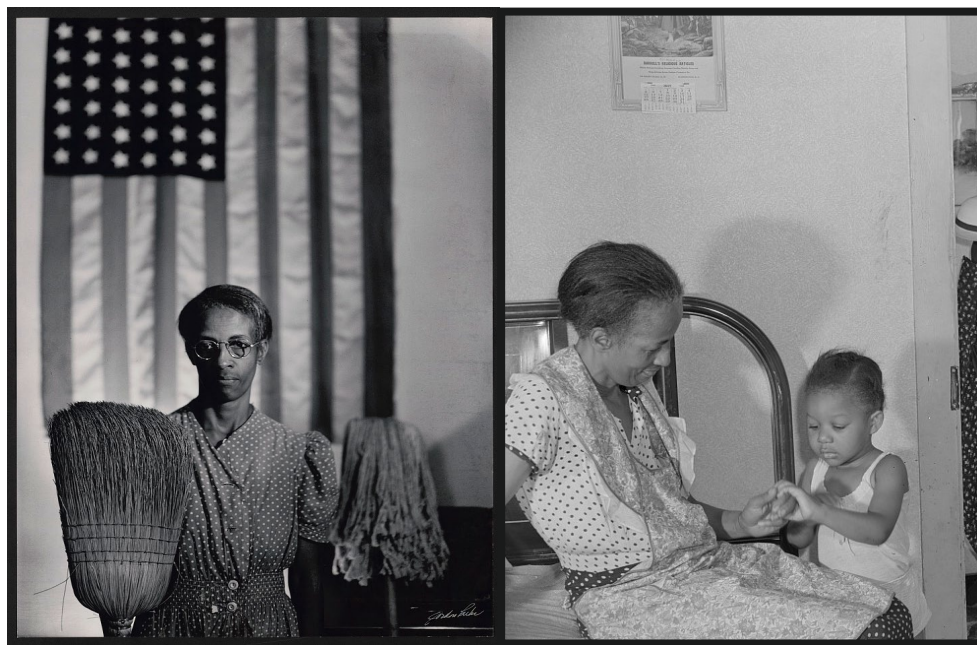


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Black people as inherently indolent in order to justify their enslavement and defend the institution of slavery. After the formal end of slavery, White leaders in both the North and the South invoked the established stereotype to justify criminal justice and social welfare policies designed to keep Black people working in the fields and houses of White people. In the century and a half that followed, the stereotype was invoked to justify the implementation of work requirements in programs that meet families' basic needs—first informal and local, and later formal and national. To this day, Black people are more likely to be subjected to a work requirement in the first place, and they are more likely to have assistance taken away as a result.⁷

Ultimately, all families are harmed by the policies that have resulted from this history. At their most basic, work requirements threaten to take away public assistance from any family who does not demonstrate that they have worked a certain number of hours a week. In Arkansas and other states that have adopted work requirements in Medicaid, thousands of families have lost health insurance. In West Virginia and states that have recently expanded work requirements in the Supplemental Nutrition Assistance Program (SNAP), thousands have lost food assistance.⁸ Across the country, in the years since Temporary Assistance for Needy Families (TANF) mandated work for families receiving cash assistance, hundreds of thousands of families have been left without enough cash to cover two dollars a day in expenses.⁹

Work requirements not only deny families much-needed assistance, but they also discount much of their labor, ignoring the caregiving work that people provide to their loved ones, and pushing them into low-paid, insecure jobs that make it impossible to make ends meet. In order to redress these systemic failings that disproportionately harm Black families and create public policies that meaningfully support all families and the work they do, we need to understand how we got here.



“Washington, DC Government chairwoman” and “Washington, DC Adopted daughter and two grandchildren with Mrs. Ella Watson, a government chairwoman” (cropped). Watson provided for her family of six cleaning government offices for a salary of \$1,080 per year, and still put 10 percent of her salary toward war bonds. Library of Congress, photographs by Gordon Parks, 1942.

The Origins of Work Requirements: A Timeline

Work requirements are the latest in a long series of connected policies designed to force Black men, women, and children to work under unjust conditions.

Slavery

As a racialized system of forced labor, slavery paved the way for work requirements by promulgating an exceptionally narrow definition of work and popularizing stereotypes of Black people to justify their forced labor for more than 200 years.

1619: *Slavery Begins*

First ship of enslaved Africans lands in present day Hampton, VA.

1865: *Slavery Formally Ends*

At the end of the Civil War, states ratify the 13th amendment, outlawing slavery and involuntary servitude except for punishment for a crime.

Experiments in Forcing Work

In the decades following the Civil War, Black people vied for control over the terms and conditions under which they worked, as the federal and state governments implemented policies to coerce them to work under the exploitative terms White people set, establishing a form of neo-slavery.

1865-1872: *Freedmen's Bureau*

The federal government, through the Freedmen's Bureau, enforces exploitative labor contracts that force freed people to work on plantations for their former enslavers and denies aid to freed people to force them to work.

1870s+: *Vagrancy Laws, Convict Leasing, Debt Peonage*

States criminalize non-work through vagrancy laws and establish convict leasing systems that force people who are incarcerated under these laws to work for no wages under brutal conditions. States also sanction debt peonage, where sharecroppers who become indebted to cheating landlords can be "sold" to other employers and forced to work for no wages. Historians call this system of state-sanctioned forced labor, "slavery by another name."

1890s+: *Mother's Pensions' De Facto Work Requirements*

States deny new forms of aid, including Mothers Pensions, to Black families in the states where they are established and not implemented in southern states where most Black families live in order to force them to work.

Birth of Modern Work Requirements

Modern work requirements were born alongside the first federal programs of public assistance of the Great Depression. They were both conceived and implemented to force Black people, who worked at significantly higher rates than White people, into low-paid, insecure jobs.

1930s+: *Aid to Dependent Children (ADC)'s De Facto and De Jure Work Requirements*

States withhold assistance from Black families to force them to work, and enact “farm policies” forcing Black families, but not White families, out into the fields at harvest time.

1962: *Aid to Families with Dependent Children (AFDC) Federal Work Incentives*

As political debate over public assistance becomes racialized, liberals in Congress expand services for families participating in AFDC under the rationale that they should be “rehabilitated” through work, opening the door for harsher policies.

1967: *AFDC's First Federal Work Requirement*

Congress establishes the first national work requirement, requiring states to refer “appropriate” families participating in AFDC—later, all parents with children over age six—to work and training programs.

Work Requirements Come of Age

As politicians derided “welfare queens” and social scientists called for “restor[ing] conventional work norms” in black communities, Congress and Presidential administrations strengthened work requirements in programs that meet families’ basic needs.

1981: *“Workfare” Demonstration Projects*

The Reagan administration pushed for stricter work requirements in AFDC, and Congress funded experimental mandatory work programs beginning in 1981.

1988: *Mandatory Work with the Job Opportunities and Basic Skills Training Program (JOBS)*

The bipartisan Family Support Act of 1988 significantly expanded work services in AFDC through the JOBS program and made participation mandatory, reducing families’ benefits if they did not participate for the requisite number of hours.

1996: *Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWORA)*

Congress replaces AFDC with Temporary Assistance for Needy Families (TANF), which has the strictest work requirement in cash assistance yet, and also requires work for some adult participants in food stamps, or the Supplemental Nutrition Assistance Program (SNAP).

2018: *Trump Administration Approves First Work Requirements in Medicaid*

The Trump administration calls on states to request waivers to implement work requirements in their free and low-cost health insurance programs, and the first states begin implementation.

2019: *Trump Administration Expands Work Requirements in SNAP*

The Trump administration issues a final rule requiring more adults without dependents to meet the work requirement in SNAP.

