

2015

Journal of Sociology and Social Welfare Vol. 42 No. 3 (September 2015)

Follow this and additional works at: <https://scholarworks.wmich.edu/jssw>



Part of the Social Work Commons

Recommended Citation

(2015) "Journal of Sociology and Social Welfare Vol. 42 No. 3 (September 2015)," *The Journal of Sociology & Social Welfare*: Vol. 42: Iss. 3, Article 1.

DOI: <https://doi.org/10.15453/0191-5096.3915>

Available at: <https://scholarworks.wmich.edu/jssw/vol42/iss3/1>

This Complete Issue is brought to you by the Western Michigan University School of Social Work. For more information, please contact wmu-scholarworks@wmich.edu.





Journal of Sociology & Social Welfare



VOLUME XLII
NUMBER 3
September, 2015

The JOURNAL OF SOCIOLOGY AND SOCIAL WELFARE is edited and published by the SCHOOL OF SOCIAL WORK, WESTERN MICHIGAN UNIVERSITY, 1903 W. Michigan Ave., Kalamazoo, MI 49008-5354.

JSSW is sponsored jointly by Western Michigan University, the College of Health and Human Services, and School of Social Work. The substantial support of the University of California, Berkeley in the publication of the journal is gratefully acknowledged.

Editor: Robert D. Leighninger, Jr.

Managing Editor: Gary Mathews
E-Mail: gary.mathews@wmich.edu

Associate Editor: Robert Moroney *International Editor:* Jason L. Powell

Editorial Board

Mimi Abramowitz	Edward Gumz	John Murphy
Bruce Arrigo	Lorraine M. Gutiérrez	Robert Newby
Pallassana Balgopal	Charles Guzzetta	Wilma Peebles-
Ellen Benoit	Robert Hawkins	Wilkins
Katherine Briar-	John Herrick	Dennis Peck
Lawson	Alice K. Johnson	Philip Popple
William Buffum	Jill Jones	Jason L. Powell
Iris Carlton-LaNey	Terry Jones	Susan Robbins
Richard Caputo	Nancy Jurik	Steven R. Rose
Pranab Chatterjee	Robert Kronick	Marguerite Rosenthal
Mary Jo Deegan	Marina Lalayants	Eunice Shatz
Luisa S. Deprez	Timothy Lause	Fei Sun
Paula L. Dressel	Daniel Liechty	John Tropman
Robert Fisher	Taryn Lindhorst	Charmaine C. Williams
Sondra Fogel	Patricia Martin	John Williamson
Alejandro Garcia	Nick Mazza	James Wolk
Andrew Golub	Peter Meiksins	Miu Chung Yan
Richard M. Grinnell, Jr.	James Midgley	

Assistant Editor
Melinda McCormick

Book Review Editors

Marguerite Rosenthal, Emerita, Salem State University, and Jennifer Zelnick. Please mail books for review to: Jennifer Zelnick, Touro College School of Social Work, 43 West 23 Street, 8th Floor, New York, NY 10010.

The Journal of Sociology and Social Welfare is published quarterly. Prior to photo-copying items for educational classroom use, please contact the Copyright Clearance Center, Inc., 222 Rosewood Drive, Danvers, MA, 01923, or Current Contents/Social & Behavioral Sciences (CC/S&BS), Institute for Scientific Information, 3501 Market Street, Philadelphia, PA, 19104. The Journal is abstracted and indexed in: Applied Social Sciences Index and Abstracts, Elsevier Bibliographic Databases, Psychological Abstracts, Social Work Research & Abstracts, Sociological Abstracts.

JOURNAL OF SOCIOLOGY & SOCIAL WELFARE

Volume XLII September, 2015 Number 3

- AN EXAMINATION OF THE NEW YORK STATE
WORKERS' COMPENSATION REFORM ACT OF 2007
Julia Ostrov 3
- REFRAMING NEW FRONTIERS FOR INDIGENOUS
PEOPLES
Hilary Weaver 25
- SOCIAL WORK ADVOCACY: PROFESSIONAL
SELF-INTEREST AND SOCIAL JUSTICE
Mary Ellen Brown, Michelle Livermore, and Annahita Ball 45
- WHO'S LEFT OUT: CHARACTERISTICS OF
HOUSEHOLDS IN ECONOMIC NEED NOT
RECEIVING PUBLIC SUPPORT
Vincent A. Fusaro 65
- APPLYING SEN'S CAPABILITY APPROACH TO
UNDERSTAND WORK AND INCOME AMONG POOR
PEOPLE IN INDIA
Mahasweta M. Banerjee 87
- RELATIONSHIP-BASED JUSTICE FOR GENDER
RESPONSIVE SPECIALTY COURTS
Margaret H. Lloyd 113
- RACE-GENDER DIFFERENCES IN THE IMPACT OF
HISTORY OF HEAVY DRINKING ON CURRENT
ALCOHOL CONSUMPTION DURING THE
TRANSITION TO ADULTHOOD
*C. André Christie-Mizell, Whitney N. Laster Pirtle,
Benjamin D. Tyndall, and David M. Merolla* 137

BOOK REVIEWS

- Reconciling Work and Poverty Reduction: How Successful are European Welfare States?* Bea Cantillon and Franz Vandenbroucke (Eds.), and *Activation or Workfare? Governance and the Neo-liberal Convergence*. Ivar Lødemel and Amilcar Moreira (Eds.).
Reviewed by James Midgley. 159
- All I Want is a Job: Unemployed Women Navigating the Public Workforce System*. Mary Gatta.
Reviewed by Joyce Bialik. 163
- The Other Welfare: Supplemental Security Income and U.S. Social Policy*. Edward D. Berkowitz and Larry DeWitt.
Reviewed by Benjamin W. Veghte. 165
- The Power of the Past: Understanding Cross-Class Marriages*. Jessi Streib. Reviewed by Mary Ann Kanieski. 167
- Failure to Flourish: How Law Undermines Family Relationships*. Clare Huntington.
Reviewed by Mark E. Courtney. 169
- Human Rights and Adolescence*. Jacqueline Bhabha, Ed.
Reviewed by David Tobis. 171
- Can't Catch a Break: Gender, Jail, Drugs, and the Limits of Personal Responsibility*. Susan Starr Sered and Maureen Norton-Hawk.
Reviewed by Brandy Henry. 173
- Ghettoside: A True Story of Murder in America*. Jill Leovy.
Reviewed by John DeCarlo. 175
- Café Culture in Pune: Being Young and Middle Class in Urban India*. Teresa Platz Robinson.
Reviewed by Michael Gilbert. 177

An Examination of the New York State Workers' Compensation Reform Act of 2007

Julia Ostrov

Workers' compensation, a critical safety net for injured and ill workers in the form of medical care and wage replacement benefits, emerged on the heels of the Industrial Revolution as the first extensive social insurance program in the United States. Over the past two decades, workers' compensation policy in New York State has followed a national trend of severe retrenchment in benefits to workers. This paper takes as its focus an examination of the most recent workers' compensation reform legislation in New York, and provides a discussion of the important role social workers can play in promoting social justice within the workers' compensation system.

Key words: workers' compensation, social legislation, labor policy, social justice, New York State, work-related injury, work-related illness

The year 2014 marked the one-hundredth anniversary of the permanent enactment of workers' compensation¹ law in New York State (NYS). Often portrayed as reaching a middle ground between labor and business, workers' compensation legislated a no-fault system of medical care and wage replacement benefits for injured workers; in exchange, workers effectively gave up their right to sue their employers in the event of injury or illness. Workers' compensation remains today the exclusive remedy for workers who are injured or become ill in the course of employment, however, the value of benefits for workers has been much diminished over time. New York's workers' compensation policy, in the face of rapidly rising system costs and at the hands of business and governmental interests, has undergone severe retrenchment in terms of benefits to workers over the past two decades. Most recently, the NYS Workers' Compensation Reform Act of 2007 included a sweeping blow in benefits to workers. This paper will address the 2007 reforms, and attempt to bridge the gap in knowledge

about workers' compensation within the field of social work, as social work literature on this topic is scant.

As the primary safety net for injured workers, and the first extensive social insurance program in the United States, workers' compensation deserves significant attention from the field of social work. Social workers have an important role to play in promoting social justice within the workers' compensation system, specifically in helping injured or ill workers access benefits, addressing issues of disparities and exclusion, and challenging the past two decades worth of retrenchment.

Origins & Scope

Following on the heels of the Industrial Revolution, workers' compensation emerged as the first large-scale social insurance program in the United States. In large part, workers' compensation was a reaction to the excesses and brutalities of laissez-faire capitalism and unbridled economic growth. The rapidly expanding industrial economy of the previous century had birthed an array of life- and limb-threatening occupations including manufacturing, coal mining, logging, steel-working, railroad-related jobs, and construction (Eastman, 1969). Workers were increasingly being seriously harmed or killed in the course of their work. Initial efforts (pre-workers' compensation) to cope with the swiftly rising death and injury toll were wide-ranging, including tort litigation against employers, cooperative insurance associations amongst workers, and in-house employer-sponsored relief-funds, all of which were ultimately dissatisfying to the various parties involved (Witt, 2004).

The mainstream narrative among both the popular press and academic scholarship is that out of piecemeal efforts to address this industrial accident crisis, a "broad-based coalition" of support developed for a state-regulated solution in the form of workers' compensation (Fishback & Kantor, 2000, p. 113). Enacted first by the federal government in 1908 for certain federal employees, then in over 40 states over the course of the next decade, workers' compensation laws mandated most employers to purchase workers' compensation insurance from private or state-sponsored insurance companies; these companies were then responsible for shouldering the cost of medical

care and wage replacement benefits for workers or their families in the event of injury or death (Sengupta, Baldwin, & Reno, 2014; Terrell, 2008). While federal and state coverage statutes did not initially include mention of occupational disease, later court decisions and legislative amendments made compensable various diseases that either develop due to occupational accident or injury, or that are themselves considered to be "particular to some line of work" (Barth, 1980, pp. 95-96).

From a social work perspective, the workers' compensation system was in essence a social insurance program, wherein employers made contributions on behalf of their employees to an insurance pool, which would then disburse benefits to workers in the event of injury or illness (Terrell, 2008). State laws varied widely in administrative procedures, levels of wage replacement benefits, and regulations, such as which employers were exempt from compulsory insurance purchase (Sengupta et al., 2014). Across the board, however, these laws set up a "no-fault" system of compensation, such that a worker sustaining an injury or illness that "arose out of ... and in the course of employment" was entitled to compensation—regardless of whether the employer, employee, or neither were responsible for the worker's misfortune (Burton, 2007, pp. 3-4; Rich, Farnham, & Parmele, 1918, pp. 896-897). In legal terms, workers' compensation became the "exclusive remedy" for injured or ill workers: in most states, workers gave up their right to sue their employers in exchange for this guaranteed safety net (Hood, Hardy, & Lewis, 2011, pp. 73-74).

In the event of injury or illness today in New York State, a worker may submit a claim to the State's administrative law agency, known as the Workers' Compensation Board. The Board, which operates under the auspices of the Governor and consists of 1500 employees state-wide, including a politically appointed Chair and set of commissioners, is the entity responsible for adjudicating workers' claims (New York State Workers' Compensation Board [NYSWCB], n.d.a). Depending upon the nature and severity of the injury or illness, and the duration (if any) of time out of work, most workers in NYS are entitled to receive medical care and various levels of cash benefits (NYSWCB, n.d.b). In 2012, medical and wage replacement benefits totaled \$5.4 billion in NYS and \$61.9 billion nationally (Sengupta et al., 2014). These figures reflect the vast reach

of workers' compensation coverage, which applies to most of the country's working population: approximately 90%, or an estimated 127.9 million workers (Sengupta et al., 2014; Terrell, 2008).

Workers may submit a workers' compensation claim in the event of any injury or illness arising out of or in the course of employment. In 2012, there were a total of 215,000 non-fatal workplace injuries and illnesses reported in New York State, out of a national total of 3.8 million (United States Bureau of Labor Statistics [USBLS], n.d.c; USBLS, n.d.d). Out of all injuries and illnesses requiring days away from work, 33% were musculoskeletal in nature, such as pinched nerves, herniated discs, sprains, strains, tears, carpal tunnel syndrome, and connective tissue diseases (USBLS, n.d.e). Occupational illnesses alone (excluding injuries) accounted for 5.5% of the 3.8 million total, and included "other" illnesses (e.g., effects of radiation or environmental exposure, blood-borne diseases, tumors), skin disorders, hearing loss, respiratory conditions, and poisoning, respectively (USBLS, n.d.c; USBLS, n.d.f). Relevant to note, however, is that several prominent sources have addressed the issue of dramatic underreporting (both by employees and employers) of workplace injuries and illnesses, such that state and national figures should be considered very rough estimates (United States House of Representatives Committee on Education and Labor, 2008). The lack of a truly representative count holds true for workplace fatalities as well, which officially numbered 4,628 nationally and 202 in New York in 2012 (Steenland, Burnett, Lalach, Ward, & Hurrell, 2003; USBLS, 2014; USBLS, n.d.a; USBLS, n.d.b).

Policy Developments: Reform and Retrenchment

A surge in news reporting on workers' compensation policy in New York State emerged from the 1990s through the contemporary period due to debates over the exponentially rising costs of the system. Public dialogue about workers' compensation during this timeframe has persistently pitted labor against business, with "reform" typically signaling—both in language and in law—retrenchment in benefits for workers.

From the 1980s into the mid-90s, employers across the

country witnessed an unprecedentedly swift rise in workers' compensation costs (Burton, 2001). Nationally, the cost of workers' compensation for employers had stayed relatively flat at around 1.0% (per \$100 of covered wages) from 1940 (when the first statistics are available) to 1970 (United States Social Security Administration [USSSA], 2013). By 1980, though, the cost was at 1.96% and grew from there, hitting its peak at 2.17% in 1993 (USSSA, 2013). Beginning in the 80s, within the context of a neoliberal era in which attacks on the public safety net took center stage politically, business interests began to put increasing pressure on lawmakers and government officials to reduce labor costs by making significant cuts in workers' compensation benefits and creating barriers to coverage (Tarpinian, Tuminaro, & Shufro, 1997). Dozens of state legislatures across the country responded by drastically altering their workers' compensation laws in order to lower costs for employers and insurers, constituting a national wave of retrenchment in benefits to workers (Ellenberger, 2000; Grabell & Berkes, 2015; Hicks & Cooke, 1995; Loomer & Shultz, 1993; McDonald & McDonald, 1997; Spieler & Burton, 1998).

Critical to the passage of these reforms was the portrayal of state economies as being in crisis due to rising costs in the system, a narrative that surfaced in New York in the lead-up to both pieces of workers' compensation policy passed in the past two decades: the Omnibus Workers' Compensation Reform Act of 1996 and the Workers' Compensation Reform Act of 2007. Arguing for the '96 reforms, business interests (employers and insurers) as well as sympathetic politicians (Governor Pataki) stressed that New York was becoming inhospitable to business because of high workers' compensation premiums, and that reforming the system was the only way to keep businesses from leaving the state (Tarpinian et al., 1997). New York's 1996 Reform Act included cost-saving provisions that resulted in several setbacks for workers, including the expansion of managed care and changes to administrative procedures that made it more difficult for workers to access benefits; however, Tarpinian et al. (1997) provide a compelling history of how a coalition of labor forces, both grassroots and professional, rose up and succeeded in fighting back against some of the more drastic reform proposals through concentrated efforts in research, education, publicity, and advocacy.