Slavery's Legacy

Slavery was a system predicated on the expropriation and control of Black people's labor. African captives who survived the deadly passage across the Atlantic were forced to plant and harvest tobacco and other cash crops, as well as to cook and clean in plantation mansions once they arrived on America's shores. After the end of the Atlantic slave trade, slavery expanded west and south, fueled by the search for fertile land on which to grow cotton and sugar, and the growing domestic trade in enslaved people to do the work.¹⁰

Slavery was a brutal and productive economic system. Enslavers valued the men, women, and children they enslaved for the commodities they produced and treated them as commodities themselves, forcibly separating children from parents and husbands from wives to pay off debts and realize profits. They physically and sexually abused enslaved people to compel them to work harder and produce future generations of enslaved workers.¹¹ The work of enslaved people powered the American economy for almost 250 years, enriching the White families who enslaved them, as well as the White families who financed the plantation economy and the White families who owned the factories that processed the products of their labor.¹² By 1860, cotton produced by enslaved people accounted for well over half of American exports. That same year, the four million enslaved Americans, traded as commodities in the marketplace, were the nation's single largest financial "asset"—worth more than \$3 billion, or more than the nation's industries and railroads combined.¹³

Enslaved people's industriousness was evident not only in the wealth they produced for others, but also the work they did in the time they carved out for themselves. After a long day laboring in the fields or houses of their enslavers, enslaved men and women would return home to care for their own families, producing food, garments, and household products for their own consumption, as well as for sale and barter. They often labored under candle light late into the night, as well as on days of rest, such as Sundays and holidays, when they were not forced to work for their enslavers.¹⁴ This work allowed some to ward off family separation, to reunite with members who had been sold off, and even to buy their own freedom.¹⁵ But White people often profited from this work too, paying below market rate for the commodities enslaved people sold, and bartering under unfair terms.¹⁶

To this day, slavery's legacy shapes American institutions and the assumptions underlying them. Slavery paved the way for work requirements by promulgating an exceptionally narrow definition of work and popularizing stereotypes of Black people to justify their forced labor.

Under the American system of slavery, only the work that enslaved people did for or with the permission of their enslavers was recognized, and ultimately valued, as work. To trade goods produced on their own time, enslaved people needed the written permission of their enslavers. If enslaved people worked without their permission, state courts deemed their trade illegal, and enslavers characterized their labor as evidence of their inherent laziness, rather than the industriousness it was.¹⁷ Martha Washington, wife of George Washington and wealthy heiress of an estate with several hundred slaves, offered a typically myopic account of enslaved people's labor when grumbling about her enslaved seamstress, Charlotte, in 1790. Washington bemoaned



Charlotte as, “so indolent that she will do nothing but what she is told [sic].” Her next statement, however, belied the charge of indolence, making it clear that Charlotte simply desired to reap the rewards of her own labor. As Washington continued, if you allow enslaved people to be idle, “they will in a little time do nothing but work for them selves [sic]”. For Charlotte and other enslaved people, working for themselves was one way to resist the institution of slavery. This evidence of Charlotte’s agency was the real problem underlying Washington’s charge of indolence, and she responded, like other enslavers, by punishing this agency with a violent whipping.¹⁸

The myth of Black laziness was an enduring trope created to justify the institution of slavery and used by enslavers like Washington to defend their role in the inhumane system. European slave traders had first promulgated the idea of Black laziness in order to justify their trade in human beings, and it was one of several racist stereotypes invoked by White enslavers in North America to justify slavery.¹⁹ As the historian William Sumner Jenkins observed, “It was the general testimony of slaveholders... [that the Negro was] habitually indolent and opposed to exertion, which condition necessitated a master to force him to work.”²⁰ In the years leading up to the Civil War, propagandists for slavery actively embellished and spread the myth of Black laziness in pamphlets and newspapers as a way of defending the institution of slavery as it increasingly came under attack. From 1830 forward, according to historian Drew Gilpin Faust, there was growing coherence in pro-slavery thought, and one of the ideas propagated by an expanding southern publishing industry was that Black people were lazy.²¹

In an 1832 essay that was reprinted as a pamphlet and excerpted in newspapers throughout the South, Thomas Roderick Dew argued that the Black people will work “nowhere except by compulsion,” asserting that “in the free Black, the principle of idleness and dissipation triumphs over the accumulations and the desire to better our condition.”²² Dew’s assertion flew in the face of clear evidence of the hard work and entrepreneurship of free Blacks in the North and the South, including the vibrant, property-owning, communities they established in places such as Manhattan’s Seneca Village and Brooklyn’s Weeksville.²³ But evangelists of slavery repeatedly invoked the falsehood, describing free Blacks as “the most worthless and indolent of the citizens of the United States.”²⁴ The state of Florida even cited Black people’s supposed “idleness” as a reason for secession.²⁵

By the eve of the Civil War, cultural depictions of Black people reinforced the myth of Black laziness. In 1830, a White man from Cincinnati named Thomas Rice developed the first popular form of American entertainment in the Blackface character of “Jim Crow.” By 1845 Blackface minstrelsy had reshaped the landscape of American culture. White men blackened their faces with burnt cork and portrayed enslaved Black people as “lazy, slow-witted, childlike, highly superstitious, irresponsible, carefree, and very ‘musical.’” This portrayal, as the historian Robin Kelley has observed, “made even the poorest, most degraded White person feel superior to Black people.”²⁶

Though slavery formally ended with the North’s victory in the Civil War, the contest over what constituted work for Black people continued, and the myth of Black laziness indelibly shaped these debates.

Experiments in Work Requirements

Garrison Frazier, a Baptist minister who had been enslaved for 60 years before buying his freedom on the eve of the Civil War, argued that freedom meant “placing us where we could reap the fruit of our own labor.”²⁷ Other freed people echoed this definition of freedom in the wake of the Civil War. At a political convention in Petersburg, VA in June 1865, the Black delegates resolved: “We scorn and treat with contempt the allegation...that we understand Freedom to mean idleness and indolence.” They asserted: “we do understand Freedom to mean industry and the enjoyment of the legitimate fruits thereof.” In Washington, DC in 1867, Black labor organizers collected five thousand signatures from Black workers for a petition demanding that the city hire Black workers on municipal public works projects and condemning the “prejudiced and unthinking people [who] speak of us as ‘hordes of lazy contrabands’ and as ‘idle Negroes,’ while they little know our desire for honest employment and the difficulty we find in obtaining it.”²⁸

In demanding well-paid, dignified work, freed people proclaimed their identity as workers and turned the insult of laziness against their enslavers, and former enslavers. One Virginia freedman incisively observed, “They say we will not work,” but “we have been working all our lives, not only supporting ourselves, but we have supported our masters, many of them in idleness.”²⁹ When one White planter lashed out at a worker, saying, “You lazy n***** I am losing a whole day’s labor by you” the freedman retorted “Massa, how many days labor have I lost by you?”³⁰

“They say we will not work,” but “we have been working all our lives, not only supporting ourselves, but we have supported our masters, many of them in idleness.”

The decades following the Civil War were a critical transition period, when Black people vied for control over the terms and conditions under which they worked as many White political leaders invoked the myth of Black laziness to justify new policies designed to coerce work—including public assistance, or relief, policies.

After the war, as before, Black people worked—in the North and the South, during good economic times and bad. In many communities, Black people were the bedrock of the wage labor force. As the economist Claudia Goldin has shown, in the two decades following emancipation, when prevailing norms among the White middle-class held that White women should not work outside the home, Black women living in Southern cities participated in the wage labor force on average three times more than did White women, and married Black women averaged almost six times the labor market participation rate of married White women. Goldin finds that Black women participating in the labor force at significantly higher rates “even when sharing the same characteristics” as White women, leading her to hypothesize that one “legacy of slavery” may have been more widespread support for women working and more egalitarian household arrangements in Black communities.³¹ Black men, meanwhile, almost universally worked. Even

during the depression of 1893, “miserable jobs and low wages rather than joblessness characterized the situations of African Americans” in northern cities.³²

Black men and women also sought a degree of autonomy in their labor. Some lobbied for land that they could work with their own hands, trying to make real General Sherman’s promise of 40 acres and a mule and build a life for themselves independent from White people. Others reorganized their household labor, as Black women withdrew from full-time field labor so they could avoid the exploitation and abuse of White overseers and devote more of their energy to meeting the needs of their families.³³ In southern cities like Atlanta, where the primary jobs open to Black women were in the houses of White people—as child-nurses, cooks, and house maids—many Black women built home businesses as washerwomen, taking in laundry so they could earn income while also doing the care work necessary to support their families.³⁴

In the face of such indisputable industry, however, White people continued to question Black people’s work ethic. “For White southerners,” according to historian Eric Foner, “the question ‘will the free Negro work?’ became the all-absorbing obsession of 1865 and 1866.” White people’s failure to recognize Black people’s industry on their own behalf as work and to value the work that Black women did for their families—as they did that of White women—was ultimately behind the reports of Black people’s “incurable laziness” that filled the pages of planters’ letters and Southern newspapers and magazines.³⁵ As Black people fought for economic autonomy and achieved a measure of economic success, White people not only spouted racist epithets, but they also turned to outright violence—raping, beating, and murdering the men and women they saw as violating the norms of subservience. Often, however, physical intimidation and violence were unnecessary, because the federal and state governments supported White people’s attempts to force Black people to work under the self-serving terms White people set.³⁶

The federal government buttressed the coercion and exploitation of freed people’s labor through, of all things, the Freedmen’s Bureau. The Freedmen’s Bureau was established by Congress to aid former slaves and other displaced peoples at the end of the war. Its head, Union General Oliver Otis Howard, was less interested in aiding freed people, however, than establishing a system of free labor in the South. Because Howard subscribed to the myth of Black laziness, he believed the greatest threat to establishing a system of free labor was Black people’s reluctance to labor for White landowners, under the exploitative terms they set. Many of his lieutenants shared this perspective. General Davis Tillson, who ran the Bureau in Tennessee and later Georgia, described freedmen as “lazy, worthless vagrants” and sent his patrols off to “accost...children with schoolbooks in their hands, informing them they should be out picking cotton.” Under the leadership of the likes of Howard and Tillson, the Bureau enforced labor contracts written by White planters with the aim of recreating the conditions of slavery—including provisions such as prohibiting laborers from leaving plantations. Bureau agents threatened freedmen who refused to sign labor contracts with incarceration, but did not force White people to sign labor contracts against their will, even as Bureau officials acknowledged that the logic they employed to force Black people to work would seem to call for it—there are, they observed, as many “poor, wandering, idle White men in the South as there are Negroes.”³⁷ Bureau courts, meanwhile criminalized and punished freed people arrested for violating these unethical contracts, and forced them to work for the White people who paid their fines.³⁸ In short, the Bureau’s labor policies—and by extension the federal government’s—made a mockery of Black people’s newfound freedom.

Howard and other Freedmen’s Bureau leaders also limited the relief the agency provided freed people,



regarding it as a temptation to idleness.³⁹ “Freedom does not mean the right to live without work at other people’s expense,” the Bureau declared in 1865. “A man who can work has no right to a support by government or by charity.”⁴⁰ In many localities, the Bureau provided more aid to White families than to Black families.⁴¹ Bureau officials did not look any more kindly on aid that Black families provided to each other, however. To Bureau agent John De Forest, the tendency of Black people to look after their own, or, as he put it “a horde of lazy relatives” and neighbors, threatened their own ability to get ahead as well as the South’s new economic order.⁴²

After the federal government retreated from the South at the end of Reconstruction, southern states stepped up efforts to force Black people to work under the terms and conditions set by White people, following the path cleared by federal authorities and using both criminal justice and relief policies to accomplish the same goal. States rewrote and strictly enforced vagrancy statutes, which criminalized everyday activities such as walking the streets without proof of employment, and imposed fines or involuntary labor on those arrested as a result.⁴³ Every southern state established lucrative convict leasing systems, whereby people who were incarcerated—some for crimes such as murder, but many for such “crimes” as failing to pay a fine or abate a nuisance—could be rented out to private companies, where they would be forced to work under extremely harsh conditions and raped and tortured as punishment for resistance.⁴⁴ If Black people were not caught up in the convict leasing system, they were likely to be trapped in debt peonage. Under the sharecropping system, exploitative employers routinely overcharged sharecroppers for the cost of feed and land use and cheated them at harvest time, denying them their fair share of their crop so that Black families never came out ahead. In addition, as the historian Caitlin Rosenthal has illustrated, some planters tracked the days their sharecroppers did not work, forcing workers to pay a penalty for these days in addition to any lost output—a work requirement if ever there was one.⁴⁵ Sharecroppers who became unjustly indebted to planters under such practices could then be “sold” to other employers, who could force them to work to pay off the debt. This post-emancipation system of forced labor, overseen by the state, has been aptly called by historian Douglas Blackmon “slavery by another name.”⁴⁶

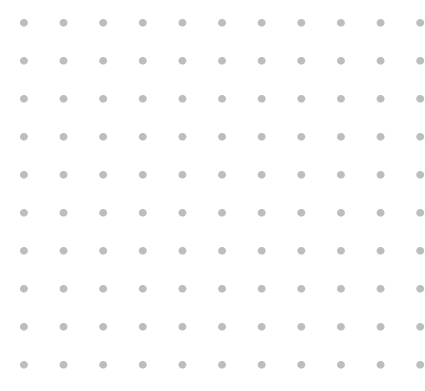
Relief policy was also designed to force Black people to work—either not instituted at all in areas where Black people constituted a large share of the population, or denied to Black people in those areas where it was established. In 1910, 90 percent of Black people still lived in the South, and southern states generally refrained from establishing new forms of public assistance, even as northern states created Mothers’ Pensions.⁴⁷ All poor southern families—White and Black—experienced hardship as a result. Where Mothers’ Pensions were established, in the North and the South, they were created to aid a group of people deemed especially deserving—widows and children—and that understanding of deservingness was racialized. Few families of color and immigrant families received Mothers’ Pensions because administrators only saw White families as deserving.⁴⁸ The only systematic study of the racial composition of families receiving Mothers’ Pensions, undertaken in 1931, surveyed 46,597 families participating in the program and found that 96 percent were White, 3 percent were Negro, and 1 percent were another race. Ohio and Pennsylvania alone accounted for about half of the Black families receiving Mothers’ Pensions. In North Carolina, the only southern state that had anything approaching a statewide Mothers’ Pension, only one Black family received support.⁴⁹ Through it all, the stigma of laziness did not attach to White families as it did to Black ones, even as White mothers received assistance that allowed them to limit their wage labor outside the home.