The 2007 Reform Act

In the decade leading up to the 2007 Reform Act, pressure for change in the workers' compensation system was present from all sides. Stakeholders in business joined with government voices to again argue that high premiums were hurting economic opportunity in the State, and depictions of workers as cheats and malingerers milking the system were not uncommon (Hakim, 2005; Hakim & Chan, 2007; Prewitt, 2005; Rosenfeld, 2007). Labor interests, on the other hand, emphasized the inordinately low ceilings for worker benefits compared to those in other states, and advocated reducing costs in the system by eliminating insurance company corruption and unwieldy profit-making (Mesh, 2006; Roberts, 2005). Additionally, injured and ill workers suffered (and continue to suffer) from delays in receiving medical care because of claims contested by insurance carriers; demeaning "independent medical examinations," performed by doctors essentially incentivized to minimize the extent of a worker's illness or injury; and frustration in having to navigate a lengthy, complex, and mysterious bureaucratic process in order to get their claims adjudicated (Greenhouse, 2009; Kleinfeld, 2009; Kleinfeld & Greenhouse, 2009). Adding to this, the NYS Worker's Compensation Board had no authority to go after employers who were cheating the system out of millions of dollars in premiums by mis- or under-representing their workforce; while it was a felony to commit fraud as an employee by faking a claim, it was only a misdemeanor for an employer to illegally refrain from purchasing workers' compensation insurance, and that crime was rarely prosecuted (Fiscal Policy Institute, 2007; Greenhouse, 2007).

The dominant narrative about the 2007 reforms has been one of success in ameliorating the majority of these problems in the system, and in meeting the needs of both labor and business. In the immediate aftermath of the reforms, representatives from both government and business interests applauded significant cost-cutting. Democratic Governor Spitzer, who signed the 2007 legislation and made it a priority from the very beginning of his term as part of his efforts to improve New York's environment for business, proclaimed a reduction in insurance premium costs for employers of 10 to 15%, a figure

which by July of that year had risen to 20.5% (Gormley, 2007). The reforms were hailed by the Business Council of NYS as "a major step forward toward reducing the cost of doing business" in the state and were lauded by Republican State Senator John Flanagan as "great news for the financial well-being of New York businesses and of our state as a whole" (Ceniceros, 2007, para. 11; Flanagan, 2007, para. 4).

For labor interests, however, the outcome of the reforms was not so straightforward; while labor secured some improvements for which they had been fighting for over a decade, these gains excluded vital provisions and came at the expense of a drastically reduced benefit structure. The primary positive outcome for workers was the raising of the minimum and maximum weekly benefit rates, a change long-fought for by labor. This meant that the ceiling on benefits of \$400 per week would be raised for the first time in 15 years, first to \$500 per week, and then progressively higher each year until July 2010, when the maximum would be indexed to two-thirds of the State's average weekly wage (NYSWCB, 2008). Governor Spitzer, who declared the reforms a "win-win" for labor and business, (and later the Workers' Compensation Board, which proclaimed the reforms a success) cited the raise in the maximum weekly benefit as being a great victory for workers (NYSWCB, n.d.c; Ruquet, 2007; Spitzer, 2007). While this provision was a much-needed step forward, it remains problematic because it excludes workers who were injured or became ill before the July 1, 2007 date, and because it benefits only high wage earners. The minimum weekly rate was raised from \$40 to \$100 per week, but unlike the maximum weekly rate it was not indexed to account for inflation, an omission that negatively affects low-wage earners (Grey, 2008). Additionally, the reforms provided for no indexing of benefits received over time, such that regardless of date of injury or illness, or amount of benefit, workers are not entitled to any cost-of-living increases (Grey, 2008).

Changes in administrative procedure and medical guidelines similarly paint a mixed picture for workers. On the positive side, the reforms included provisions to incentivize a reduction in the disputation of claims by insurance companies, and new requirements to hasten the resolution of controverted claims. According to the Board, both measures have already

been successful in streamlining the adjudication process for workers, to some extent (NYSWCB, n.d.c). The reforms also included the implementation of new medical treatment guidelines, with the stated purpose of standardizing best medical practices and reducing the lag time between when a medical provider recommends a treatment and when the insurance company approves it (NYSWCB, n.d.c). While some labor advocates were in favor of medical treatment guidelines, others argue that these guidelines have created a new tangle of paperwork for medical providers, placed a heavy burden on workers and their physicians to prove need for medical care, greatly restricted palliative care for workers with chronic conditions, and largely failed to speed up the provision of care (Grey, 2011).

One decidedly positive outcome for workers, and for the workers' compensation system as a whole, was a significant enhancement in the jurisdiction of the Workers' Compensation Board to enforce insurance standards. Stop-work orders can now be issued by the Board to out-of-compliance employers, improved technology has made it more feasible for the Board to identify such employers, and, significantly, the failure of an employer to maintain adequate workers' compensation insurance has been reclassified from a misdemeanor to a felony (NYSWCB, n.d.c). In the first year and a half of the new legislation, over 1,700 stop-work orders were issued by the Board (along with \$20 million levied in penalties), a total which has since risen to over 9,000 (NYSWCB, 2008; NYWCB, 2014). The Board has reported that the use of these stop-work orders has proved to be an effective mechanism for swiftly bringing employers into compliance (Martino, 2007; NYWCB, 2008).

Keeping these relative gains and limitations in mind, the paramount story in the 2007 reforms is one of a drastically slashed benefit structure for workers. The core of the cost-cutting in the system was accomplished by imposing permanent partial disability (PPD) benefit caps, a limitation on the amount of time a worker classified as having a permanent partial disability can collect benefits. Workers who are classified with a severe degree of impairment, meaning that their earning capacity will be affected permanently, are most frequently classified as having a permanent partial disability (as opposed to a permanent total disability) (Sengupta et al., 2014, p. 7).

Widely regarded as a major expense for business, PPD benefits had come under attack in New York (and many other states) before, and in fact was a category of benefit that labor successfully fought to protect in advance of New York's Omnibus Act a decade earlier (Rosenfeld, 2007; Tarpinian et al., 1997). This time, however, the push from business and government was too strong. Whereas prior to the 2007 reforms, a worker classified as having a permanent partial disability was entitled to benefits for the lifetime of the disability (which could be a worker's lifetime), with these reforms, PPD benefits max out at 10 years—with most claimants not entitled to receive benefits for even that long (New York State Insurance Rating Board, 2007; NYSWCB, n.d.c).

The significance of this reduction in benefits to workers cannot be overstated, both in terms of cost and what the reduction represents symbolically. While some expense to business (estimated at about \$164 million per year) was increased with the raise in maximum weekly benefit levels, savings for employers and insurance companies based on the PPD caps is estimated at \$822 million per year; this amounts to a transfer of billions of dollars in wealth from workers to business interests (Grey, 2008). It is of significant note here that in the Governor's commentary on the reforms, and in many of the business news sources that hailed the 2007 reforms as a huge success, the cap on PPD benefits was wholly ignored; the narratives focused instead on cost-cutting for business and a win for labor in the form of increased maximum weekly benefits. The portrayal of the reforms as successfully meeting the needs of both labor and business has been articulated by the Workers' Compensation Board as well. The Board released a report in December 2008 on the impact of the reforms which fails to even mention the PPD caps, and a subsequent Board report on the success of the reforms buries the issue of PPD caps on page eight, wherein the caps are contextualized with phrases like "fair and timely application" and noted for "produc[ing] significant savings" (NYSWCB, 2008; NYSWCB, n.d.c). The question that rings aloud is, what will savings such as these cost workers, and in turn our society as a whole, in the long run?

From a symbolic standpoint, the cap on PPD benefits, and thus the cost of the 2007 reforms as a whole, represents a retreat backwards to a system where workers who are injured

or become ill in the course of employment are held accountable for their own unfortunate circumstances. The words of Tarpinian et al. (1997) are still highly applicable today after the 2007 reforms:

From the perspective of labor and its allies, the real crisis in workers' compensation is the number of workers who suffer preventable injuries and then are denied adequate benefits. For labor, the business push for "reform" represents an effort to shift the costs of workplace injuries from employer-paid premiums to the injured workers themselves and to the taxpayers who ultimately pick up the tab when disabled workers must turn to welfare, Social Security disability, or Medicaid because they failed to receive adequate and timely medical and wage replacement benefits from the compensation system. (p. 37)

The issue of recourse is also critical here. As Strunin and Boden (2004) explain, "injured workers gave up their right to sue their employers for the promise of a speedy and efficient administrative system that would pay medical and income benefits automatically for injuries that occurred 'out of and in the course of employment'" (p. 338). The push towards shifting the cost of workplace injury back on to injured workers does not account for this sacrifice that workers made in giving up their right to sue. Business and government, interested primarily in preserving profitability, are asking "what are the cost drivers? Not—what are the rights that people have?" (D. Tuminaro, personal communication, May 12, 2011).

Troublingly, though not surprisingly, business interests want to go further still in rolling back benefits for workers in order to accomplish further cost-cutting. In the period since the 2007 reforms, business-affiliated entities have published white papers on the impact of the reforms that call for additional anti-worker measures such as speeding up classification of PPD claims so that the time clock on limited benefits starts ticking sooner, restricting workers' choice of physicians to a pre-approved medical panel, and re-vamping what is known as "schedule of loss" payments such that one-time payments to workers would be reduced (Rosenberg, 2012; The Public

Policy Institute of New York State, Inc., 2012). These reports also call for a rollback on the gains for workers included in the 2007 reforms, namely by advocating for the de-indexing of the maximum weekly benefit.

Workers' compensation reform in New York State has served over the past two decades as a potent instrument for the dismantling of worker protections. The 2007 reforms, and the continued business resolve towards higher profits, ultimately have significant human costs in the form of a greatly diminished social safety net for workers and their families.

Through the Lens of Social Justice: A Role for Social Workers

Workers' compensation, as the exclusive remedy for injured or ill workers, exists at the nexus of disability and economics, of law and personal experience, of occupation and health, of family wellness and societal productivity. As a profession that welcomes interdisciplinary learning and action, social work is in a unique position to contribute within the workers' compensation practice and policy arena. As professionals committed to manifesting social justice on both micro and macro levels, social workers are well-equipped to intervene at various levels of the workers' compensation system. Social justice, a value defined in the National Association for Social Workers' "Code of Ethics," involves working with and on behalf of vulnerable populations to "ensure access to needed information, services, and resources; equality of opportunity; and meaningful participation in decision-making for all people" (2008, "Ethical Principles," para. 3). In promoting social justice within the workers' compensation system, social workers can help to set the bar for how New York State responds to those among our vulnerable populations, injured and ill workers and their families.

Social workers have a clear social justice role to play in facilitating access to information, services, and resources pertaining to workers' compensation. In medical settings, such as hospitals or occupational health clinics, and in employment settings, such as employee assistance or member assistance programs, social workers are in a position to offer direct

counseling and guidance to injured or ill workers. Because of the complex administrative nature of filing and pursuing a workers' compensation claim, social workers can help workers to successfully navigate a system that may otherwise feel insurmountable. (For claims process information, pro-worker policy perspectives, and advocacy resources, see the Workers' Comp Hub online at <http://workerscomphub.org/>). An article published within the social work literature 30 years ago offers additional suggestions for increasing access to workers' compensation that still apply today, including the use of educational tools to promote awareness about workers' compensation eligibility and the facilitation of support groups for injured or ill workers where information can be exchanged (Shanker, 1983).

The social justice issue of access to knowledge and benefits, as well as the issue of equal opportunity, are particularly relevant when considering disparities and exclusions that factor into workers' compensation policy and practice. From a policy standpoint, both domestic workers and agricultural workers historically have been excluded from workers' compensation coverage in New York State, as well as in many other states around the country. Mirrored by the national Fair Labor Standards Act of 1938, which excluded domestic and farm workers from protections such as minimum wage and overtime pay standards, workers' compensation laws, as they were initially written in most states, similarly prohibited these workers from entitlement to compensation (Perea, 2010; Smith & Goldberg, 2010). These statutes reflected the economic and racial legacies of slavery in the United States, as well as strong agricultural lobbies, and these exclusions sadly remain unchanged to date in many states (Perea, 2010; Smith & Goldberg, 2010).

Issues of access and disparity are highlighted by the current policies governing protections for domestic and farm workers in New York State. New York took a significant stride towards reducing disparity for domestic workers with the passage of a groundbreaking law in 2010: the Domestic Workers Bill Of Rights, the first of its kind in the nation. The result of a decade of grassroots advocacy, this law made both full- and part-time domestic workers eligible for workers' compensation benefits as well as for many other employment rights and protections

(Hand in Hand, n.d.). Despite its success, however, this law nonetheless excluded critical provisions such as paid sick days and, because of a lack of technical clarity in the bill that has not yet been resolved, only domestic workers employed full-time (40 hours per week) are currently covered under workers' compensation (Hand in Hand, n.d.; New York State Department of Labor, n.d.).

Most farm workers, in contrast, gained entitlement to workers' compensation benefits through a legislative amendment in 1966; however, they still lack other basic protections recently won by domestic workers (McKinney's, 1966, ch. 646, sec. 3; New York Civil Liberties Union, 2013). The Farmworkers Fair Practice Labor Act, which would establish collective bargaining rights for farm workers, provide for an eight-hour workday and overtime pay, and require one day of rest per week, passed the New York State Assembly in 2013 but is still held up in a divided Senate (New York State Senate, n.d.; Seller, 2013).

Social workers have a role to play in advocating for passage of this Act, for full employment benefits for part- and full-time domestic workers in New York, as well as for the expansion of workers' compensation coverage and other workplace protections for domestic and farm workers across the country. The positive changes accomplished with the Domestic Workers Bill Of Rights serve as an important reminder that workers' compensation policy, as with any legislation pertaining to the rights of workers, is a dynamic rather than a static entity, with the capacity to be broadened towards inclusivity.

In addition to policy provisions that create categories of exclusion, informal practices and disincentives also contribute to disparity within the workers' compensation system and signal an opportunity for social work intervention. A study conducted in a New York State occupational health clinic in the 90s, for example, found that "claims filed by non-Whites, low-wage workers, and union members were significantly more likely than others to be challenged" by insurance companies (Herbert, Janeway, & Schechter, 1999, p. 335). Further evidence suggests that there are significant barriers to even attempting to access benefits, as a 2008 survey of low-wage workers in New York City found that only 11% of those workers who had experienced a severe workplace injury in the past three years

had filed a workers' compensation claim (Bernhardt, Polson, & DeFilippis, 2010). Spieler & Burton (2012) review the findings of various related studies that investigate the many potential barriers to filing a claim, such as fear of stigma, pressure from coworkers, or corporate culture.

Discrimination and de facto exclusion also play a role for immigrant workers, particularly those who are undocumented. While technically entitled to full workers' compensation benefits in New York State, undocumented immigrant workers face a number of additional obstacles to accessing benefits, including a lack of knowledge about workers' compensation, linguistic barriers, and the threat or fear of retaliation from employers (Smith, 2012). Social workers in positions of assistance to immigrant and low-wage workers can begin to address these significant obstacles by offering complete and accurate information, helping individual workers to weigh potential consequences of submitting a claim, and advocating for workers whose claims are contested by insurance carriers or who are experiencing retaliation from their employers.

Also relevant to social workers promoting social justice within the workers' compensation system, to be considered alongside issues of access and equal opportunity, is the issue of meaningful decision-making for all people involved in the system. The contents of the 2007 reforms reflect powerful lobbying by business interests, whose proponents have been gaining momentum in New York State and across the country for the past several decades. Injured and ill workers and their families, pro-worker lawyers, labor unions, occupational health professionals, and social activists all have something to contribute in challenging retrenchment and in advocating for robust worker protections.

The success of any such coalition in gaining a place at the legislative table will, in large part, depend upon how well it is able to communicate its message. Hilgert (2012) offers a compelling argument for adopting a human rights framework in advocacy for workers' compensation protections. Recognizing that workers' compensation was embedded from its inception in "market efficiency frameworks," Hilgert advocates "shifting the focus to basic human rights and the real interests of injured workers as the human rights-holders" (2012, p. 517).

Domestic Workers United, the grassroots coalition responsible for the decade-long campaign that successfully resulted in the Domestic Workers Bill Of Rights, modeled this approach by promoting a human rights framework that emphasized dignity and respect, and the value of domestic workers as human beings (Smith & Goldberg, 2010). In the quest to gain recognition for the plight of injured and ill workers, and to afford these workers a voice in policy decisions that will have a great impact on their lives, such a human rights framework deserves serious consideration by social workers as part of a social justice approach to change within the workers' compensation system.