In the early twentieth century, Black political leaders recognized that the racist stereotype of Black

laziness was being used to justify both federal and state policies that systematically disadvantaged Black families, and they sought to counter both the stereotype, and the policies that resulted. W.E.B. DuBois and Booker T. Washington famously embraced opposing strategies for Black progress—DuBois for integration, and Washington for self-help and accommodation to segregation—but both insisted that Black labor be recognized, and valued. In 1901, DuBois told *New York Times* readers that “as a race the [N]egroes are not lazy” and argued that discrimination must be addressed in the North as much as the South if Black people were to advance economically.⁵⁰ Washington also lifted up Black people’s work. In his famous Atlanta Compromise speech, delivered to a predominantly White audience in 1895, Washington insisted that Black people’s contributions be recognized: “Our greatest danger is that in the great leap from slavery to freedom we may overlook the fact that the masses of us are to live by the production of our hands, and fail to keep in mind that we shall prosper in proportion as we learn to dignify and glorify common labour.”⁵¹ While Washington’s endorsement of manual labor and vocational education can be seen as an accommodation to the emerging Jim Crow order, it was also a demand for the recognition of the hard work Black people did.⁵² As such, both Washington and DuBois reinforced the message of Black labor organizers in the late nineteenth and early twentieth centuries—men and women active in rural and urban areas across the South who demanded better wages and working conditions so that Black and White workers alike would be treated with dignity.⁵³

Directly contesting policies that subjugated Black people was dangerous amidst the unchecked White racial violence of this period, but one way Black women undermined these policies was using their influence and power to fill the gaps they left. Not only did they organize their communities to provide assistance to struggling families, but they placed a high priority on establishing day nurseries, kindergartens, and training schools for women to make it possible for women to work in the wage labor force and also support their families. At a time when White middle-class reformers emphasized women’s roles as mothers and expressed ambivalence about women’s work outside the home, Black middle-class reformers recognized the economic necessity of work for Black women, and they actively supported work. The National Association of Colored Women took the position that day nurseries should have a permanent place in African American communities, and local affiliates established dozens of such nurseries from the 1890s forward.⁵⁴ Unable to rely on deep-pocketed philanthropists, Black nurseries benefited from broad support within African American communities to stay afloat—with the help of turkey dinners, bake sales, and other fundraisers.⁵⁵

Even as Black people stood out as among the most powerful advocates for workers, however, many White people refused to acknowledge their labor. The racist myth they promulgated, and the policies they experimented with to coerce work in the decades following the Civil War, laid the foundation for modern work requirements.



The Birth of Modern Work Requirements

Modern work requirements—that is, policies designed to withhold assistance from families in order to force them into the wage labor force—were born alongside the first federal programs of public assistance of the Great Depression. New Deal policies were a product of a compromise between liberal reformers and southern Democrats intent on maintaining control of Black labor.⁵⁶ Aid to Dependent Children (ADC), the New Deal program of cash assistance to families with children, was, like the Mothers’ Pensions it replaced, created to support White widows and children who were seen as especially deserving. At the insistence of southern Congressmen, control over ADC and other New Deal public assistance programs rested with states, so that they could determine eligibility and benefit levels—thereby excluding whom they wished.⁵⁷ From the very beginning, states instituted *de facto* and *de jure* work requirements designed to exclude Black families.

With *de facto*, or informal, work requirements states simply withheld assistance to families in order to force them to work. States across the South did this, primarily, if not exclusively, for Black families. A federal official who traveled to southern states following the establishment of ADC reported that few Black families participated in ADC because of White administrators’ presumption that Black women should work in the wage labor force—unlike White women. As the official observed, administrators were driven by an “intense desire not to interfere with local labor conditions” and not to offend “the thinking of their own communities, which see no reason why the employable Negro mother should not continue her usually sketchy seasonal labor or indefinite domestic service rather than receive a public assistance grant.”⁵⁸ Local agency staff continued the practices tested under the New Deal’s early emergency relief program, providing Black families lower levels of assistance and, often, denying them assistance entirely. As one Black tenant farmer reported, “You go up there [to the relief office] and they tell you they ain’t got nothing and these old poor White folks come out with their arms full of stuff.” Another explained, “I quit going up there. Everytime I go up there they say come back tomorrow.”⁵⁹ In this way, withholding assistance was one way to force Black people to continue to work under coercive conditions and terms set by White people, for their economic benefit. Southern states also established formal work requirements in their ADC programs, or what they called “farm policies,” cutting off assistance and requiring mothers and children to chop cotton and pick crops

“You go up there [to the relief office] and they tell you they ain’t got nothing and these old poor White folks come out with their arms full of stuff.”

at harvest time. Under these policies, Black women were often denied assistance and forced to work, even as White women were allowed to continue receiving assistance. In 1943, for example, Louisiana adopted a policy of denying applicants or recipients of ADC assistance if they were needed in the cotton fields—including children as young as seven. Because cotton chopping was “traditionally relegated to Negroes,” most if not all families denied assistance under the policy were Black.⁶⁰ A decade later, Arkansas established a farm policy that required all able-bodied mothers and older children to accept employment during chopping season, and cut off assistance regardless of whether they actually were offered a concrete job. The policy was responsible for between 39 and 59 percent of case closings between 1953 and 1960.⁶¹

These public assistance policies requiring Black families to work persisted through the 1940s, 50s, and 60s.⁶² L.V. Jones, an African American father of nine living outside Cairo, Illinois—a segregated sundown town in the southern part of the state where Black people who worked and conducted commerce during the day were expected to leave by nightfall—brought the injustice of such policies to light when testifying before the U.S. Commission on Civil Rights in 1966. As Jones explained, he labored on farms in the summer, and in the winter his family received public assistance, but in May of every year:

“I get a letter that my grant will be cut off ... due to full-time employment. I mean they never comes out to check to see if my employment have started, they just send the letter saying your grant will be cut off. They don’t know when my employment even starts, which everyone know this year the month of May it rained practically all the month, but still I got the same letter, the same type of letter saying that I would be cut off due to full-time employment. I think that they should see if my work really have started before they cut me off, but they don’t do it. I mean they cut me off each year completely.... sometimes I don’t make \$20 a month, but they don’t care. They don’t ask you is that enough or nothing. When work is opened up I am supposed to go to work regardless whether I can get a job or not.”

Only Black families like Jones’ were cut off of assistance in this way. As the leader of the Cairo, Illinois NAACP told the Commission, “I do not know of any White person on relief that has been sent to the fields at any time.”⁶³

These policies not only flagrantly disregarded the needs of Black families like Jones’—families who worked in the wage labor force, and desperately wanted to work more—but they operated to keep Black families in extremely low-paid occupations serving White people. Some White southerners worried that their *de facto* and *de jure* work requirements were not doing enough to keep Black families in these positions, and they established local grand juries to investigate public assistance policies. These grand juries made clear that their White members were concerned that public assistance was undermining their access to low-cost, subservient, labor. In the mid-1950s, for example, a grand jury in McDuffie County, Georgia, echoed the language of enslavers when it concluded that public assistance was leading many families, “largely among colored people,” to refuse to “work at jobs for which they were physically and mentally suited.” When the grand jury insisted that these people were “badly needed in employment in the County” the implication was clear: they were needed to work for White people.⁶⁴ One social worker incisively summarized White southerners’ preoccupation with work requirements, and criticism of public assistance generally:

“What the people who make these criticisms are chiefly interested in is cheaper servants. It makes no difference to them one way or the other what happens to Negro children. They are not interested in whether the mother has someone to leave the children with or not. What they want is a cook at \$5 a week as they used to.”⁶⁵

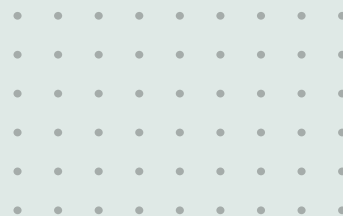
Work requirements were one tool used to create such a pool of low-cost labor and to foreclose alternative avenues of Black economic autonomy from private White interests.

As Black people moved to the North, work requirements followed.⁶⁶ In the North, as in the South, there were rumblings about public assistance in the years following World War II, but the tenor of the political debate shifted in the early 1960s as it became evident that African American families who had long been denied support in the South were being granted assistance after settling in the North.⁶⁷

During this period, Black families worked more than ever. By 1960, Black women’s formal labor force participation rate had risen to more than 60 percent, compared to a labor force participation rate for White women that, while it had been rising steadily since the Second World War, stood at just over 40 percent—approximately the level of Black women’s labor force participation a century earlier.⁶⁸ Black men’s labor force participation was only just below that of White men’s at the time, and close to 100 percent during their prime working years.⁶⁹

In the North, as in the South, however, employment discrimination was endemic, and deindustrialization was beginning to fundamentally change the jobs available. Black people were slower to be hired, and when they were hired, they were channeled into low-paid, unstable jobs that made it difficult to make ends meet. In cities like Detroit, the majority of Black women still worked in domestic service, though jobs in the clerical and manufacturing sectors were beginning to open to them, and Black men were often relegated to the most dangerous and demanding jobs in manufacturing and to non-unionized, low-paid construction jobs.⁷⁰ As a result of this systematic discrimination, Black people needed public assistance, and many Black people received public assistance while simultaneously working in poorly-paid jobs. A study released by the U.S. Department of Health, Education, and Welfare found that Black mothers participating in ADC, which was renamed Aid to Families with Dependent Children (AFDC) in the early 1960s, were almost twice as likely to work as their White counterparts: 19 percent of Black mothers receiving AFDC worked, compared to 10 percent of White mothers.⁷¹ But in the North, as in the South, the myth of Black laziness shaped debates over public assistance and led to calls for work requirements. Demands for work requirements emerged on the national stage in 1961, with a highly-publicized battle over public assistance in Newburgh, New York.⁷²

A study released by the U.S. Department of Health, Education, and Welfare found that Black mothers participating in ADC, which was renamed Aid to Families with Dependent Children (AFDC) in the early 1960s, were almost twice as likely to work as their White counterparts: 19 percent of Black mothers receiving AFDC worked, compared to 10 percent of White mothers.



Newburgh, New York, is a small city 60 miles north of New York City, nestled along the Hudson River. In 1952 it won *Look* magazine’s All American City award, but the factories and mills that employed the city’s residents had moved south in the years that followed, and in 1957 the Department of Labor declared the city and its surrounding region an “area of substantial unemployment.”⁷³ As White families left Newburgh for opportunities elsewhere, Black families who had once migrated to the region seasonally to pick crops began to settle there. In 1961, as the city was coming to terms with its changed economic circumstances and shifting demographics, unsubstantiated rumors circulated among Newburgh’s White residents that a sign in a railroad station in the South read, “Go to Newburgh, NY, and get paid for not working.”⁷⁴

The share of Black people in photographs illustrating stories about poverty and public assistance in three popular newsmagazines—*Time*, *Newsweek*, and *U.S. News and World Report*—rose from 27 percent in 1964, a number which closely tracked their share of the poor population, to 72 percent in 1967.

A young City Manager named Joseph Mitchell pandered to racist stereotypes with his proposed solution to the city’s economic woes: a new “thirteen-point welfare code” that required, among other things, that all able-bodied men receiving assistance work, and that all applicants for assistance “who are new to the city” show “evidence that their plans in coming to the city involved a concrete offer of employment similar to that required of foreign immigrants.” In explaining his support for these measures, Mitchell’s City Council ally George McKneally insisted “this is not a racial issue,” and then made it clear just how racialized the issue was by commenting, “But there’s hardly an incentive to a naturally lazy people to work if they can exist without working.”⁷⁵

There was widespread public support for Newburgh’s measures forcing people to work, and debate over the measures became entangled in national politics. A national Gallup poll conducted in August 1961 found that 85 percent of Americans favored forcing men who could not find jobs to take any job offered, and 75 percent believed recent migrants wanting assistance should prove that they moved to the area with a job offer.⁷⁶ Arizona Senator Barry Goldwater, leader of an insurgent conservative movement and critic of New York’s liberal Republican Governor Nelson Rockefeller, met with Mitchell and said he wanted “to see every city in the country adopt the plan,” proclaiming that he was “tired of professional chiselers walking up and down the streets who don’t work and have no intention of working.”⁷⁷ Senator Hubert Humphrey of Minnesota, the liberal standard bearer, denounced Newburgh’s actions, calling the controversy over public assistance in Newburgh “a symbolic testing ground of the measure of responsibility that man is willing to take for his fellow man.”⁷⁸

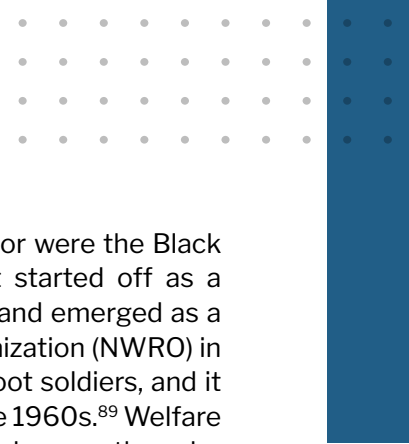
During the Newburgh controversy and over the years that followed, the myth of Black laziness mixed with other racist stereotypes in discussions of public assistance. But whatever the frame, as the Black freedom struggle and urban unrest focused national attention on race and the controversial 1965 Moynihan report sparked debates over the causes of Black families’ disadvantage, media coverage increasingly associated Black people with public assistance.⁷⁹ The share of Black people in photographs illustrating stories about poverty and public assistance in three popular newsmagazines—*Time*, *Newsweek*, and *U.S. News and World Report*—rose from 27 percent in 1964, a number which closely tracked their share of the poor population, to 72 percent in 1967.⁸⁰ As Black people became associated with public assistance programs, policymakers began to attach the longstanding norm that Black women should work to all participants.⁸¹

Members of Congress, both liberal and conservative, started with work incentives. In a set of major reforms to public assistance in 1962, championed by President John F. Kennedy and liberals in his administration, Congress provided more funding for social services. The aim, in the lingo of the time, was to “rehabilitate” public assistance recipients. The act created work training programs to help parents find employment, and allowed families participating in AFDC to keep more of their earnings from work. While these services and earnings disregards no doubt helped many families, in calling for them, as the historian Karen Tani has observed, liberals “opened the door to...harsher policies by characterizing welfare recipients as damaged and by tying recipients’ ‘rehabilitation’ to their participation in the workforce.”⁸² Just five years later, with the 1967 Social Security Act amendments, Congress established the Work Incentive Program, the first national work requirement. Under the law, states were required to refer “appropriate” AFDC recipients to work and training programs.⁸³ In 1971 Congress required all AFDC parents, except for mothers of children under age six, to register for work or training under the Work Incentive Program.⁸⁴

Black men and women pushed back against work requirements as part of their larger agenda to advance policies to appropriately value the work that Black people—indeed, all people—did. Demands for fair wages and full employment were at the center of the Black freedom movement. The 1963 March on Washington, was, as historian William Jones reminds us, a march for “jobs and freedom” and veteran labor leader A. Philip Randolph and other Black labor organizers were its driving force.⁸⁵ In speeches at the March, John Lewis decried “starvation wages,” and Randolph disclaimed that “we have no future in a society in which six million Black and White people are unemployed and millions more live in poverty.”⁸⁶ Organizers listed 10 demands of the March. Among them were a federal jobs program to train and place all unemployed workers in “meaningful and dignified jobs at decent wages,” a higher national minimum wage, and expanded labor standards and anti-discrimination legislation.⁸⁷ Bayard Rustin famously observed one year after the march that the Black freedom movement cannot be successful “in the absence of radical programs for full employment, abolition of slums, the reconstruction of our educational system, [and] new definitions of work and leisure.”⁸⁸



“Demonstrators marching in street holding signs during the March on Washington, 1963.” Library of Congress, Photographer Marion Trikosko, 1963.