Conclusion

In discussing the meaning of work in people's lives, Akabas & Kurzman (2005) explore both explicit and intangible rewards, writing of the latter that "work not only binds the ego, in the psychodynamic sense, but also, sociologically, binds an individual to the larger society as well" (p. 41). For those workers who are, for reasons of injury or illness, temporarily or permanently unable to sustain this vital connection to work, workers' compensation laws exist to make sure that they have access to adequate medical care and financial support. This paper has attempted to address the weakening of this safety net for workers over the course of the past two decades in New York State. The sweeping reduction in benefits to workers with permanent disabilities in the Workers' Compensation Reform Act of 2007 has both economic and symbolic consequences, signaling a retreat back to a system in which workers and their families bear the burden of their own misfortune. As part of a social justice approach, social workers may intervene at various levels: by helping individuals to access benefits; by addressing barriers to access within workplace communities, such as discrimination and de facto exclusion; by advocating for inclusive policies that provide coverage for all workers; and by participating in pro-labor coalition building, with injured and ill workers at the forefront, in order to challenge recent trends of legislative retrenchment.

Acknowledgement: The author would like to acknowledge the valuable guidance and encouragement of Dr. Paul Kurzman, Professor at the Lois V. and Samuel J. Silberman School of Social Work at Hunter College, during the process of preparing this paper for publication.

References

- Akabas, S. H. & Kurzman, P. A. (2005). *Work and the workplace: A resource for innovative policy and practice*. New York: Columbia University Press.
- Barth, P. S. (with Hunt, H. A.). (1980). *Workers' compensation and work-related illnesses and diseases*. Cambridge, MA: The MIT Press.
- Bernhardt, A., Polson, D., & DeFilippis, J. (2010). *Working without laws: A survey of employment and labor law violations in New York City*. Retrieved from http://www.nelp.org/site/issues/category/research_on_the_growth_of_unregulated_work
- Burton, J. F., Jr. (2001 September/October). Workers' compensation: Developments since 1960 and prognostications for benefits and costs. *Workers' Compensation Policy Review*, 1(5), 3-19. Retrieved from <http://workerscompresources.com/wp-content/uploads/2012/11/SO01.pdf>
- Burton, J. F., Jr. (2007, May/June). An overview of workers' compensation. *Workers' Compensation Policy Review*, 7(3), 3-27. Retrieved from <http://workerscomphub.org/resources/overview-workers-compensation>
- Ceniceros, R. (2007, March 5). Employers welcome Spitzer comp reforms. *Business Insurance*, 41(10), 1, 29.
- Eastman, C. (1969). *Work accidents and the law*. New York: Arno Press.
- Ellenberger, J. N. (2000). The battle over workers' compensation. *New Solutions*, 10(3), 217-236. Retrieved from <http://workerscomphub.org/resources/battle-over-workers-compensation>
- Fiscal Policy Institute. (2007, January 25). *New York State workers' compensation: How big is the coverage shortfall?* Retrieved from http://fiscalspolicy.org/publications2007/FPI_WorkersCompShortfall_WithAddendum.pdf
- Fishback, P. V., & Kantor, S. E. (2000). *A prelude to the welfare state: The origins of workers' compensation*. Chicago, IL: The University of Chicago Press.
- Flanagan, J. J. (2007, March 13). *New workers' compensation law delivers results in its first year* [Web post]. Retrieved on October 20, 2014 from <http://www.nysenate.gov/news/new-workers-compensation-law-delivers-results-its-first-year>
- Gormley, M. (2007, July 12). Spitzer touts overhaul of workers' comp law; Governor says changes will save \$1 billion for state businesses. *Albany Times Union*, p. C1.

- Grabell, M., & Berkes, H. (2015, March 4). *The demolition of Workers' Comp*. Retrieved from <https://www.propublica.org/article/the-demolition-of-workers-compensation>
- Greenhouse, S. (2007, January 25). Study says many firms cheat New York workers' comp system. *The New York Times*, p. B1.
- Greenhouse, S. (2009, April 2). A world of hurt: In workplace injury system, ill will on all sides. *The New York Times*, p. A1.
- Grey, R. E. (2008, April 28). *Workers' compensation in New York State: State of the system 2008* [White paper]. Retrieved from <http://nycosh.org/index.php?page=on-workers-comp>
- Grey, R. E. (2011, April 12). *Re: Medical treatment guidelines* [Letter]. Retrieved from <http://www.nyworkerscompensationalliance.org/uploads/file/MTGLetter2finaledit.pdf>
- Hakim, D. (2005, December 19). Plan to overhaul workers compensation puts focus on cap issues. *The New York Times*, p. B1.
- Hakim, D., & Chan, S. (2007, January 3). Spitzer speech will urge fiscal restraint. *The New York Times*, p. B3.
- Hand in Hand: The Domestic Employers Association. (n.d.). *The New York Domestic Workers Bill of Rights*. Retrieved from <http://domesticemployers.org/action/campaigns/>
- Herbert, R., Janeway, K., & Schechter, C. (1999). Carpal tunnel syndrome and workers' compensation among an occupational clinic population in New York State. *American Journal of Industrial Medicine*, 35, 335-342.
- Hicks, W. M., & Cooke, J. A. (1995). Workers' Compensation Insurance: As good as it gets. *Black Book - Aetna Life (& Casualty?): Becoming a growth company* [Market Research Report], 17-19. Retrieved from Business Source Complete database.
- Hilgert, J. A. (2012). Building a human rights framework for workers' compensation in the United States: Opening the debate on first principles. *American Journal of Industrial Medicine*, 55, 506-518.
- Hood, J. B., Hardy, B. A., Jr., & Lewis H. S., Jr. (2011). *Workers' compensation and employee protection laws in a nutshell* (5th ed.). USA: West Publishing.
- Kleinfeld, N. R. (2009, April 1). A world of hurt: Exams of injured workers fuel mutual mistrust. *The New York Times*, p. A1.
- Kleinfeld, N. R., & Greenhouse, S. (2009, March 31). A world of hurt: For injured workers, a costly legal swamp. *The New York Times*, p. A1.
- Looram, K. L., & Shultz, P. T. (1993, Winter). Managing workers' compensation medical costs: A state-by-state guide. *Employee Relations Law Journal*, 19(3), 251-267.
- Martino, K. (2007, September 7). Stop-Work Authority used eight times since July. *Business Journal (Central New York)*, 21(36), 12.
- McDonald, G. R., & McDonald, L. A. (1997, October). Trends in workers' compensation. *Trial*, 33(10), 52-59.

- McKinney's 1966 Session Laws of New York (Vol. 1). (1966). Brooklyn, NY: West Publishing.
- Mesh, C. (2006, August 31). Public pays if injured lose benefits. *Rochester Democrat and Chronicle*, p. A11.
- Minkowitz, M. (2011). *New York Workers' Compensation* (2nd ed.). USA: Thomson-Reuters.
- National Association of Social Workers. (Revised 2008). *Code of ethics of the National Association of Social Workers*. Retrieved from <http://www.socialworkers.org/pubs/code/code.asp>
- New York Civil Liberties Union. (2013, May 13). *NYCLU urges state lawmakers to provide basic labor protections to NY farmworkers*. Retrieved from <http://www.nyclu.org/news/nyclu-urges-state-lawmakers-provide-basic-labor-protections-ny-farmworkers>
- New York State Department of Labor. (n.d.). *Facts for domestic workers*. Retrieved from <http://www.labor.ny.gov/legal/laws/pdf/domestic-workers/facts-for-domestic-workers.pdf>
- New York State Insurance Rating Board. (2007, October 1). *New York workers compensation: Estimated impact of the elimination of PPD duration limits* [Exhibit F, Sheet 3A]. In 2007 General rate revision. Retrieved from <http://www.nycirb.org/2007/depts/actuary/a2007rr.pdf>
- New York State Workers' Compensation Board. (2008, December). *The impact of reform on the New York State workers' compensation system*. Retrieved from <http://www.bcnys.org/inside/wc/2008/WCB-Reform-Report.pdf>
- New York State Workers' Compensation Board. (2014, February 1). *2013 Annual report*. Retrieved from <http://www.wcb.ny.gov/content/main/TheBoard/2013AnnualReport.pdf>
- New York State Workers' Compensation Board. (n.d.a). *About us*. Retrieved from <http://www.wcb.ny.gov/content/main/TheBoard/factsht.jsp>
- New York State Workers' Compensation Board. (n.d.b). *Injured on the job? An employee's guide to workers' compensation in New York State*. Retrieved from <http://www.wcb.ny.gov/content/main/Workers/InjuredOnTheJob.pdf>
- New York State Workers' Compensation Board. (n.d.c). *The success of New York's 2007 workers' compensation reform*. Retrieved from <http://www.wcb.ny.gov/content/main/TheBoard/Post2007Reform.pdf>
- New York State Senate. (n.d.). *Bill S1743-2013*. Retrieved from <http://open.nysenate.gov/legislation/bill/S1743-2013>
- Perea, J. F. (2010). The echoes of slavery: Recognizing the racist origins of the agricultural and domestic worker exclusion from the National Labor Relations Act. *Ohio State Law Journal*, 72(1), 95-138. Retrieved from http://moritzlaw.osu.edu/students/groups/oslj/files/2012/04/72.1.perea_.pdf

- Prewitt, M. (2005, March 21). Expected arrests underscore worsening of insurance fraud. *Nation's Restaurant News*, 39(12), 4, 143.
- Rich, B. A., Farnham, H. P., & Parmele, G. H. (Eds.). (1918). Annotation – Injuries "arising out of and in the course of" employment within the meaning of the workmen's compensation statutes. In *Lawyers Reports Annotated 1918F* (pp. 896-918). Rochester, NY: The Lawyers Co-operative Publishing Company. Retrieved from <http://books.google.com/books>
- Roberts, L. (2005, December 22). Pataki's compensation "reforms" will hurt injured workers. *New York Amsterdam News*, p. 13.
- Rosenberg, E. (2012, October). *Workers' compensation in NYS: Did 2007 reforms make a difference?* Retrieved from http://www.cgr.org/reports/12_R-1677_WorkersCompensation.pdf
- Rosenfeld, E. (2007, January 29). Is this the year of workers' compensation reform? *Insurance Advocate*, 118(Supplement), S3-S14.
- Ruquet, M. E. (2007, March 5). New York announces WC reform package. *National Underwriter/P&C*, 111(9), 24.
- Seller, C. (2013, May 13). Assembly acts to extend farm workers' rights. *Times Union*. Retrieved from <http://www.timesunion.com/local/article/Assembly-acts-to-extend-farm-workers-rights-4512637.php>
- Sengupta, I., Baldwin, M. L., & Reno, V. (2014, August). *Workers' compensation: Benefits, coverage, and costs, 2012*. Retrieved from http://www.nasi.org/sites/default/files/research/NASI_Work_Comp_Year_2014.pdf
- Shanker, R. (1983). Occupational disease, workers' compensation, and the social work advocate. *Social Work*, 28(1), 24-27.
- Smith, R. (2012). Immigrant workers and worker's compensation: The need for reform. *American Journal of Industrial Medicine*, 55, 537-544.
- Smith, R., & Goldberg, H. (2010, December). *Unity for dignity: Expanding the right to organize to win human rights at work*. Retrieved from <http://www.unitedworkerscongress.org/publications--reports.html>
- Spieler, E. A., & Burton, J. F., Jr. (1998). Compensation for disabled workers: Workers' compensation. In T. Thomason, J. F. Burton, Jr., & D. E. Hyatt (Eds.), *New approaches to disability in the workplace* (pp. 205-244). Madison, WI: Industrial Relations Research Association.
- Spieler, E. A., & Burton, J. F., Jr. (2012). The lack of correspondence between work-related disability and receipt of workers' compensation benefits. *American Journal of Industrial Medicine*, 55(6), 487-505.
- Spitzer, E. (2007, March 23). Workers' comp to reduce costs. *Filipino Reporter*, p. 37.

- Steenland, K., Burnett, C., Lulich, N., Ward, E., & Hurrell, J. (2003 May). Dying for work: The magnitude of US mortality from selected causes of death associated with occupation. *American Journal of Industrial Medicine*, 43(5), 461-482.
- Strunin, L., & Boden, L. I. (2004). The workers' compensation system: Worker friend or foe? *American Journal of Industrial Medicine*, 45, 338-345.
- Tarpinian, G., Tuminaro, D., & Shufro, J. (1997). The politics of workers' compensation in New York State: Developing a pro-labor strategy to defeat business-sponsored 'reform' and win increased protection for workers. *New Solutions*, 7, 35-45.
- Terrell, P. (2008). Workers' compensation. In T. Mizrahi & L. E. Davis (Eds.), *Encyclopedia of social work* (20th ed., Vol. 4, pp. 304-306). New York: Oxford University Press.
- The Public Policy Institute of New York State, Inc. (2012 October). *Revisiting the reforms*. Retrieved from <http://www.ppiny.org/reports/2012/Workers-Comp-Costs-Revisiting-the-Reforms.pdf>
- United States Bureau of Labor Statistics. (2014, April). *Revisions to the 2012 census of fatal occupational injuries (CFOI) counts*. Retrieved from http://www.bls.gov/iif/oshwc/cfoi/cfoi_revised12.pdf
- United States Bureau of Labor Statistics. (n.d.a). *Fatal occupational injuries in New York City 2012* [Data file]. Retrieved from <http://www.bls.gov/iif/oshwc/cfoi/tgs/2012/iiffw68.htm>
- United States Bureau of Labor Statistics. (n.d.b). *Fatal occupational injuries in New York (except N.Y.C.) – 2012* [Data file]. Retrieved from <http://www.bls.gov/iif/oshwc/cfoi/tgs/2012/iiffw36.htm>
- United States Bureau of Labor Statistics. (n.d.c). *Number and rate of nonfatal occupational injuries and illnesses by selected industry, all U.S., all ownerships, 2012 (numbers in thousands)* [Data file]. Occupational injuries and illnesses and fatal injuries profiles. Retrieved from <http://www.bls.gov/iif/data.htm>
- United States Bureau of Labor Statistics. (n.d.d). *Number and rate of nonfatal occupational injuries and illnesses by selected industry, New York, all ownerships, 2012 (numbers in thousands)* [Data file]. Occupational injuries and illnesses and fatal injuries profiles. Retrieved from <http://www.bls.gov/iif/data.htm>
- United States Bureau of Labor Statistics. (n.d.e). *Number of nonfatal occupational injuries and illnesses involving days away from work by selected worker and case characteristics and musculoskeletal disorder, all U.S., all ownerships, 2012* [Data file]. Occupational injuries and illnesses and fatal injuries profiles. Retrieved from <http://www.bls.gov/iif/data.htm>

- United States Bureau of Labor Statistics. (n.d.f). *Occupational safety and health definitions*. Retrieved from <http://www.bls.gov/iif/oshdef.htm>
- United States House of Representatives Committee on Education and Labor. (2008, June). *Hidden tragedy: Underreporting of workplace injuries and illnesses*. Retrieved from <http://workerscomphub.org/resources/hidden-tragedy-underreporting-workplace-injuries-and-illnesses>
- United States Social Security Administration. (2013). *Other social insurance programs: Workers' compensation* [Data file]. Annual statistical supplement (Table 9.B). Retrieved from <http://www.ssa.gov/policy/docs/statcomps/supplement/2013/9b.pdf>
- Witt, J. F. (2004). *The accidental republic: Crippled workingmen, destitute widows, and the remaking of American law*. Cambridge, MA: Harvard University Press.

Endnotes

1. Formerly workmen's compensation. The change in the name of the law (from workmen's to workers') in New York State occurred in 1978 as a recognition of women in the workforce (Minkowitz, 2011). For the sake of consistency, this paper will use the term "workers' compensation" to refer to historical as well as present-day policies and practices.

Reframing New Frontiers for Indigenous Peoples

HILARY WEAVER

University at Buffalo

This paper examines colonial and Indigenous perspectives on frontiers. The United States context is used to further focus on the historic impact of the frontier on Native Americans. This is followed by a discussion of how boundaries and frontiers might be reframed in more balanced ways that respect the sovereignty of Indigenous nations. Examples are presented from child welfare and casino gaming to illustrate contemporary interactions across boundaries.

Keywords: Indigenous, Native American, colonization, frontier

The word "frontier" can have different connotations, depending on your perspective. As the term is typically used in the mainstream vernacular, a frontier is a division between an older settled area and a newer, unexplored territory. It can be a borderlands; a division between the tamed and the wild; the civilized and the uncivilized. In the United States, there is a sense that the frontier is a place of excitement, where rules are not yet fully established. It is an untamed place, if only temporarily. Indeed, the settling of the frontier with its ever receding boundaries was seen as a duty and a key element of Manifest Destiny. Also known as the Wild West, the frontier was a place of violence where true men could test their mettle and ultimately emerge victorious.

Today, the word frontier is often still assumed to have exciting, positive connotations. It denotes being on the cutting edge and pushing forward toward new discoveries. But, if indeed there is a push forward, it is reasonable to question the implications of that momentum. If boundaries are changing, what might this mean for those on the other side of these boundaries?

In today's world, isolation is no longer typical for most Indigenous Peoples. Interactions between Indigenous and non-Indigenous Peoples are the norm rather than the exception. The question is, how can the boundaries or frontiers that we share be reframed so they are not steeped in dominance and oppression, but rather serve as a meeting place, poised to foster positive interactions?

This paper begins by examining colonial and Indigenous perspectives on frontiers. The United States context is used to further focus on the historic impact of the frontier on Native Americans. This is followed by a discussion of how boundaries and frontiers might be reframed in a more balanced way that respects the sovereignty of Indigenous nations with the guidance of key documents such as the United Nations Declaration on the Rights of Indigenous Peoples (United Nations, 2008) and the International Federation of Social Workers policy statement on Indigenous Peoples (International Federation of Social Workers, 2005). Examples are presented from child welfare and casino gaming to illustrate contemporary interactions across boundaries.

Colonial and Indigenous Perspectives on Frontiers

For Indigenous Peoples, a frontier typically meant the boundary shared with a colonial settler society. Often Indigenous People were removed from their traditional territories and relocated beyond the frontier, only to have these new territories subsequently overrun by settlers. Under these circumstances, a frontier has negative connotations of a powerful colonial force pushing into ever shrinking Indigenous territories. Indeed, the era in which the frontier was at the forefront of U.S. consciousness carries connotations of oppressive dominance, unethical dealings, and swindling Indigenous People out of their lands (Samson & Cassell, 2013). The lawlessness associated with frontier society, coupled with government-sanctioned expansion of colonial powers in the United States, came at a very high price for Native Americans. Indeed, a similar pattern can be found for colonial expansion around the world.

It is important to note that the negative aspects of frontiers are not a thing of the past. Indigenous Peoples continue

to face pressure from nations seeking oil, mineral wealth, and other natural resources, even in remote areas (Orta-Martinez & Finer, 2010). Indeed, border towns adjacent to Native American reservations in the United States continue to have a notorious reputation for violence.

It is clear that Indigenous populations have not disappeared in the face of colonization and expanding frontiers. It is also clear that settler societies are here to stay. In 1979, Chief Leon Shenandoah, Tadadaho (leader of the Haudenosaunee Confederacy) reflected on the persistence of non-Indigenous peoples in the Americas: "For some reason, the Creator has allowed you to stay. I don't know why. And I don't think you know why. But I do know that we will have to work it out together" (Venables, 2004, vol. 1, p. 2).

The struggle to cultivate more positive relationships across boundaries or frontiers is intertwined with the struggle for decolonization. Unlike decades ago when European powers physically withdrew from territories they occupied in Asia and Africa, decolonization in the United States will not involve a physical withdrawal and rarely involves return of territory. Concrete steps such as return of land or other resources must be preceded by recognition of wrongdoing and an awareness of the continuing impact of colonization. Recognition and awareness inherent in decolonization are a prerequisite to re-defining frontier boundaries so they are not steeped in dominance and oppression.

The frontier is much more than a physical place. The idea of frontier (and which side of the frontier you are on) is integrally connected to a sense of identity. Boundaries, such as a frontier, define who belongs where, and conversely, who does not belong or is out of place. Frontier relations "are a process whereby both the 'others's' otherness and the colonizer's own identity ... are constructed" (Boccaro, 2003, p. 60). Notions of class and racial hierarchies are also integral to the definitions of boundaries. We are defined in the context of the other. For example, an oppressor does not exist until someone is oppressed. Indigenous and colonizer become defined by their relationship to each other.

Spatial metaphors such as frontiers emphasize divisions, exclusion, and separation, rather than interaction and co-existence. These ideas dominated discourse on Aboriginal

Australians prior to the 1990s. Indigenous Australians have been marginalized as other rather than integrated within a sense of national identity (Howitt, 2001; Muller, 2014). The same can be said of Indigenous Peoples within other national contexts.

Boundaries are constantly redrawn as the frontier shifts and the wild or savage becomes tamed and subsumed within the colonizer. Removal, expulsion, or forced assimilation of Indigenous Peoples are key aspects of the success of frontiers within colonial contexts. For Indigenous Peoples, frontiers represent the threat of encroachment. If you can't maintain your boundary, you can't maintain your culture, and you cease to exist as distinct.

The frontier metaphor encompasses many elements of the colonial experience. It depicts the division between us and them. It represents a confrontation with an alien environment. Within this way of thinking, it is clear that Indigenous Peoples would always remain others and never be considered real Australians (Howitt, 2001), or depending on the national context, real Americans, New Zealanders, Canadians, etc. Many Indigenous People did not aspire to be integrated into a national identity associated with a settler society but preferred to remain distinct. Typically, however, Indigenous ideas about remaining distinct included conceptualizations of parity (i.e., interacting with the settler state on a government to government basis). On the other hand, settler conceptualizations of the other tended to be hierarchical, with those on the other side of the frontier being perceived as distinctly inferior (Muller, 2014). Indeed, across the frontier exists a place and a people that are alien, hostile, and in need of taming. Most notably, this divided way of thinking is not a relic of a distant past, but remains strong in contemporary thinking.

Often, colonizing powers have touted the idea that Indigenous lands were empty spaces waiting to be filled, while simultaneously pushing back or removing Indigenous inhabitants. This type of contradictory thinking has been labeled the "crowded wilderness" paradox (Venables, 2004, vol. 1). The belief that these spaces were waiting to be filled, (and that colonizers had a moral obligation to fill, tame, and properly use these lands), both facilitated and justified colonial expansion. Indeed, structural racism is intertwined with the

perception that vast tracts of land were empty (Howitt, 2001). In a related way of thinking, if spaces were not sufficiently empty, they should be emptied. There was a perceived need to clear the way for development (Howitt, 2001). Within this context, Indigenous Peoples were seen as impediments to development, according to Sandlos (2008):

Ironically, when it was determined that some aspects of pre-colonial existence should be preserved such as natural landscapes, Indigenous Peoples who had once been perceived as an impediment to development (thus justifying removal) were now perceived as an impediment to the natural state of things. There is a long international history of local displacement due to the implementation of parks and nature preserves. During the zenith of European imperialism, for example, national parks were created in rich big-game regions such as southern Africa and South Asia in a manner that restricted local access to traditional hunting grounds. In North America, recent scholarship suggests that many characteristics of colonial conservation were associated with efforts to create national parks in the fading wilderness spaces of North America in the late nineteenth and early twentieth centuries, particularly in the western part of the continent. Throughout this period, Aboriginal hunters on both sides of the Canada-US border were routinely expelled from iconic landscapes such as Banff, Yellowstone, and the Grand Canyon National Parks, their former hunting territories turned to pleasuring grounds for middle- and upper-class tourists from the east. (p. 193)

An Examination of the Frontier within the Context of the United States

When Europeans first ventured to the Americas in 1492, the Indigenous population of what would become the United States (excluding Alaska) was estimated at 5-15 million people (Venables, 2004, vol. 1). The Haudenosaunee people of the Northeastern United States and Southeastern Canada tell a story of how their leaders contemplated how they should react to and interact with the newcomers. After significant reflection and discussion, it was determined that peaceful co-existence

was the best option. Any newcomers who chose to integrate into Indigenous societies would be welcome. Likewise, any Indigenous individuals who chose to live in settler communities according to settler values and customs could do so. It was clear, however, that these were distinct ways of life and a choice must be made. This understanding was commemorated in the Two Row Wampum belt, which depicts two parallel purple lines on a background of white—a symbol of peaceful co-existence.

By 1900, there were only 250,000 Indigenous people remaining in the continental United States (Venables, 2004, vol. 2). Clearly, peaceful co-existence with a frontier or boundary characterized by independence and mutual respect had not come to fruition. Instead, the United States developed policies of extermination, displacement, and removal of Indigenous Peoples.

Once U.S. colonial society became more powerful than Indigenous nations, military might was used to vanquish Indigenous Peoples through acts of conquest. Indeed, the prominent figure L. Frank Baum, who would later write the classic book "The Wizard of Oz," wrote in an 1890 newspaper editorial that "we cannot honestly regret their extermination" (Venables, 2004, vol. 2, p. 254), which was followed by an 1891 editorial that stated that the U.S. should "wipe these untamed and untameable creatures from the face of the earth" (Venables, 2004, vol. 2, p. 255). His sentiment was shared by many at the time. As the balance of power came to rest squarely in the hands of the colonial power, it became more financially viable to push back the frontier and contain Native Americans within reservation boundaries than to exterminate them. "Under the reservation system, peace could be had for the price of two days' Indian fighting. It was much cheaper to feed the Indians than to fight them, cheaper to kill a culture than a people" (Lazarus, 1991, p. 43).

Forcing Indigenous Peoples to relocate from their traditional territories (aka "removal") was carried out sporadically between 1815 and 1830. This became official U.S. policy with the federally-funded Indian Removal Act of 1830 (Venables, 2004, vol. 2). Most Indigenous Peoples east of the Mississippi river were forced to give up their homelands. In turn, those living in the west were forced to make way for the eastern

refugees.

According to Venables (2004), "Removal is a conscious policy decision formed by the interaction and negotiation of two peoples, one more powerful than the other" (vol. 2, p. 81). While initially removal was touted as a way of protecting Indigenous Peoples from continued encroachment, it became clear that reservation boundaries frequently did not offer the promised protection. For example, in 1851, the U.S. government signed a treaty with the Lakota guaranteeing retention of 60 million acres of territory. By the early 20th century, this was reduced to 8 million acres, following the discovery of gold in the Black Hills and uncontrolled encroachment by miners and other settlers (Lazarus, 1991). Encroachments and loss of territory have continued, as Indigenous Peoples have been removed from their territories to make way for dams, highways, and mineral exploitation. Currently in the United States, 98% of the land no longer directly belongs to Native nations (Venables, 2004, vol. 2).

Today the United States no longer has a stomach for extermination or blatant disenfranchisement, yet a substantial legacy of oppression persists. The United States was one of only four members of the United Nations that refused to sign the Declaration on the Rights of Indigenous Peoples. Given that Native Americans have not vanished, the United States is left with the question of how to interact with the Indigenous Peoples within its boundaries. While that interaction has often been negative in the past, there may be ways in which frontiers or boundaries can be redefined as meeting places for respectful negotiations and interactions, rather than settings of violence and oppression.

To be clear, oppression is not just a historical phenomenon. For example, the federal government has assumed a trust responsibility that includes provision of healthcare and education but has never fully met these obligations. Reliance on discretionary funding for this mandate compounds health disparities (Schneider, 2005; Westmoreland & Watson, 2006). Indeed, the federal government spends twice as much on Medicaid beneficiaries and federal prisoners than for Native Americans receiving health care through the Indian Health Service (Keohane, 2006). In addition to funding disparities,

the quality of healthcare provided to Native people is questionable. Between 1970-1976, the Indian Health Service and contractors associated with them performed sterilizations and coerced abortions on 25-50% of Native women of child bearing age, actions that fall within the United Nations (UN) definition of genocidal practices (Rutecki, 2011).

Likewise, treaties and the federal trust responsibility have led to federal obligations for provision of education to Native Americans (Raffle, 2007). Yet, tribal schools are chronically underfunded and were subject to additional cuts as the federal sequester went into effect in 2013. Since reservations have no taxable land, up to 60% of tribal school funding comes from the federal government (Layton, 2013). During times of financial austerity, such as the 2013 sequester, Native students are among the first and most heavily hit, experiencing federal cuts months before other classrooms are targeted (Mitchell, 2013).

Stereotyping, microaggressions and violence also impact the life circumstances of contemporary Native Americans. For example, anti-Indian violence is common in the context of Native rights claims (Perry, 2002). When the Anishinaabe of northern Wisconsin asserted their right to traditional fishing practices in the 1980s and 1990s, they were met with protests and threats of violence, including bumper stickers and posters with slogans such as "Spear an Indian, Save a Fish" (Perry & Robyn, 2005). Physical and social boundaries are maintained by violence and threats that remind Native people to stay in their place (Perry, 2009).

Extensive police brutality continues against Native Americans (Perry, 2002). The U.S. Commission on Civil Rights attributes disproportionately high incarceration rates to racial profiling, differential treatment in the criminal justice system, and lack of access to adequate legal counsel (Death Penalty Information Center, 2012). Incarcerated Native Americans often experience abuse for trying to maintain cultural practices such as keeping hair long and braided, wearing headbands, listening to Native American music, and speaking Indigenous languages (Death Penalty Information Center, 2012).

Racist attitudes are condoned and promulgated by government officials such as Michael Bloomberg, former Mayor of New York City. In 2010, he urged the governor of New York State to "Get yourself a cowboy hat and a shotgun" to confront

the Seneca Nation of Indians about a controversial taxation issue (Williams, 2010). "The fact that a prominent elected official sees nothing wrong with using this type of hate speech speaks to a continuing social climate in which some people find vigilantism and advocating for violence against Native Americans to be acceptable" (Weaver, 2014, p. 159).

Lack of awareness about contemporary Native Americans perpetuates stereotyping and a failure to recognize the on-going impacts of colonization. Across all states, 87% of references to Native Americans in elementary and secondary school curricula portray Native people prior to 1900 (Landry, 2014). Until there is widespread recognition of Native Americans as contemporary peoples, there will be no recognition of the need for decolonization or cultivating positive relationships across contemporary frontiers.

Reaching for Other Possibilities

In the United States and Canada there is a permanent occupation of Indigenous territories by non-Indigenous Peoples. While nations in Africa and Asia enjoy a post-colonial status, that is not likely to ever be the case in North America. "These heirs of conquest will never return to their ancestors' homelands, and the First Nations will be forever surrounded" (Venables, 2004, vol. 1, p. x).

Moving forward in a positive way necessitates decolonization—a way to change the current dynamic between Indigenous and non-Indigenous Peoples occupying the same territory. This process, while necessary, is fraught with challenges. First, there must be recognition of the impact of colonization, combined with a will on the part of the colonizer to give up dominance and share power. This is no small task.

Ideas of co-existence challenge legacies of colonial exploitation. It is incumbent upon the colonizer to both recognize that Indigenous Peoples persist and to take responsibility for the legacy of exploitation. While this is a long and arduous process, there has been some progress in moving toward dialogue in Australia (Howitt, 2001). Indeed, the discourse on decolonization in Australia focuses on internal processes, beginning with recognition of how colonization has shaped contemporary realities. Muller, an Aboriginal scholar and social worker,

proposes six stages of decolonization: (1) rediscovery and recovery; (2) mourning; (3) healing and forgiveness: reclaiming well-being and harmony; (4) dreaming: and the dreaming (a phase of strengthening and valuing Indigenous philosophy and knowledge); (5) commitment (to societal change); and (6) action: decolonizing knowledge (2014). While some of these phases may ultimately lead to greater political and economic autonomy, the Australian discourse on decolonization emphasizes the importance of internal processes—thinking differently before being able to strive for other changes (L. Muller, personal communication, November 19 & 20, 2014).