Some of the most visionary advocates for valuing the full scope of people’s labor were the Black women leading the welfare rights movement. The welfare rights movement started off as a smattering of local campaigns for adequate benefits and supports for families and emerged as a national movement with the establishment of the National Welfare Rights Organization (NWRO) in 1966. The movement was multi-racial, but Black women were its leaders and foot soldiers, and it

“Everybody is dying for a job. Everybody is saying, yes, we want to be trained for something that pays decently.”

had almost 25,000 members by the late 1960s.⁸⁹ Welfare rights leaders insisted that mothers’ work, as mothers, be valued. As such, they stood at the forefront of an often forgotten strand of the burgeoning women’s movement, that called not just for policies to make it feasible for White middle class women to enter the labor force, but also for policies to allow women of all races and income levels to balance work in the home with work in the paid labor force. Both forms of labor, many feminists insisted, were socially valuable.⁹⁰ As a Boston welfare rights organization put it in 1968, “motherhood—whether the mother is married or

not—is a role which should be fully supported, as fully rewarded, as fully honored, as any other.”⁹¹ They took the definition of work that White middle class families had long applied to themselves, and sought to extend it to all families.⁹²

Welfare rights leaders were among the most outspoken critics of work requirements. Johnnie Tillmon, chairperson of the NWRO, testified before Congress in 1967 against the bill establishing the first national work requirement. Tillmon had worked all of her life. Born to sharecropping parents in Arkansas, she started picking cotton at seven, and at 18 moved to Little Rock where she worked variously as a maid, dishwasher, short order cook, and bomb-fuse inspector at a defense plant.⁹³ In 1960, divorced with six children, she moved to California where she worked at a commercial laundry and became shop steward for the laundry workers’ union. When chronic health problems forced her to quit her job three years later, she turned to public assistance, and she was shocked by the attitudes she encountered toward “welfare mothers.” She began organizing to demand better public assistance payments, job training, and day care so that mothers could work. Work was central to her vision for poor women: “Everybody is dying for a job. Everybody is saying, yes, we want to be trained for something that pays decently.” But in her mind, work should pay wages that allowed mothers to support their families, and mothers who decided that they are better off caring for their own families should be able to do so.⁹⁴ Work of all sorts, in other words, should be rewarded.

“[W]elfare recipients and other low-income persons (along with most Americans) have a strong work ethic, want to work and, when feasible, do work. There is no study which shows that a significant segment of the American population prefers indolence to work.”

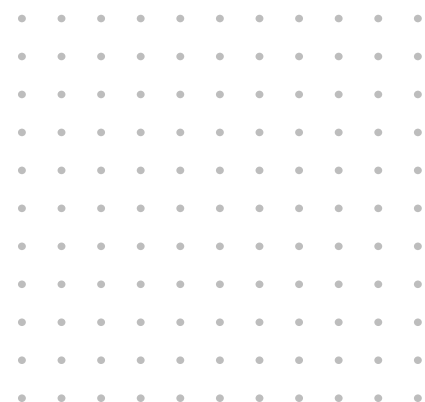
Tillmon and other welfare rights leaders drew a straight line between slavery and work requirements in public assistance. Mary McCarty, a welfare rights leader in Baltimore, spoke at a rally against the proposed work requirements saying they “take us back to slavery... I’m Black and I’m beautiful and they ain’t going to take

me back.”⁹⁵ While proponents of the work requirement, or the Work Incentive Program, called it WIN, Tillmon and other welfare rights activists harkened back to the punishment used by enslavers by calling it WIP.⁹⁶

During the hearings over the Work Incentive Program on Capitol Hill, Tillmon confronted U.S. Senators who saw work requirements as a way to compel Black people to accept low-paid work serving people like themselves. Senator Russel Long from Louisiana complained to Tillmon that because of welfare he couldn’t find anyone to iron his shirts. Tillmon retorted that she had ironed shirts for 18 years and when she was too sick to work, she couldn’t feed her children. People did not need to be forced to work, she emphasized. They needed their work to be adequately compensated. Long eventually walked out of the hearing, calling welfare rights organizers “brood mares” and insisting “if they can find the time to march in the streets, picket, and sit all day in committee hearing rooms, they can find the time to do some useful work.”⁹⁷ Enough Members of Congress shared Long’s assumptions, even if they did not parrot his bigoted rhetoric, and the first federal work requirement in public assistance became law.

The experience with the Work Incentive Program bore out welfare rights leaders’ fears that it would operate to force Black people to work in low-paid positions serving White people. A few years after its passage, Robert Clark, the first African American elected to the Mississippi state legislature in more than 100 years, told Congress that under the Work Incentive Program, in his district “the welfare system is used to support the racist and paternalistic economic system which makes the program necessary in the first place... welfare recipients are made to serve as maids or to do day yard work in White homes to keep their checks.”⁹⁸ In 1977, a review of the research on the Work Incentive Program found that the program did not improve families’ circumstances. The problem, the review concluded, lay not with people’s work ethic, but with the labor market. The report concluded with a penetrating observation: “welfare recipients and other low-income persons (along with most Americans) have a strong work ethic, want to work and, when feasible, do work. There is no study which shows that a significant segment of the American population prefers indolence to work.”⁹⁹

Yet, despite this early evidence that work requirements were not necessary to encourage people to work in the wage labor force, but rather driven by racist assumptions and the desire for servile workers, the political interest in work requirements only grew in the decades that followed.¹⁰⁰



Work Requirements Come of Age

Political interest in work requirements mounted as the labor market was fundamentally changing. From the 1970s onward, the number of unionized manufacturing jobs plummeted while the number of non-unionized, low-paid service sector jobs rose rapidly. The shift was so dramatic that wages for lower income workers actually fell, in inflation-adjusted terms, from the late 1970s through the mid-1990s.¹⁰¹ Meanwhile, discriminatory policies and practices constricted opportunities for Black men and women in new but familiar ways. As White women entered the wage labor force in growing numbers, often taking higher-end service sector jobs or mid-level White-collar jobs, many Black women, who continued to outpace White women in their formal labor force participation, took positions that facilitated White women's labor force participation, becoming over-represented in jobs such as teaching assistants in pre-schools, maids in hotels, cleaners in office buildings, cooks and cashiers in fast food outlets, and poorly paid health service positions such as nurse's aides.¹⁰² As both more Black and White women worked in the formal labor force, meanwhile, the labor force participation of Black and White men began to fall, and Black men's labor force participation fell particularly rapidly, due in part to the rise of mass incarceration, which not only took a disproportionate share of Black men out of the workforce, but also made it harder for them to find jobs after they returned to their communities.¹⁰³

In response to the economic challenges of the late twentieth century, of which these labor market shifts were a part, many liberals as well as conservatives turned to market-based policies as solutions.¹⁰⁴ Paradoxically, as wages stagnated, policymakers increasingly saw the formal labor market as a solution to the struggles of low-income families. The entry of White women into the formal labor force in ever growing numbers was one reason why.¹⁰⁵ But debates over work were as racialized as ever, and the myth of Black laziness as potent. Racism helped fuel the push to mandate work, ultimately driving people of all races and ethnicities into low-paid, insecure jobs.

Ronald Reagan took up the charge of mandating work when he became President in 1981. By that point, Reagan had a long history of using racist imagery to tout work and restrict access to public assistance. When Reagan campaigned for governor of California in 1966, he pledged to "send those welfare bums back to work."¹⁰⁶ When he first ran for president a decade later he shared the story of Linda Taylor, the con-woman who had defrauded the government of hundreds of thousands of dollars. But in Reagan's telling she was a Cadillac-driving, fur-wearing, Black welfare mother from Chicago. Taylor came to represent the lazy, immoral Black woman on welfare—the "welfare queen."¹⁰⁷ Reagan capitalized on the power of this imagery when President, as he pressed draconian work requirements through Congress.

He did so as social scientists were popularizing the idea of enforcing work—especially for Black people. Political scientist Lawrence Mead published an extended disquisition on the necessity of work, *Beyond Entitlement: The Social Obligations of Citizenship*, in 1986. Part of the same intellectual moment of Charles Murray's 1984 book *Losing Ground*, which blamed public assistance programs for poverty and economic insecurity, Mead argued that "non-work" was the central problem facing American society, and that as a response policy should "enforce work."