The legacies of colonial acts are inequitable power relations, diversion of resources to non-local private gain, alienation, pauperization, and a range of health, environmental and economic concerns within the affected communities ... Reconciliation, coexistence and sustainable local outcomes require decolonization of the relationships that underpin the 'frontier relations' that so deeply characterize relations within and between these interests. At wider scales, such decolonization opens the possibilities of co-existence in terms of the troubling questions of how to accommodate traditional law and custom as a legitimate authority in indigenous domains, how to recognize indigenous diversity rather than privileging a government-authorised and authenticated version of "Aboriginal," how to constitute national sovereignty without submerging or denying indigenous sovereignties, and how to build citizenship communities that do not require the overthrow of indigenous responsibilities. (Howitt, 2001, p. 242)

This process, described in the Australian context, is one that must be implemented in other contexts where colonizer and colonized continue to occupy the same territory. As part of the decolonization process, settler societies must grapple with the contested recognition of Native title (Howitt, 2001). When land was seized through unscrupulous processes or simply occupied by settlers without any attempts to deal with Indigenous occupants, contemporary questions arise of just where the boundary between Indigenous and non-Indigenous territories should rightfully be. For example, in Canada the

majority of the land within the province of British Columbia is under dispute (Wilkes, Corrigan-Brown, & Myers, 2010).

A move toward decolonization requires a different way of thinking about frontiers and boundaries. The Australian context provides one possible roadmap for moving in this direction.

The ecological and permacultural concept of 'edges' provides an alternative way of thinking and speaking about these issues. It might enable us to shift away from the spatial shallowness and 'wedge politics' of One Nation toward a more complex, constructive and inclusive 'edge politics' that grapples with ambivalence, uncertainty, change, overlap, and interaction in ways that dislodge the old-style colonial metaphors of empty spaces, and frontier heroics. In other words, I want to shift Australians' geographical imaginings away from the oppositional zoning of 'frontiers' and the categorical separateness of 'borders' to a liminal, multidimensional, real-world idea of edges as places with a more solid and changeable engagement with complexity. (Howitt, 2001, p. 234)

While historically (and in some contemporary contexts such as land claims) a frontier is a place of conflict, it need not be that way. In more neutral terms, a frontier can be a zone of interaction—a meeting place. The challenge in the United States and in other settler societies is to find ways to negotiate boundaries between Indigenous and non-Indigenous societies without the dominance central to colonization. The idea of a new frontier can be framed as an opportunity for positive interaction that supports the social and economic development of Indigenous Peoples within a context that respects sovereignty, social justice, and human rights. As we craft the new frontier, we can look to the United Nations Declaration on the Rights of Indigenous Peoples (United Nations, 2008) and the International Federation of Social Workers policy statement on Indigenous Peoples (International Federation of Social Workers, 2005) for guidance.

Seeking Guidance from Key Documents

The United Nations and the International Federation of Social Workers (IFSW) have each issued declarations or policy statements on the rights of Indigenous Peoples (International Federation of Social Workers, 2005; United Nations, 2008). These documents affirm key principles that can foster positive interactions between settler societies and Indigenous groups. The UN and IFSW documents espouse the same principles and priorities, with the IFWS document being briefer and more tailored toward social workers, while the UN document has a broader focus. The two documents, however, share a significant amount of common language. The IFSW document, while approved three years earlier, relied heavily on a draft version of the UN document circulated in 1994. Summarizing from these two documents, key concepts that guide respectful cross-border interactions are as follows:

- Indigenous Peoples are equal to all other peoples, yet retain a right to be distinct, consider themselves different, and be respected as such.
- Doctrines that advocate the superiority of settler societies are racist, scientifically false, legally invalid, morally condemnable, and socially unjust.
- Colonization has prevented Indigenous societies from development activities in accordance with their own needs and interests. Conversely, respect for Indigenous ways enables and promotes development.
- Indigenous Peoples should be able to exercise control over development that affects them and their territories.
- The right of self-determination is fundamentally important.
- Indigenous issues are grounded within larger principles of human rights.
- The recognition of rights in both the UN and IFSW documents is intended to promote harmonious and cooperative relationships with states based on justice, human rights, non-discrimination, and good faith.

Examples of Contemporary Boundary Negotiation

The United States context provides both positive and negative examples of how settler societies interact with Indigenous

Peoples around issues of self-determination and development. The following examples illustrate how Indigenous and non-Indigenous Peoples are negotiating boundaries around child welfare and casino gaming operations.

Child Welfare

Child welfare is a venue where competing interests often collide. Indigenous Peoples have a vested interest in maintaining their sovereignty and the integrity of their remaining territories. They also have an interest in the well-being of their own citizens and a right to self determination. The United States has determined that it has a vested interest in maintaining the safety of children within its borders, including Indigenous children residing within the boundaries of federally recognized Indian reservations. Under these competing interests, agents acting under the authority of the United States often unilaterally cross into Indigenous territories without permission and often without the knowledge of Indigenous authorities. Under U.S. federal law, any local law enforcement or child protective services agency that receives a report of alleged child abuse on a reservation is authorized and compelled to immediately initiate an investigation and take steps to ensure the well-being of the children involved, including removal if deemed necessary (25 USC chapter 34, 2012). While Native American tribes can assert jurisdiction over their tribal members in cases involving foster care or adoption under the Indian Child Welfare Act (1978, 25 U.S.C. § 1901-1963), this does not apply to child abuse investigations.

Since time immemorial, Indigenous societies have had their own helping systems and ways of managing crises. Many of these systems persist today. For example, in some Indigenous tribes of the Northeastern United States and Southeastern Canada, Clan Mothers, typically mature women responsible for the well-being of members of extended family groups, are available to respond to various family and community problems, including situations where a child may be at risk. Often, however, such ways of intervening in a crisis are not recognized by mainstream authorities such as Child Protective Service (CPS) agencies.

Typically, in the case of a child abuse investigation, CPS workers cross onto a reservation, acting unilaterally. This

can be perceived by Indigenous people as yet another invasion where borders are not respected by the dominant colonial power. Although CPS is vested with the legal authority to cross onto reservation territories to investigate child abuse allegations, as the old saying goes, "might does not make right." Indeed, such heavy handed tactics further negative perceptions and relationships between Indigenous and non-Indigenous Peoples.

Some local CPS authorities have made a point of finding ways to respect the integrity of Indigenous territories and Peoples while fulfilling their mandate to protect children. Indeed, some tribes and counties have proactively worked to develop agreements that guide child abuse investigations. Coordinated or joint services may be developed between local and tribal authorities and outlined in memorandums of understanding. In the case of at least one Northeastern county, CPS officials have partnered with Indigenous Clan Mothers. When a CPS call is received that requires an investigation on the reservation, social service workers are accompanied by a Clan Mother when they cross onto tribal territory. The social service worker and Clan Mother partner to enhance the well-being of Indigenous children and families.

This example illustrates how Indigenous and non-Indigenous Peoples can proactively develop ways to negotiate boundaries and further positive responses where both sides can fulfill their mandates and foster the well-being of Indigenous children. Child welfare is often a highly contentious issue, and clearly the non-Indigenous authorities are vested with a significant amount of power under these circumstances. It would be easy to continue to replicate patterns of dominance where the border/frontier is crossed in a unilateral manner that denies any power or self-determination for Indigenous Peoples. Instead, however, the model described above promotes a respectful partnership that strives toward the mutually held goal of child safety.

Clan Mothers are vested in legitimacy of Indigenous traditional systems, not Western ways of governing or resolving problems. Recognition of their roles within Indigenous communities is an acknowledgement that Indigenous priorities and ways of doing things have value. The partnership described above is a notable example of people vested in authority from

the dominant society going far beyond their legal mandates to work across boundaries in engaging and respectful ways.

This example illustrates how attitudes and behaviors have changed, even in the absence of legal mandates. In reflecting on the priorities outlined in the guiding documents above, it is clear that this example promotes Indigenous self-determination. While the process is still initiated by non-Indigenous entities, outreach to Clan Mothers to fulfill their traditional role and partner with and escort CPS agents onto tribal territories minimizes the sense that, once more, the frontier is being breached. This promotes respect for traditional ways of handling crises and minimizes the sense that the outside way of handling this situation is superior. Indeed, this is a prime example of promoting harmonious relationships across the frontier, based on good faith.

This model of respectful engagement across frontiers can be replicated in other regions and other contexts. While not all Native Nations have Clan Mothers with responsibility for the well-being for the people, all do have some form of traditional helping systems. Child protective service workers in various regions can become familiar with Indigenous mechanisms for assisting tribal members and can proactively reach out to them to develop culturally appropriate ways of conducting investigations. This type of proactive outreach can also be applied in a variety of settings in addition to child welfare.

Casinos

Some Native American tribes have developed bingo and casino gaming operations as a form of economic development. While many U.S. states do not permit casino gaming, this is deemed legally permissible on Indian reservations within those states because Native American nations retain some aspects of sovereignty and in most cases do not fall under the authority of state laws. As more tribes developed gaming operations in the 1980s, states protested their lack of control over and revenue from gaming, and the United States moved to develop federal regulations. This resulted in the 1988 passage of the Indian Gaming Regulatory Act (National Indian Gaming Commission, 2013).

Under this Act, Indigenous nations must enter into compacts with states in order to initiate casino (class III) gaming

operations. Compacts may have provisions extending criminal and civil laws of the state and require that payments be made to states and/or localities. All compacts are subject to approval by the Secretary of the Interior (National Indian Gaming Commission, 2013). In practice, compacts have often led to significant and permanent cessions of sovereignty associated with accepting state jurisdiction. On the other hand, negotiation of a compact could, at least in theory, codify basic principles that result in fair sharing of power and resources.

The issues raised by casino gaming present interesting questions regarding the balance of power between states, the federal government, and Native American nations. On one hand, tribes can assert power by developing gaming operations in states where casinos would not otherwise be allowed. On the other hand, Federal regulation of gaming impinges on Indigenous sovereignty in ways that have long-term implications for sovereignty. Scholars and observers have a variety of opinions on who benefits most from these arrangements.

The development of casino gaming is an exercise of tribes' right to self-determination. In some cases, tribes have also been able to buy back land in their traditional territories as part of developing gaming operations. For some tribes (although certainly not all) gaming has become a lucrative means of economic development that has led to significant financial gain for tribes with few other economic resources. It is questionable, however, that this form of economic development falls within the intent expressed by the UN and IFSW when they spoke of development within the needs and interest of Indigenous Peoples. Casino gaming has been a very contentious and divisive issue for many Indigenous Peoples, with some opposing it on the grounds it violates some traditional religious practices that use games of chance within a ceremonial context. Other Indigenous Peoples have opposed gaming because of its potential links to addiction and criminal elements; both are significant problems in some Indigenous communities. Still others object because the process of obtaining a compact is perceived as one which erodes sovereignty.

In contemporary times, Native American tribes are perceived to be "domestic dependent nations" under the protection of the U.S. federal government. This paternalism,

enshrined in U.S. law, is what requires federal approval of state-tribal compacts. Federal regulation is designed to shield Native Americans from corruption and the bad-faith dealings common along the historical frontier. While federal oversight of tribal affairs is of long standing, compacts authorize a level of state involvement that is largely unprecedented and could be interpreted as a major cession of sovereignty and self-determination that can never be recovered. States, on the other hand, may have significant incentives for negotiating compacts that authorize casino gaming. For example, in Connecticut, the state receives 20% of gambling proceeds from Indian casinos (Knopff, 2011).

The federal paternalism inherent in the process of negotiating compacts is a clear illustration of continuing oppression. No longer recognized as fully sovereign, Native American tribes are subject to a level of federal oversight that goes far beyond that experienced by any other group in the United States. Indeed, the U.S. federal government continues to manage the assets of many Native American tribes and individuals under a variety of circumstances including land leases and mineral rights. A lawsuit revealed that billions of dollars that the U.S. Federal Government was required to hold in trust is unaccounted for or has been mismanaged (Vezzola, 2010).

While ostensibly some tribes choose to develop gaming operations to promote economic development and self-sufficiency, there is the lingering question of whether they have traded away self-determination in the long-term for short-sighted opportunity. From another perspective, some believe that while, on the surface, states may protest against casino gaming and claim to take the moral high ground, their economic interests are served by Native American gaming operations. In other words, tribal casinos allow the state to benefit economically while protesting on moral grounds, thus keeping their own hands clean. In this sense, Indigenous Peoples may be perceived to be exploited—doing the dirty work for non-Indigenous benefit.

This example illustrates the complicated nature of contemporary frontiers and interactions between Indigenous and non-Indigenous Peoples and their governments. While casino gaming may support the UN and IFWS principles of economic

development and self-determination (particularly in the short-term), the need for tribal-state compacts ultimately diminishes self-determination. Many observers on both sides of the frontier would also question whether this has promoted harmonious relationships based on justice. Casino gaming is a contentious issue, both for Indigenous and non-Indigenous Peoples. While this is not a positive example of interactions, unfortunately it remains more typical of contemporary Indigenous–non-Indigenous interactions than the example cited earlier.

Conclusion

There is a long standing history of negative interactions between Indigenous and non-Indigenous peoples across the frontier that served as a permeable boundary between them. Dominance and oppression often characterized these interactions. In many ways negative elements linger, as towns that border reservations are often known for violence and racism. The United States has refused to sign the United Nations Declaration on the Rights of Indigenous Peoples, thus making their commitment to the development of more positive relationships with Indigenous Peoples within their borders questionable.

However, there are glimmers of hope. The child welfare example noted above demonstrates a model of cooperation across borders. The UN and IFSW documents present guiding principles for those interested in developing better relationships based on respect and justice. Other settler societies, such as Australia, appear to be willing to begin the dialogue and grapple with the difficult issues of what decolonization might mean for territories where the settlers and Indigenous Peoples remain within the boundaries of the colonial nation state. While we can anticipate that this will be a long, arduous task fraught with difficulties, countries such as Australia are to be commended for their willingness (however ambivalent) to begin to grapple with these issues in a way that the United States has yet to initiate. This can serve as a model for the United States to examine what it might mean to find ways to pursue a more positive new frontier with Indigenous Peoples.

References

- 25 USC, Chapter 12. (2012). *Indian child protection and family violence prevention*. Retrieved from <http://uscode.house.gov/download/pls/25C34.txt>
- Boccaro, G. (2003). Rethinking the margins/thinking from the margins: Culture, power, and place on the frontiers of the New World. *Identities: Global Studies in Culture and Power*, 10(1), 59-81.
- Death Penalty Information Center (2012). *Native Americans and the death penalty*. Retrieved from <http://www.deathpenaltyinfo.org/native-americans-and-death-penalty>
- Howitt, R. (2001). Frontiers, borders, edges: Liminal challenges to the hegemony of exclusion. *Australian Geographical Studies*, 39(2), 233-245.
- Indian Child Welfare Act. (1978). 25 U.S.C. § 1901-1963.
- Indian Civil Rights Act of 1968. 25 U.S.C. § 1301, 3201-3211. (2011).
- International Federation of Social Workers. (2005). *Policy statement on Indigenous Peoples*. Retrieved from <http://ifsw.org/policies/indigenous-peoples/>
- Keohane, J. R. (2006). The rise of tribal self-determination and economic development. *Human Rights*, 33(2), 9-11.
- Knopff, G.C. (2011). American Indian Communities in Minnesota Gaming. Minnesota State Senate. Retrieved from <http://www.senate.leg.state.mn.us/departments/scr/reports/ba>
- Landry, A. (2014, November 17). "All Indians are dead?" At least that's what most schools teach children. *Indian Country Today*. Retrieved from <http://www.indiancountrytodaymedianetwork.com>
- Layton, L. (2013, March 21). In Montana, an Indian reservation's children feel the impact of sequester's cuts. *Washington Post*.
- Lazarus, E. (1991). *Black Hills, White justice: The Sioux Nation versus the United States government, 1775-the present*. New York: Harper Collins Publishers.
- Mitchell, C. (2013, March 19). Sequester cuts already hitting Minnesota's reservation schools. *Star Tribune*.
- Muller, L. (2014). *A theory for indigenous Australian health and human service work: Connecting indigenous knowledge and practice*. Sydney: Allen & Unwin Publishers.
- National Indian Gaming Commission. (2013). *Indian Gaming Regulatory Act*. Retrieved from http://www.nigc.gov/Laws_Regulations/Indian_Gaming_Regul
- Orta-Martinez, M., & Finer, M. (2010). Oil frontiers and indigenous resistance in the Peruvian Amazon. *Ecological Economics*, 70(2), 207-218.
- Perry, B. (2002). From ethnocide to ethnoviolence: Layers of Native American victimization. *Contemporary Justice Review*, 5(3), 231-247.

- Perry, B. (2009). "There's just places ya' don't wanna go": The segregating impact of hate crime against Native Americans. *Contemporary Justice Review*, 12(4), 401-418.
- Perry, B., & Robyn, L. (2005). Putting anti-Indian violence in context: The case of the Great Lakes Chippewas of Wisconsin. *American Indian Quarterly*, 29(3/4), 590-625.
- Raffle, S. (2007, December). Native American education: A timeline. *American School Board Journal*, 22-23.
- Rutecki, G. W. (2011). Forced sterilization of Native Americans: Later twentieth century physician cooperation with national eugenics policies? *Ethics and Medicine*, 27(1), 33-42.
- Samson, C., & Cassell, E. (2013). The long reach of frontier justice: Canadian land claims 'negotiation' strategies as human rights violations. *The International Journal of Human Rights*, 17(1), 35-55.
- Sandlos, J. (2008). Not wanted in the boundary: The expulsion of the Keeseekooowenin Ojibwe Band from Riding Mountain National Park. *The Canadian Historical Review*, 89(2), 189-221.
- Schneider, A. (2005). Reforming American Indian/Alaska Native health care financing: The role of Medicaid. *American Journal of Public Health*, 95(5), 766-768.
- United Nations (2008). United Nations Declaration on the Rights of Indigenous Peoples. Retrieved from http://www.un.org/esa/socdev/unpfii/documents/DRIPS_en.pdf
- Venables, R. W. (2004). *American Indian history: Five centuries of conflict & coexistence* (Vols. 1 & 2). Santa Fe, NM: Clear Light Publishing.
- Vezzola, M. A. (2010). A decade in review: Developments in Indian trust land. *News from Native California*, 23(4), 8-9.
- Weaver, H. N. (2014). Violence in the lives of Native Americans. In H. N. Weaver (Ed.), *Social Issues in contemporary Native America: Reflections from Turtle Island* (pps. 157-168). Farnham, England: Ashgate Press.
- Westmoreland, T. M., & Watson, K. R. (2006). Redeeming hollow promises: The case for mandatory spending on health care for American Indians and Alaska Natives. *Government, Politics, and Law*, 96(4), 600-605.
- Wilkes, R., Corrigan-Brown, C., & Myers, D. J. (2010) Packaging protest: Media coverage of indigenous people's collective action. *Canadian Review of Sociology*, 47(4), 327-357.
- Williams, J. K. (2010, August 21-September 1). New York's Native Americans outraged over Bloomberg's "cowboys and Indians" remark. *The New York Amsterdam News*, pp. 3, 40.

Social Work Advocacy: Professional Self-Interest and Social Justice

MARY ELLEN BROWN

School of Social Work
Arizona State University

MICHELLE LIVERMORE

School of Social Work
Louisiana State University

ANNAHITA BALL

School of Social Work
State University of New York at Buffalo

This study employed an analysis of the advocacy-related resources and materials available through the 50 NASW state chapter websites. Results revealed that a large number of states had no information about advocacy on their websites (42%). One third of the mission statements reviewed contained language indicating that advocacy was part of the chapter mission, while nearly as many included no content related to advocacy or social justice on their homepages. Nearly two thirds of the websites contained no resources, tools or links to help with advocacy practice, promotion or education. Thirteen advocacy themes emerged, which represented policy issues within the state advocacy agendas. Professional Self-Interest was the issue with the highest frequency (17%) across the 2010 state chapter agendas, but the 12 other social justice issues combined dominated the legislative agendas (83%). Professional self-interest issues accounted for the highest rate of prevalence on state agendas, as it appeared on 86% of the chapter agendas analyzed.

Key words: *advocacy, content analysis, NASW, social justice, social work*

The profession of social work originated as the advocating voice for the vulnerable and oppressed in society, and its purpose is to improve social conditions for those persons (National Association of Social Workers [NASW], 2003; Trattner, 1999). Previous literature has suggested the social work profession has lost its way, and is facing a crisis of identity (e.g., Abramovitz, 1998; Baylis, 2004). Moreover, social workers have been accused of being more dedicated to advancing the profession and private practice than to social justice and political advocacy (Ritter, 2008). This study explored the advocacy agendas of state chapters within NASW to determine whether there was a tilt in the balance of advocacy agendas toward issues concerned with the promotion of professional self-interest or advocacy for social justice issues which promote client welfare.

Review of the Literature

The social work field arose as the advocating voice for the most disadvantaged and oppressed persons in society, those unable to find a voice on their own, and has traditionally been charged with creating conditions for social reform (Trattner, 1999) and ameliorating poverty and injustice. Today, the profession still purports to challenge social injustices, and to empower and advocate for vulnerable populations through systems-level changes (NASW, 2003). Social work is unique from other helping professions, in that the mission not only calls for service to persons in need, but also for the betterment of social conditions for those persons. Combating social injustice for marginalized populations, through social change and advocacy activities, is a basic function of the profession, as mandated by NASW and the Council on Social Work Education (CSWE) (CSWE, 2014; NASW, 2010). In fact, the CSWE Commission for Diversity and Social and Economic Justice has recently developed a task force to critically examine and develop a definition of social justice for the social work profession, underscoring the importance of social justice to the field.

As such, enhancing social justice is a primary purpose of the social work profession and is central to its mission. Still,

considerable debate has occurred within the social work literature regarding the ways in which the profession defines social justice. For instance, some scholars rely upon Rawls' theory of distributive justice (Wakefield, 1998). The distributive justice theory maintains that society should aim for a realistic utopia, where primary goods are distributed to all, and justice equals fairness for all persons (Brown, 2002; Rawls, 1999). Wakefield (1998) asserted that the distributive justice theory reflects social work's essential mission in its concern with meeting basic human needs across economic, social and psychological realms, in order to ensure all persons have the means to lead a minimally decent life. Others (e.g., Galambos, 2008; Reisch, 2002) highlighted the disconnect across theories and definitions of social justice. While consensus has not been reached, scholars in the field emphasize the importance of social justice to social work practice, research, and teaching.

Reisch (2002) specifies the ways in which social work may address social justice despite the profession's inconsistency and lack of clarity. These include: a focus on distributing resources to populations that are most vulnerable or oppressed; an understanding of the mutual interests in social service delivery for the worker and the client; engagement in multi-level practice that engages clients and builds from their lived experiences; and, advocacy for the elimination of oppressive policies and programs and the development of policies and programs that promote well-being for all people (Reisch, 2002). This study focuses on the profession's explicit advocacy agendas.

Historical Context of Social Work

The roots of the profession of social work date back to the late nineteenth century, as a response to the call to address poverty and alleviate human suffering (Greene, 2005). A divergence between the pursuit of social justice through advocacy and community work, versus casework, began over a century ago, with the settlement house movement and the charity organization societies (Epple, 2007). Since its inception, social work has struggled between meeting the needs of individuals within society and enacting social change.

The settlement house movement, led by Jane Addams,

focused on affecting social change at the community level, and settlement house workers were the profession's first social change agents (Trattner, 1999). Settlement house workers focused on addressing the causes of poverty and advocating for its prevention to improve social conditions. This is in contrast to charity workers, who focused on the deficiencies of the poor and the treatment of those deficiencies by providing treatment and services to meet the basic needs of individuals and families (Van Wormer, 2002). To improve a person's functioning within society, charity workers sought to influence the nature of individuals' perceptions and emotions, rather than address societal needs and inequities (Wakefield, 1992).

The bifurcation of the functions of early social workers has persisted throughout the advancement of the profession. Abraham Flexner's 1915 call for professionalism within the field further exacerbated this divide by challenging social workers to develop a theoretical base for professional practice and build a body of knowledge for the profession through scientifically-based research (Brill, 2001; Trattner, 1999). Though Flexner's charge has inspired great progress in social work intellectual production (Brill, 2001), the research and theory development for the profession has been primarily consumed with direct practice interests, rather than social justice and advocacy imperatives (Karger & Hernandez, 2004). In its journey to establish professionalization, many argue the field of social work has allowed its social justice mission to fall behind (Donaldson, Hill, Ferguson, Fogel, & Erickson, 2014). In order to intellectualize the field, social work has relied heavily on infusing psychological theories into frameworks for practice, often overlooking theories of education and economics, which are equally relevant to promoting social work interests (O'Brien, 2003). Some researchers claim that this infusion of psychological theory into social work practice has led the field away from its social justice mission, and that rather than unifying and legitimizing the profession, Flexner's call to professionalism further confused the identity of the profession (Karger & Hernandez, 2004; O'Brien, 2003).

It seems that recognizing social work for its unique strength, of being a field with the mission of pursuing social justice, has been largely overlooked in the hopes of building its identity as

a respected profession. Currently, two social work identities remain: one providing casework and therapeutic services, and the other focused on societal reform, social justice and community organization. Though most social workers perceive themselves as falling somewhere in the middle of the two extremes, it is important to understand where the profession is in terms of promoting social justice, while considering the influence of psychotherapy and private practice.

Social Workers in Private Practice

Social work scholars contend the rapid growth of psychotherapy in social work practice is the greatest issue of concern facing the social work profession (Specht, 1990) and that there is considerable difficulty providing meaningful preparation for macro-level practice in the social work educational curriculum (Rothman & Mizrahi, 2014). The Practice Research Network (PRN, 2003) conducted a survey of NASW membership in 2002, and found that 38% of social workers reported working in a private practice setting. Moreover, 71% of the respondents considered their principal role in their practice area to be in direct practice, case management, or clinical supervision.

Thus, psychotherapy has become a common form of social work practice and increased numbers of social workers are working in private practice settings, oftentimes providing services to a sector of society which has the means to pay for services. This shifts valuable resources away from working with persons with the greatest need for social work services, as vulnerable populations have been unable to afford the services of many clinicians in private practice (Specht & Courtney, 1994). Specht (1990) asserted that the shift toward psychotherapy as social work practice does not honor the true mission of the field. As such, Wakefield (1992) reasoned that psychotherapy as social work practice needed to be redefined as psychotherapy for social work practice. This would allow for psychotherapy to be viewed as a tool, rather than the primary means, of practice.

Though literature has repeatedly charged social workers with neglecting to fulfill their advocacy role in practice (Ritter, 2007), there are few studies found to support or challenge

these claims. Mission fulfillment of the advocacy imperative can happen in a variety of ways and at all levels of practice, whether in a clinical, private practice role, community organizing setting, or somewhere in between (Mosley, 2013). It is important to understand the relationship between advocacy, social work, and research, in order to understand the place of advocacy in the social work profession.

Advocacy and Social Justice

Advocacy and social reform are central tasks of the social work professional, and have historically been regarded as core practice skills that, along with the emphasis on social justice, distinguish social work from other helping professions (Crean & Baskerville, 2007; Ritter, 2007). Richan (1973) defined advocacy as an "action on behalf of an aggrieved individual, group or class of individuals—people subject to discrimination and injustice" (p. 223). Advocacy efforts can be carried out for individuals, groups, and communities in society (Richan, 1973; Spicuzza, 2003). Political advocacy and community organizing are vital functions of the social work purpose, to be carried out across all domains, including clinical social work settings. At a minimum, social workers are to be policy sensitive in dealing with clients; social workers need to understand policies affecting their clients, how to access resources, and the potential barriers to accessing resources for their clients (Jansson, 2003).

While social workers intervening at all systems levels may engage in some type of advocacy, the profession's formal advocacy efforts provide insight into its commitment to cause advocacy. For example, Scanlon, Hartnett, and Harding (2006) conducted a survey in 2003 of NASW state chapter directors to understand the state level scope of NASW political practices, policy goals and priorities, and the perceived effectiveness of advocacy efforts. Twenty-two NASW state chapter directors indicated their top three current policy issues via a survey distributed by the authors. State budget and funding issues and mental health parity were the most frequently reported policy priorities, followed closely by abolition of the death penalty, professional licensure issues, and welfare reform. When considering the policy goals and priorities, findings suggested there was an overall lack of input from membership and

clients in the setting of policy priorities, where most chapters utilized a top-down approach to agenda setting (Scanlon et al., 2006). As such, Scanlon et al. (2006) noted that NASW chapters should utilize a client-centered approach to agenda setting establishing policy priorities, rather than a top-down approach. They also suggested chapters seek input from local membership in order to gain relevant information on pressing client-centered policy issues.

Ritter (2007) also used survey methodology to examine advocacy in social work practice, finding that over half (54%) of the sample of licensed social workers categorized themselves as "inactive" in relation to their political participation. When questioned about their political interests, the respondents indicated that they were more interested in national politics (94% were "somewhat interested" to "very interested"), than local politics (86% were "somewhat interested" to "very interested"), though a high level of interest existed for both. Ritter (2008) also found that the majority (two-thirds) of social workers surveyed preferred working with individuals rather than working on social change; however, membership in NASW was a strong predictor of involvement in advocacy activities. This finding reiterates the potential importance of NASW as professional association.

Edwards and Hoefer (2010) recently examined the websites of 63 social work advocacy organizations to determine the extent to which social work advocacy utilizes "web 2.0" capabilities, such as social media, blogging, wikis, and video-sharing. They found that the social work advocacy organizations in their sample largely used websites to convey information about relevant issues, provide specific actions for individuals to take, and facilitated individuals' communication with decision-makers (e.g., via email). Additionally, websites for organizations that were associated with NASW were more likely to provide an option for users to connect to a social networking site and to include the option to share advocacy information via social networking or email. The authors call for more research on the use of the internet in social work advocacy. Collectively, this limited research also points to the need for more investigation of social work advocacy practices for social justice. This study expands upon the existing research to examine advocacy communications, resources, and agendas of

state NASW chapters to contribute to the empirical knowledge base for understanding the advocacy activities of professional social workers.

The National Association of Social Workers

The NASW is the largest professional social work membership organization in the world, representing the interests of social workers and the profession (Scanlon et al., 2006). Approximately 132,000 social workers are active members of the NASW, represented through 55 chapters. These 55 chapters are comprised of 50 state chapters, and additional chapters including Guam, Puerto Rico, the Virgin Islands, New York City, Washington, D.C. (NASW, 2015). Through its focus to advance sound social policies, the NASW is actively involved in legislative advocacy, with the bulk of policy advocacy efforts occurring at the state chapter level (Scanlon et al., 2006). As the premier membership organization and interest group for social workers (Hoefer, 2000), the NASW is a prime advocacy avenue for the profession (Teater, 2009).

Limited research, however, has been conducted to understand the role of the NASW and its effectiveness in promoting social work advocacy (Scanlon et al., 2006). Teater (2009) stated that now, more than ever, social workers are called to impact social policy legislation at the state level, and others agree that as states are given increasing authority over social programming, social workers must become more politically involved (Hoefer, 2000, 2005). As the largest interest group for social workers, the NASW has the power to guide and influence social workers in the advocacy arena and communicate to its membership and other social workers the importance of influencing policy and legislation.

This communication is increasingly done via the internet. Interest group organizations, such as the NASW, have developed a strong online presence over the past decade, as information technology has become a mainstream form of public communication. Organizations use websites to communicate with their membership and to provide information to their clients and the general public. As advocacy is an integral function of the social work profession, and the NASW

mandates the practice of advocacy for social workers, it is important to understand the messages the NASW is sending regarding advocacy through its websites to its membership, clients and the public.

Purpose and Statement of the Research Questions

The purpose of this study was to enhance understanding of the messages the state NASW chapters are conveying to their membership, their clients, and the general public about the role of advocacy in present day social work, and to gain insight into the types of issues on the advocacy agendas of state NASW chapters. The data utilized in this research study were taken from publicly accessible information on the fifty state chapter websites. The following research questions guided this study:

- (1) What information did NASW state chapters convey to social work professionals, clients and the public about the status of social work advocacy through their websites?
- (2) Which issues were the most prevalent in the 50 NASW state chapter policy agendas in 2010?
- (3) Do state NASW chapters advocate more often for policies promoting professional self-interest, or client-centered, social justice related issues?