Mead directly rejected attempts to incentivize work—such as raising wages and increasing earnings disregards in means-tested benefits—as misguided efforts to interfere with the market economy. But he had no difficulty calling for a different sort of interference in the market: mandating low-wage work. He likened it to the need to establish a military draft when at war.¹⁰⁸ In his mind, mandating work was a solution to a fundamentally cultural problem—of American culture broadly, and Black culture specifically. The goal of policy, Mead argued, should be “to restore conventional work norms...to the authority they had in the inner city before civil rights”¹⁰⁹—that is, the period when Black people had even more limited bargaining power in the labor market and did not have recourse to anti-discrimination laws and the Equal Employment Opportunity Commission to push back against employment discrimination.¹¹⁰ Mead saw mandatory work programs in public assistance, which some were calling “workfare,” as one way to return to this fictional golden age of “work norms” and enforced work.¹¹¹

The growing political interest in “workfare” was predicated on the assumption that people receiving public assistance did not work. Not only did this ignore their unpaid household labor, but it ignored their wage labor as well. Many families participated in public assistance programs for short periods when parents were between jobs, and, as the value of AFDC benefits fell dramatically in the 1970s, many families participating in the program supplemented their assistance with formal employment. In interviews with mothers participating in AFDC in the 1980s and 1990s, ethnographers Kathryn Edin and Laura Lein found that many worked in formal or informal employment because it was otherwise impossible for them to cover their families’ expenses.¹¹²

The Reagan administration embraced workfare in the face of this reality. Its first attempt to establish a mandatory work program was largely stymied by Congress. In the early 1980s, Democrats in the majority in both houses were interested in expanding services to public assistance recipients to encourage and facilitate work, but unwilling to strengthen work mandates for participants in AFDC.¹¹³ The Omnibus Budget Reconciliation Act of 1981 funded welfare-to-work demonstration programs, but was most notable for a contradictory policy that made it difficult to combine work and assistance. (The goal of that policy was simply to reduce assistance to families, and in that it was successful, cutting off assistance to over a third of working families.) In the years that followed, however, research on the welfare-to-work demonstration programs quieted some Democrats’ concerns about mandatory work. The Manpower Demonstration Research Corporation (MDRC) conducted randomized control trials of the demonstration programs funded under the 1981 act, which varied significantly from state to state but required mandatory participation in programming in exchange for public benefits, including job search assistance, education and training, and workfare. MDRC’s evaluations found modest increases in employment and earnings in some states, though those increases did not necessarily raise families’ living standards as their costs increased and income from public assistance decreased.¹¹⁴ As the White House clamored for major reforms, Democrats in Congress interested in expanding employment services worked with Republicans to pass the Family Support Act (FSA) of 1988. The FSA significantly expanded services for families with the creation of the Job Opportunities and Basic Skills Training program, or JOBS, but made participation mandatory and reduced families’ benefits if they did not participate for the requisite number of hours per week.¹¹⁵

One of the most ardent lobbyists for the FSA was a young governor named Bill Clinton.¹¹⁶ Clinton cast himself as a New Democrat—a centrist who accepted conservative ideas about work and public assistance.¹¹⁷ By the time Clinton ran for President four years later, it was clear that the FSA was not the silver bullet proponents hoped it might be to get families to move from “welfare to work,” which, in their eyes, meant no longer participating in public assistance programs. The first major study of a JOBS program found that it had reduced the number of families participating in AFDC by just two percent.¹¹⁸ The services available through JOBS did little to address the structural barriers to work, including deindustrialization, employment discrimination, and the spatial mismatch between workers

and jobs, which was a growing problem for Black families living in central cities as jobs moved to the suburbs.¹¹⁹ In his campaign for President, Clinton did not address these structural economic challenges. He did, however, promise to “end welfare as we know it.” Immediately upon taking office, Clinton signed waivers so that states could experiment with new types of work requirements and time limits in their AFDC programs, while the White House worked with Congress on a national bill. Clinton was attracted to what everyone called “welfare reform,” because he saw it as a way of moving past the ugly racial politics that drove anti-poverty policy.¹²⁰ As Clinton later remembered, “I really believed that if we passed welfare reform... we could diminish at least a lot of the overt racial stereotypes that I thought were paralyzing American politics.” Once welfare was off the table, in other words, a broader progressive revival would be possible.¹²¹ But the debate over welfare that ensued only reinforced the myths that had driven criticisms of public assistance and support for work requirements in the past.

Black people were the image of welfare reform. After the Republican landslide in the 1994 midterm elections, Clinton negotiated a bill with Newt Gingrich and Congressional conservatives. As Jason DeParle, the *New York Times* reporter who chronicled the political debate, observed, while Reagan talked about welfare queens, Gingrich invoked other stereotypes of Black criminality and promiscuity, asserting “you can’t maintain civilization with 12-year-olds having babies and 15-year-olds killing each other and 17-year-olds dying of AIDS.” The racial subtext was lost on no one. DeParle received one letter

When Aurelia Knotts applied for assistance in Wisconsin in 2003 and was informed the agency would not place her in any of the positions for which she was qualified or had previous experience, and that she must instead work as a seamstress in exchange for assistance, she said “I might as well live in Uncle Tom’s cabin, but I’m going to do what I’m going to do.”

at his *New York Times* address asking, “[W]hat does it take before the liberal reformers realize that 2000 years of civilization [sic] has passed Black people by.”¹²² These racist images were purveyed by liberals as well. On August 12, 1996, *The New Republic* ran a cover that updated the racist stereotype of Black laziness for the welfare reform era. Under the heading, Day of Reckoning, the once progressive news magazine ran a photograph of an un-named Black woman holding her baby and smoking a cigarette, staring off into the distance. Under the photograph, the cover announced an editorial titled “Sign the Welfare Bill Now.”¹²³ Bill Clinton signed the bill abolishing AFDC and creating Temporary Assistance for Needy Families (TANF) less than a week later, flanked by AFDC participants Lilian Harden and Penelope Howard. Both women were Black.¹²⁴

TANF did end welfare as we knew it. It not only had much stricter work requirements than the FSA, requiring states to hold a significantly higher portion of participants to the requirements, but it imposed time limits on assistance, and block-granted federal assistance to states. Together, these changes have led to an unprecedented contraction of assistance to children and families. While in 1996, 68 of every 100 families living in poverty received some direct financial assistance through TANF, today only 23 out of every 100 families do.¹²⁵

Under TANF, the threat to reduce or eliminate assistance unless a participant documented work for a certain number of hours per week was combined with some supports and services to make it possible for parents to complete their hours, but the value of these services varied tremendously from state to state, and in practice programming often functioned as little more than coercive hoops participants must jump through in order to receive meager assistance.¹²⁶ When Aurelia Knotts applied for assistance in Wisconsin in 2003 and was informed the agency would not place her in any of the positions for which she was qualified or had previous experience, and that she must instead work as a seamstress in exchange for assistance, she said “I might as well live in Uncle Tom’s cabin, but I’m going to do what I’m going to do.”¹²⁷

As with earlier iterations of work requirements, the work requirements in TANF have disproportionately affected, and harmed, Black families. As the political scientists Joe Soss, Richard Fording, and Sanford Schram found when studying state TANF rules in 2001, while nationally more White people than Black people participated in TANF (43% to 36%), in states that adopted stricter sanctions for not meeting work requirements, as well as eligibility restrictions, Black families outnumber Whites.¹²⁸ In states with the strictest sanction policies, families can lose all of their direct financial assistance if they do something as simple as not turn in a time sheet on time, or miss a day of work participation to take a child to the hospital.¹²⁹ Sanctions have only gotten harsher over time, and the racial disparities persist.¹³⁰ As Heather Hahn and her colleagues at the Urban Institute found in a 2017 report, a “five percentage point increase in the African American share of the population is associated with a nearly 10 percentage point increase in the probability of having harsher initial sanctions” for not meeting work requirements.¹³¹

Other studies show that within states, Black families, and in some cases Latinx families and American Indian and Alaska Native families, are more likely to be sanctioned for not meeting work requirements. Not only do people of color face employment discrimination that can make it more difficult to find and keep a job, but research suggests that caseworker discretion also plays a role in higher sanction rates, as biases and stereotypes lead caseworkers to sanction African American clients more often than non-Hispanic White clients.¹³² Soss, Fording, Schram, and Linda House conducted an experiment in Florida in which they gave case managers case studies of families with randomly assigned characteristics, asking whether they would impose sanctions on the fictional TANF participants. They found that the probability of a sanction rose significantly when a “discrediting marker”—such as a previous sanction—was attached to a Black participant, but not when it was attached to a White participant. They theorize that these discrediting markers triggered the stereotype that Black people do not want to work, making case managers more likely to sanction Black people when they were present.¹³³ Today, politicians may not be calling Black women “brood mares” and telling them to iron their shirts, but racist ideas remain powerful and work requirements are still designed and implemented in ways which disproportionately harm Black families, denying them much needed assistance and forcing them to continue work in insecure jobs that make it extremely difficult to balance work and family responsibilities.