Methods

This study utilized a content analysis approach to research, which is defined as a "methodological measurement applied to text for social science purposes" (Shapiro & Markoff, 1997, p. 14). Content analysis allows a researcher to translate qualitative information—communication and messages—into a quantitative form through coding (Finn & Dillon, 2007). Coding systematically categorizes information in order that it can be analyzed scientifically (Finn & Dillon, 2007).

Sample and Data Collection Strategy

The population was comprised of the 50 state NASW chapter websites. At the time of this study, each state chapter had an actively operating website, thus the total population was included in this research. The text available on the websites, including relevant advocacy web content and downloadable documents, was gathered to analyze the information and content related to the status of advocacy on state NASW chapter websites. Specifically, the data sources included: webpage text, advocacy and legislative agendas for 2010, chapter newsletters, position papers, and legislative briefings and testimonies. Further, legislative issue-prevalence data were collected from the NASW sponsored CapWiz Advocacy website, an online advocacy database. Many chapters utilized this resource by populating it with information on legislative issues of current interest particular to their states. The CapWiz Advocacy website is a potential avenue for providing social workers with state-specific information on legislative issues, elected officials, advocacy tips, and media resources. The data for this study were taken from the current issues and legislation section of the database and were included if the policy position for the state chapter included the language "We Support this legislation" and "We Oppose this legislation," and excluded if the language read "Monitoring."

Data Analysis

Data analysis proceeded in two distinct phases. Phase I utilized qualitative thematic coding to identify policy themes evident in the state advocacy agendas depicted on state chapter websites and in CapWiz legislative issues. After the themes were identified, a coding sheet was developed to document the occurrence of each theme within website documents. These themes were then further coded into a binary format, indicating whether the advocacy item primarily promoted professional self-interest issues (PSI) or whether the advocacy item primarily promoted client-centered, social justice issues (SJCC). Instances of issues were also recorded: each of the 13 advocacy issue categories was coded by state to determine the overall issue frequency in state agendas.

Limitations

Though this research is an important preliminary contribution to understanding the advocacy activities of NASW state chapters, it is not without its limitations. An assessment of state NASW chapters' advocacy status and issue prevalence may include other sources of data, such as policy statements, advocacy agendas spanning over the past decade, surveys of state leadership and membership gauging the perceived importance of advocacy, the utilization of membership and clients in the agenda setting process, and other organizations' perceptions of NASW policy priorities. This study analyzed 60% of NASW state chapter legislative agendas and priorities, but with the accessibility of the population parameter in this research framework, a rate closer to 80% would more adequately reflect the overall advocacy priorities of social work professionals.

Another important limitation of this study to note is the consideration of legislative cycles. During this study, the researchers became aware that not all states were in legislative sessions, and that some states, specifically Texas, operate on a bi-annual basis. The legislative agenda for the state of Texas' NASW chapter for 2011 was posted, but as this study only considered 2010 agendas, it was not eligible for analysis. Future studies should consider the state legislative session schedules, and again, a multi-year analysis would prevent the exclusion of this type of relevant information.

Key Findings

Research Question 1: What information did NASW state chapters convey to social work professionals, clients and the public about the status of social work advocacy through their websites?

Results indicated that 90% of chapter websites ($n = 45$) contained an advocacy link on the homepage, and only 8% of those links were inactive. Seventy percent of the websites conveyed a message of advocacy and/or social justice directly on their chapter homepages, using keywords such as "social justice," "advocacy," "public policy," and other references to current legislative agendas and activities ($n = 35$). Additionally, many

sites contained links to state legislative resources (44%, $n = 22$), federal legislative resources (32%, $n = 16$), and documents or other resources providing advocacy education and activism tools for social work practitioners (36%, $n = 18$). A little over half ($n = 26$) of the state NASW chapter websites included direct links to the NASW's CapWiz advocacy webpage. Current legislative agendas (48%, $n = 24$), past legislative agendas (20%, $n = 10$), and recent legislative accomplishments (20%, $n = 10$) were accessible to the public through the websites as well. Only 66% ($n = 33$) of the chapter websites contained chapter-specific mission statements with language including the terminology of "social justice," "policy," and/or "advocacy."

Research Question 2: Which issues were the most prevalent in the 50 NASW state chapter policy agendas in 2010?

Of the 50 state NASW chapter websites and the CapWiz online databases reviewed, 29 contained legislative agendas for 2010. Within these agendas, 472 total advocacy issues were uncovered, and 136 (28.8%) of those 472 issues were found through the CapWiz web resource. The remaining 71.2% of the legislative issues were gathered from online legislative agendas, testimonies, and chapter newsletters. Data analysis indicated that these issues represented 13 broad theme areas: (1) Professional Self-Interest; (2) Health Care; (3) Child Welfare; (4) Mental and Behavioral Health; (5) Poverty/Employment; (6) Domestic Violence; (7) Homelessness/Housing; (8) Elderly/Aging Adults; (9) Civil Rights—LGBT/Immigration; (10) Crime/Sex Offenders/Death Penalty; (11) Education; (12) State Government/Economy; and (13) Other.

Professional self-interest included topics such as: loan forgiveness, assistance and repayment; distance education; licensure standards and regulation; and Medicare reimbursement. Health care included Medicaid funding, women's health, affordable healthcare, insurance, and hospital access. Child welfare examples included adoption services, child welfare services funding, and foster care youth and transitional youth services. Mental and behavioral health included mental health parity, co-occurring disorders, alcohol and drug treatment, forensic mental health, and behavioral health and mental health for minors. Poverty/employment included public assistance

programs, rural economic development, living wage, affordable child care, and job training and education. Research on domestic violence, domestic violence shelters, and victim

Table 1: Frequencies and Percentages of Policy Issue Theme Areas

Theme Area	Specific Bill		Topic		CapWiz		Website		Totals	
	N	%	N	%	N	%	N	%	N	%
Professional Self-Interest	34	12.5	47	23.5	23	16.9	58	17.3	81	17.2
Health Care	46	16.9	24	12.0	22	16.2	48	14.3	70	14.9
Child Welfare	40	14.7	18	9.0	15	11.0	43	12.8	58	12.3
Mental and Behavioral Health	24	8.8	24	12.0	16	11.8	32	9.5	48	10.2
Poverty/ Employment	23	8.5	17	8.5	18	13.2	22	6.5	40	8.5
Domestic Violence	2	0.7	5	2.5	1	0.7	6	1.8	7	1.5
Homelessness/ Housing	3	1.1	6	3.0	2	1.5	7	2.1	9	1.9
Elderly/ Aging Adults	9	3.3	11	5.5	3	2.2	17	5.1	20	4.2
Civil Rights: LGBT/ Immigration	13	4.8	15	7.5	6	4.4	22	6.5	28	5.9
Crime/ Sex Offenders/ Death Penalty	39	14.3	7	3.5	16	11.8	30	8.9	46	9.7
Education	15	5.5	16	8.0	8	5.9	23	6.8	31	6.6
State Government/ Economy	23	8.5	8	4.0	6	4.4	25	7.4	31	6.6
Other	1	0.4	2	1.0	0	0.0	3	0.9	3	0.6
Totals	272	57.6	200	42.4	136	28.8	336	71.2	472	100

Note: The 'Totals' in column 6 refer to the sum of the number of theme areas found in the CapWiz database (column 4) and the chapter website (column 5). The theme areas (column 1) are in reverse chronological order based on the N in the totals column.

service programs were legislative issues included in the domestic violence category. Homelessness/Housing included affordable and transitional housing, rental assistance, and crimes

against the homeless. Legislation regarding elderly/aging adults included caretaker education, monitoring of in-home care, mixed-income senior programming, adult protective services and elder dignity. Civil rights included LGBT, same-sex marriages, immigration, and civil unions, among others. Crime included sex offenders, death penalty, victims rights, penal institutions, human trafficking, incest, dating violence, and juvenile offenders. Legislation categorized as education included public school reform, school attendance, and bullying. State government/economy included rainy day funds, sales and taxes, state budgets and fiscal policies. Legislative items such as environmental waste control, for example, were categorized as other.

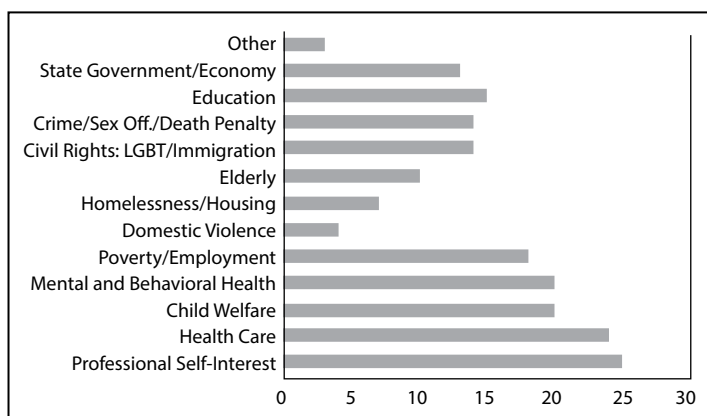
Results indicated that the most prevalent NASW policy issues in 2010 were Professional Self-Interest (17%), followed by Health Care (15%), and Child Welfare (12%). The least prioritized political agenda issues identified through this study were Domestic Violence (1.5%) and Homelessness/Housing (2%).

Research Question 3: Did state NASW chapters advocate more often for policies promoting professional self-interest, or client-centered, social justice related issues?

Overall, 17% of the issues on state NASW policy agendas found in this study were related to professional self-interest and encompassed policies related to professional licensure, loan forgiveness, title preservation, and pay and reimbursement legislation. Nearly one out of every five agenda items was related to promoting professional self-interest issues for social work practitioners, while the majority of action agenda items pertained to the combined 12 other social justice client-centered issues (83%).

This question was alternately considered in terms of how many state action agendas contained issues related to each of the 13 policy categories. Professional self-interest issues were present on 86% (25) of the state legislative agendas, making this the category promoted by the most states. Figure 1 provides a graphical summary of the issues and number of state action agendas prioritizing each issue.

Figure 1. Issue Prevalence in NASW State Chapters Legislative Agendas



Discussion and Implications

This study examined the condition of advocacy in social work practice, and whether there exists a tilt in the balance of the advocacy agenda toward issues concerned with the promotion of professional self-interest, rather than advocacy for social justice issues. This is important, because while advocacy to strengthen the profession may indirectly enhance social justice through the efforts of individual social workers, cause advocacy that promotes the interests of the disadvantaged has the potential to enduce more widespread structural change. Results indicated that professional self-interest had the highest issue frequency (17%) on 2010 chapter policy agendas, but the combined 12 other social justice categories dominated the agendas (83%). However, professional self-interest issues appeared on the most state agendas, 86% of the 29 chapter agendas analyzed.

Though it is encouraging that issues pertaining to social justice dominated the agendas, the promotion of professional self-interest was a topic of discussion found twice as often in the data than any single social justice issue. Furthermore, professional self-interest appeared more prominently here than in prior work. In Scanlon et al.'s (2006) survey of NASW state chapter directors, the most prevalent issues on their advocacy agendas were related to state budgets/funding and mental

health parity. This was followed by death penalty abolition, professional licensure, and welfare reform.

As promoting social justice and social change are tenets of the profession of social work and the profession's governing code of ethics (NASW, 2003), it is concerning that 30% of all NASW state chapter websites contained no content related to advocacy or social justice on their homepages, and 64% of the websites did not contain any resources, tools or links to these types of resources in any of their web content for advocacy practice, promotion or education. Likewise, only half of NASW state chapters posted a link to the CapWiz legislative resource and offered it through their website to its membership. Thus, these findings raise the question of whether this advocacy tool is widely known, or whether the national NASW office might offer some technical assistance and training for state chapter leadership in order to ensure the NASW membership is utilizing this sophisticated resource to its fullest potential. Of all 50 NASW state chapters, only three included links to chapter newsletters that communicated legislative agendas to their state membership.

Nearly half of the websites studied did not communicate any legislative agendas or accomplishments. This study's findings should be considered in light of this limitation. Without access to the advocacy agendas of 42% of the NASW state chapters, it is not possible to completely understand the scope and degree to which social justice advocacy activities take place in the profession, because it is not clear whether the advocacy agendas observed in this study are an accurate reflection of the advocacy agendas of all chapters. In the context of past work illustrating the top-down nature of state NASW advocacy efforts (Scanlon et al., 2006), it is possible that the communication of advocacy agendas to members and the public is simply not a priority. Those who communicated online about their advocacy agendas may be more inclined to promote/participate in advocacy activities than those who did not communicate advocacy/social justice issues at all.

This study provides a snapshot of advocacy practices and issue prevalence as accessible through the NASW state chapters' online presence, and will contribute to social work by reducing the divide between understanding the imperative of

advocacy in the profession's mission and heightening awareness of the reality of social work advocacy in practice. These preliminary descriptive findings will inform future research activities in building a knowledge base for understanding the current relationship between social work and advocacy practice. In order to gain a more robust understanding of advocacy efforts and actual impact of social work advocacy practice in the United States, future research should consider the time and resources allocated to addressing state chapter agenda items and the success rates of local advocacy initiatives. The political climates of states in relation to the advocacy imperatives should also be considered in future research. Another important aspect to understanding the practice of social work advocacy would be assess chapter members' advocacy priorities to explore whether the advocacy agendas and issue prevalence reflect those of individual members.

In sum, the findings of this study suggest that the promotion of professional self-interest in social work advocacy is considered to be an important issue to NASW members. Still, the findings also showed that social justice issues play a major role in setting the overall policy agendas for NASW state chapters that communicate their advocacy agendas to practitioners, clients and the broader community through their online presence. As the field of social work continues to maintain its commitment to advocacy and social justice, as evidenced by the current NASW Code of Ethics (2010), it will become increasingly important for practitioners and researchers to critically examine the profession's advocacy efforts. In turn, social work's impact on our broader society may be most realized.

References

- Abramovitz, M. (1998). Social work and social reform: An arena of struggle. *Social Work*, 43(6), 512-526.
- Baylis, P. (2004). Social work's protracted identity crisis: A Lacanian perspective. *Psychoanalytic Social Work*, 11(1), 55-69.
- Brill, C. (2001). Looking at the social work profession through the eye of the NASW Code of Ethics. *Research on Social Work Practice*, 11(2), 223-234.
- Brown, C. (2002). The construction of a 'realistic utopia': John Rawls and international political theory. *Review of International Studies*, 28, 5-21.