Meanwhile racism continues to influence how Americans think about social policy. Political scientist Martin Gilens’ groundbreaking research in the late 1990s showed how the myth of Black laziness continued to shape White peoples’ views of public assistance. Analyzing survey data, Gilens found that “the majority of White Americans believe that Blacks could be just as well off as Whites if they only tried harder.” Gilens concluded, “were it not for Whites’ negative views of Blacks’ commitment to the work ethic, support for the least-favored welfare programs might more closely resemble the nearly unanimous support that education, health care, and programs for the elderly currently enjoy.”¹³⁴ An entire body of research has replicated Gilens’ findings in the years since.¹³⁵ Most recently, sociologists Rachel Wetts and Robb Willer find that White people’s racial attitudes continue to affect their views on welfare spending, and in fact that both White racial resentment and White people’s opposition to welfare rose beginning in 2008. They theorize that the perception of increased political power of people of color, with the election of President Barack Obama, during a period of economic recession has driven White people’s attitudes toward social supports in recent years.¹³⁶ The result hurts everyone. Physician Jonathan Metzl describes meeting a 41-year-old White man named Trevor who was dying of liver damage, but proud that his home state of Tennessee had not expanded access to Medicaid under the Affordable Care Act, which would have enabled him to afford life-saving treatment. “Ain’t no way I would ever support Obamacare or sign up for it,” Trevor told Metzl in 2016, “we don’t need any more government in our lives. And in any case, no way I want my tax dollars paying for Mexicans or welfare queens.”¹³⁷

Where We Are Today



Since President Trump took office in January 2017, his administration has both stoked White racial anxieties and promoted work requirements—not only encouraging states to implement work requirements in Medicaid, but seeking to restrict access to food and housing assistance as well by imposing and strengthening work requirements.¹³⁸ These are work requirements stripped down to their essence, without supports and services to help people get and keep jobs. They operate purely on the assumption that threatening to cut supports will encourage some imagined group of people who are reluctant to work and disconnected from the wage labor force to take a job. Echoing Lawrence Mead, the White House Council of Economic Advisers described these work requirements as a way to spread the “American work ethic.”¹³⁹ In February 2018, while trying to convince fellow lawmakers at a Republican retreat to restrict access to health insurance, food assistance, and other programs that help families meet their most basic needs by imposing work requirements, House Republican Study Committee Chairman Mark Walker explained that a majority of people participating in these programs are White. In its coverage of the event, *Politico* surmised that Walker was attempting to “pre-empt accusations” that the work requirements agenda was “racially tinged.”¹⁴⁰

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are enacted, they are designed to harm Black people
most...”

But history demonstrates that work requirements are inherently “racially tinged.” To this day we see that when work requirements are enacted, they are designed to harm Black people most. In the spring of 2018, Michigan’s state legislature unveiled a Medicaid work requirement plan that seemed calculated to harm Black people.¹⁴¹ Under the plan, whether people were subject to the strict work requirement depended on the county in which they lived. People living in counties with high unemployment were exempt from the work requirement—an acknowledgement that work in such areas is likely to be genuinely hard to find. But in practice, this would have meant that people living in largely-White rural counties would be exempt, while people living in diverse urban counties, where low overall unemployment is driven by skilled and salaried workers who are overwhelmingly White, would be subject to the full work requirement. Under the plan, majority African American cities like Detroit and Flint would not have been exempt from the policy despite their high unemployment because they sit in counties where the unemployment is relatively low. Michigan’s work requirement legislation was eventually revised to avoid the appearance of racism, by replacing the county exemption with an individual “grace period” that allows people to not meet the work requirement for up to three months a year and maintain their health coverage.¹⁴² Ultimately, however, no work requirement can expunge the reality of racism.

This racism has hurt all families by fueling policies that fail them and inhibiting the development of policies that make sense for their lives.¹⁴³ Most families who can work in formal employment do, but they face a deeply inequitable labor market. Wages at the bottom end of the income distribution have stagnated for decades.¹⁴⁴ Eleven years into an economic expansion, wages are finally growing for many low-paid workers, but wage growth for Black workers has lagged behind White and Hispanic workers, and federal inaction in raising the minimum wage has meant that wage growth is geographically uneven, as wages have grown more for workers in states and localities that have raised their minimum wages.¹⁴⁵ Low-paid workers are also less likely to have access to paid sick leave or other forms of paid leave, despite being least likely to be able to afford taking unpaid leave, and they experience significant employment volatility, unable to predict the number of hours they will work from day to day and week to week, or whether they will have a job at all.¹⁴⁶ As a result, balancing formal employment and caregiving responsibilities is difficult to impossible. Even in a strong economy, moreover, many people have difficulty getting and keeping jobs.¹⁴⁷ Persistent and well-documented employment discrimination means that people of color are less likely to be hired and more likely to be fired.¹⁴⁸ Limited private and public investment in education and training denies many people the opportunity to develop skills that can lead to higher pay and more stable employment.

To the extent that cash assistance, food assistance, and free or low-cost health insurance is available to families today, these programs often work to subsidize the wages and benefits of working families, and substitute for the unemployment insurance, workers compensation, and paid sick and parental leave that their jobs fail to offer.¹⁴⁹



Meanwhile, national policy does little to support families in their caregiving work. The United States is the only high-income country that does not have a national policy of paid parental or family leave.¹⁵⁰ The federal Family and Medical Leave Act (FMLA) protects some workers' right to job-protected *unpaid* leave to care for themselves or a loved one who is ill, or bond with new child, but only if they have worked a minimum number of hours for a covered employer for a year or more.¹⁵¹ National surveys find that many parents do not take unpaid leave, even if they are covered by the FMLA, because they cannot afford it—indeed some researchers have concluded that “unpaid maternity leave may actually increase disparities because it only benefits those mothers who can afford to take it.”¹⁵²

It is time for us to enact policies that value all people's contributions, at home and in the wage labor force. Today, social movements, led by women and people of color, are standing on the shoulders of the March on Washington and the Welfare Rights movements and demanding just that. Fast food workers have led the fight for a \$15 dollar minimum wage, bringing minimum wage increases in dozens of states and localities, and putting a higher minimum wage on the national agenda.¹⁵³ Domestic workers are at the forefront of a new wave of labor activism, demanding innovative solutions to build worker power and support collective action and bargaining.¹⁵⁴ Mothers are leading the campaigns for child care and paid family leave for all and demanding a real income floor for families with children, putting these issues at the center of the national political debate.¹⁵⁵ In order to overcome this sordid history of denying Black people's work, we must join them in demanding policies that value people's labor at work and at home, and make it possible for all families to lead happy, healthy, economically secure lives. A first step to realizing this vision is abolishing work requirements, which discount the real work people do, systematically disadvantage Black families and other families of color, and threaten the well-being of all.

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