- Council on Social Work Education (CSWE). (2014). *About CSWE*. Retrieved from <http://www.cswe.org/About.aspx>
- Crean, P., & Baskerville, M.A. (2007). Community advocacy—a social work role? *Social Work Review*, 19(4), 3-10.
- Donaldson, L. P., Hill, K., Ferguson, S., Fogel, S., & Erickson, C. (2014). Contemporary social work licensure: Implications for macro social work practice and education. *Social Work*, 59(1), 52-61. doi: 10.1093/sw/swt045
- Edwards, H. R., & Hoefer, R. (2010). Are social work advocacy groups using web 2.0 effectively? *Journal of Policy Practice*, 9, 220-239.
- Epple, D. (2007). Inter and intra professional social work differences: Social work's challenge. *Clinical Social Work Journal*, 35(4), 267-276.
- Finn, J., & Dillon, C. (2007). Using personal ads and online self-help groups to teach content analysis in a research methods course. *Journal of Teaching in Social Work*, 27(1/2), 155-164.
- Galambos, C. (2008). From the editor: A dialogue on social justice. *Journal of Social Work Education*, 44(2), 1-5.
- Greene, R. (2005). Redefining social work for the new millennium: Setting a context. *Journal of Human Behavior in the Social Environment*, 11(1), 37-54.
- Hoefer, R. (2000). Human services interest groups in four states: Lessons for effective advocacy. *Journal of Community Practice*, 7(4), 77-94.
- Hoefer, R. (2005). Altering state policy: Interest group effectiveness among state-level advocacy groups. *Social Work*, 50(3), 219-227.
- Jansson, B. (2003). *Becoming an effective policy advocate*. Pacific Grove, CA: Brooks/Cole.
- Karger, H. J., & Hernandez, M. T. (2004). The decline of the public intellectual in social work. *Journal of Sociology and Social Welfare*, 31(3), 51-68.
- Mosley, J. (2013). Recognizing new opportunities: Reconceptualizing policy advocacy in everyday organizational practice. *Social Work*, 58(3), 231-239.
- National Association of Social Workers. (2003). *Code of Ethics*. Retrieved from <http://www.socialworkers.org/pubs/code/code.asp>
- National Association of Social Workers (NASW). (2010). *Code of ethics of the National Association of Social Workers*. Retrieved from <http://www.socialworkers.org/chapters/default.asp>
- National Association of Social Workers (NASW). (2015). *NASW chapters*. Retrieved from <http://www.naswdc.org/pressroom/features/general/nasw.asp>
- O'Brien, C. (2003). Resource and educational empowerment: A social work paradigm for the disenfranchised. *Research on Social Work Practice*, 13(3), 388-399.
- Practice Research Network. (2003). *What is NASW's practice research network? Private practice*. Retrieved from <http://www.socialworkers.org/naswprn/privatePractice2.pdf>

- Rawls, J. (1999). *A theory of justice: Revised edition*. Cambridge, MA: Harvard University Press.
- Reisch, M. (2002). Defining social justice in a socially unjust world. *Families in Society*, 83(4), 343-354.
- Richan, W. (1973). Dilemmas of the social work advocate. *Child Welfare*, 52(4), 220-226.
- Ritter, J. (2007). Evaluating the political participation of licensed social workers in the new millennium. *Journal of Policy Practice*, 6(4), 61-78.
- Ritter, J. (2008). A national study predicting licensed social workers' levels of political participation: The role of resources, psychological engagement, and recruitment networks. *Social Work*, 53(4), 347-357.
- Rothman, J., & Mizrahi, T. (2014). Balancing micro and macro practice: A challenge for social work. *Social Work*, 59(1), 91-93.
- Scanlon, E., Hartnett, H., & Harding, S. (2006). An analysis of the political activities of NASW state chapters. *Journal of Policy Practice*, 5(4), 41-54.
- Shapiro, G., & Markoff, G. (1997). A matter of definition. In C. W. Roberts (Ed.), *Text analysis for the social sciences* (pp. 9-31). Mahwah, NJ: Lawrence Erlbaum.
- Specht, H. (1990). Social work and the popular psychotherapies. *Social Service Review*, 64(3), 345-357.
- Specht, H., & Courtney, M. (1994). *How social work has abandoned its mission: Unfaithful angels*. New York, NY: The Free Press.
- Spicuzza, F. (2003). Preparing students for social work advocacy. *The Journal of Baccalaureate Social Work*, 8(2), 49-68.
- Teater, B. (2009). Influencing state legislators: A framework for developing effective social work interest groups. *Journal of Policy Practice*, 8, 69-86.
- Trattner, W. (1999). *From poor law to welfare state: A history of social welfare in America*. New York, NY: The Free Press.
- Van Wormer, K. (2002). Our social work imagination: How social work has not abandoned its mission. *Journal of Teaching in Social Work*, 22(3/4), 21-37.
- Wakefield, J. C. (1992). Why psychotherapeutic social work don't get no re-Specht. *Social Service Review*, 66(1), 141-151.
- Wakefield, J. C. (1998). Psychotherapy, distributive justice, and social work revisited. *Smith College Studies in Social Work*, 69(1), 25-57.

Who's Left Out: Characteristics of Households in Economic Need Not Receiving Public Support

Vincent A. Fusaro

University of Michigan
School of Social Work

The American welfare state is often referred to as a social safety net, yet many in economic need do not receive public benefits. This article examines the characteristics of low-income households in the United States that do not participate in any of several public cash or near-cash support programs. Using the Survey of Income and Program Participation (SIPP) 2008 panel—a representative sample of U.S. households—households below the federal poverty threshold but not participating in any of eleven different income support programs were identified. Over a third (38.02%) of households in poverty did not receive any assistance from the examined programs. Non-participating households differ from program participating households in such areas as racial and ethnic demographics, educational attainment, number and age of children, household employment status, and financial resources.

Key words: program participation; disconnection; poverty; social welfare; safety net

The American welfare state is composed of an array of programs intended to meet particular needs. Temporary Assistance for Needy Families (TANF) and the Special Supplemental Nutrition Program for Women, Infants, and Children (WIC), for example, target families with children, while Supplemental Security Income (SSI) is intended for those in old age or with a work-limiting disability and who are otherwise ineligible for other forms of assistance (Social Security Administration, 2014; U.S. Department of Health and Human Services Administration for Children & Families, 2014; United States Department of Agriculture Food and Nutrition Service, 2014). Many of these programs are designed to aid those

Journal of Sociology & Social Welfare, September 2015, Volume XLII, Number 3

experiencing or at-risk of poverty. Not all who are in poverty are eligible for all programs, however, and not all who are eligible actually enroll. This article uses the Survey of Income and Program Participation (SIPP) to describe low-income households not participating in common public support programs (U.S. Census Bureau, 2014). In contrast to previous research, which tends to focus on only one or a small number of programs, participation in any of eleven separate types of cash or near-cash support is considered. This broad view allows for examination of the "social safety net" as a whole, identifying who does and does not receive support from the fragmented American welfare state.

Using this definition of non-participation, over a third—38.02%—of households in poverty were not receiving public income support at the time of data collection. This finding is particularly striking given that the data were collected during the "Great Recession" following the 2008 global financial crisis. If one goal of public income support programs is to counteract adverse economic trends, then a notable proportion of households in economic need are left out, even during a period in which support should expand. In both bivariate and multivariate analyses, non-participating households were found to be quite different from households receiving public support, with contrasts in demographic makeup, employment status, educational attainment, household composition, income, and degree of economic need between non-participating and participating households. While many of these differences might be expected, this article provides a clear portrait of the population of households below the federal poverty threshold disconnected from public assistance.

Background

There have been a number of studies of disconnection from public supports. The most obvious reason a household might not receive support from public benefit programs is simple lack of eligibility—American anti-poverty programs are tailored to particular populations to address specific social and economic problems. An individual or family either does or does not meet the criteria for the given program. Further, authority in many social programs is at least partially devolved

from the federal to the state governments, creating geographic differences in eligibility and requirements. TANF presents the most well known example of cross-state variation. Though the program is broadly intended to provide time-limited assistance to and facilitate labor force participation among low-income families, states range in criteria for both initial and ongoing eligibility (Grogger & Karoly, 2005; Lim, Coulton, & Lulich, 2009; Teitler, Reichman, & Nepomnyaschy, 2007). These policy differences are, in turn, associated with variation in the likelihood of TANF enrollment (Stuber & Kronebusch, 2004; Teitler et al., 2007).

Even when eligible, potential claimants may not participate in a given public support program. Individuals may have limited information about the program and their eligibility, an issue exacerbated by language barriers (Algert, Reibel, & Renvall, 2006; Coe & Hill, 1998; Daponte, Sanders, & Taylor, 1999). Program application and subsequent participation may themselves incur costs, such as the hassle associated with recertification for the Supplemental Nutrition Assistance Program (SNAP, formerly Food Stamps), required participation in TANF activities, or administrative procedures that are off-putting (e.g., required fingerprinting) or error-prone (Brodkin & Majmundar, 2010; Hanratty, 2006; Kabbani & Wilde, 2003; MaloneBeach, Frank, & Heuberger, 2012; Ratcliffe, McKernan, & Finegold, 2008; Ribar, Edelhoch, & Liu, 2010; Shaefer & Gutierrez, 2013). More directly, sanctions for violation of program rules decreases participation (Wu, Cancian, & Wallace, 2014). Finally, attitudes toward receipt of public benefits, particularly the social stigma associated with use, is a deterrent to participation (Coe & Hill, 1998; Stuber & Kronebusch, 2004).

There are a number of differences between program participating and non-participating households. Greater education is associated with a lower probability of participation in a variety of programs (e.g., TANF, Food Stamps/SNAP, and the public health insurance program Medicaid) (Algert et al., 2006; Blank & Ruggles, 1996; Hanratty, 2006). Conversely, English language skills facilitate participation (Algert et al., 2006). Disability and adverse health conditions increase the likelihood of program participation, a finding that holds even

for programs such as Food Stamps/SNAP and TANF that are otherwise unrelated to disability (Coe & Hill, 1998; Hanratty, 2006; Houtenville & Brucker, 2014; Purtell, Gershoff, & Aber, 2012). Degree of economic need, asset ownership, employment stability, race and ethnicity, marital status, and number and age of children are also related to program participation (Cancian, Han, & Noyes, 2014; Hanratty, 2006; Huang, Nam, & Wikoff, 2012; Mabli & Ohls, 2012; Newman, Todd, & Ploeg, 2011; Pati et al., 2014; Purtell et al., 2012). Finally, issues of immigration and citizenship—such as whether children in a household were born in the United States—influence participation (Borjas, 2011; Fujiwara, 2008; Purtell et al., 2012; Skinner, 2012; Speiglmán, Castaneda, Brown, & Capps, 2013).

Existing research suggests that, between categorical exclusion and non-participation among those who are eligible, a sizeable portion of those in economic need are likely to be disconnected from public support. These studies generally address participation in a single program or a small number of programs (e.g., Food Stamps/SNAP and TANF), however. The current investigation uses a representative sample of U.S. households to describe households below the poverty level disconnected from a variety of support programs. Winicki (2003) pursues a similar question, using the Current Population Survey (CPS) to examine households in poverty with children and their participation in a variety of cash assistance programs, Food Stamps, WIC, and free school lunch. In contrast to Winicki (2003), the current study examines all households in poverty, not just those with children. It also reflects participation patterns following the "Great Recession," when demand for assistance may have been elevated.

Data & Methods

The study utilized the fourth, fifth, and sixth waves of the Survey of Income and Program Participation (SIPP) 2008 panel. The SIPP is fielded by the United States Census Bureau to provide a national profile of the income and economic well-being of the non-institutionalized U.S. population. The core survey gathers monthly data on factors such as labor force participation and receipt of monetary and non-monetary government assistance. Respondent households are selected using

a multistage stratified sampling procedure with data gathered on every member of the household. Sampling techniques are designed such that, with weighting to correct for stratification, the data are representative of all U.S. households (U.S. Census Bureau, 2006). The SIPP is ideal for studying program non-participation, as it oversamples low-income households. Additionally, while under-reporting of program participation is an issue across economic surveys, comparison of survey results with administrative data suggests that SIPP participation rates are more accurate than those of similar surveys such as the Panel Study of Income Dynamics or Current Population Survey (Meyer, Mok, & Sullivan, 2009).

Data were examined at the household level. New variables were generated, where needed, to aggregate individual-level information to the household (e.g., to determine the number of full-time workers in a household, a variable not available natively in the SIPP, a count of full-time workers was calculated). Economic data (e.g., income, level of need) were produced by taking a monthly average over an entire year (Waves 4, 5, and 6). Other household and individual characteristics were obtained from the fourth month of Wave 6, the month closest to the time of interview. The full 2008 SIPP Wave 6 sample includes 34,891 households (Wong & Mack, 2013); only the subset in economic need was of interest in this analysis. The data set was therefore restricted to those households with income, from all sources, at or below the federal poverty threshold. The relevant threshold for a given household is included in the SIPP. Households headed by an elderly individual (age 65 or over) were also excluded from analysis. Finally, given the stratified sampling design, strata with only a single household meeting the previous two criteria were dropped. Final sample size was 3,823 households.

Analysis was conducted in two stages. The first stage was a characteristic-by-characteristic comparison of non-participating and program participating households. Statistical tests (F-tests for categorical and t-tests for continuous variables) were used to assess the degree to which observed differences could be due to chance. Note that Tables 1 and 2 present only the proportion of households with a given characteristic. The reported F-tests are based on complete crosstabulations, which are not

presented. F-statistics are calculated from Pearson χ^2 statistics corrected to account for the stratified sampling design (Rao & Thomas, 1989). The second stage examined multiple characteristics simultaneously by estimating logit models predicting the probability of a household not participating in public support programs. Degree of economic need was considered in the bivariate but not the multivariate analysis to avoid collinearity.

Rate of Non-Participation

"Non-participation" was defined as a household receiving no income from Temporary Assistance for Needy Families (TANF), Supplemental Security Income (SSI), Social Security, cash veteran's benefits, unemployment insurance, or General Assistance, no assistance from SNAP/Food Stamps, Special Supplemental Nutrition Program for Women, Infants, and Children (WIC), energy assistance, or rental assistance, and not residing in government-owned housing. If any member of the household reported receiving assistance from any of these programs, the household was categorized as program participating. Government health insurance programs, such as Medicaid, Medicare, or the Children's Health Insurance Program (CHIP), were not considered. Using this definition of non-participation, 38.02% ($n = 1,350$) of households in poverty did not participate in any public support program. While a majority of households did receive some type of assistance, a notable proportion—over one third—were disconnected from support.

Given the timing of data collection, the size of the non-participating population is noteworthy. Wave 6 SIPP interviews were conducted between May 2010 and August 2010, the aftermath of the global recession often referred to as the "Great Recession" (U.S. Census Bureau, 2014). The largest economic downturn since the Great Depression saw increases in both unemployment and poverty (Danziger, Chavez, & Cumberworth, 2012). Further, the federal government temporarily expanded some social support programs. The American Recovery and Reinvestment Act (2009), for example, increased SNAP benefits and extended unemployment insurance. While program coverage did increase following the downturn, many households in economic need went without assistance even

in this expanded service environment. This finding calls into question the American welfare state's ability to act as a countercyclical safety net in the face of severe economic adversity.

Table 1. Household Characteristics

	Non- participating <i>Weighted Percent (obs)</i>	Participating <i>Weighted Percent (obs)</i>	F(1,112)
<i>Race/ethnicity of household head</i>			
White, non-Hispanic	58.68 (811)	43.57 (1,127)	69.76***
Black, non-Hispanic	13.65 (182)	28.01 (702)	71.56***
Asian, non-Hispanic	5.62 (80)	1.27 (37)	58.61***
Hispanic	19.45 (235)	22.59 (463)	4.35*
<i>Other characteristics</i>			
1+ non-citizens	20.53 (257)	14.23 (327)	19.49***
Ling. isolated	11.31 (140)	9.61 (204)	2.16
At least one child	41.34 (552)	63.94 (1515)	131.06***

* $p < 0.05$; ** $p < 0.01$; *** $p < 0.001$

Demographics of Non-participating Households

Racial and ethnic makeup of the sample was determined by examining the racial/ethnic identity of the household head. While this procedure does not account for households of mixed ethnicity, it does provide a rough descriptive sketch of respondent households. Differences in racial and ethnic identity were found between non-participating and program participating households. Heads of non-participating households were more likely to identify as White (58.68%, $n = 811$) or Asian (5.62%, $n = 80$) than heads of program participating households (43.57%, $n = 1,127$ and 1.27%, $n = 37$). Conversely, heads of non-participating households were less likely to identify as Black (13.65%, $n = 182$) than participating households (28.01%, $n = 702$). Finally, non-participating households were slightly less likely to be headed by someone identifying as Hispanic/Latino (19.45%, $n = 235$) than participating households (22.59%, $n = 463$).

Citizenship Status & Linguistic Isolation

Non-participating households were more likely (20.53%, $n = 257$) to include at least one non-citizen than program participating households (14.23%, $n = 327$). A linguistically isolated household, as defined in the SIPP, is one in which English language ability is limited in members ages 14 and older (U.S. Census Bureau, 2006). Though a larger proportion of non-participating households—11.31% ($n = 140$)—were linguistically isolated than program participating households (9.61%, $n = 204$), the difference was not statistically significant at $\alpha=0.05$. Previous research suggests a connection between language and program participation, so the lack of a relationship in the current study is notable (Algert et al., 2006).

Table 2: Household Employment & Education

	Non- participating <i>Weighted % (obs)</i>	Participating <i>Weighted % (obs)</i>	F(1,112)
At least one worker	72.51 (981)	49.35 (1195)	191.12***
At least one full-time worker	46.20 (626)	26.57 (644)	119.36***
Disabled adult present	1.15 (21)	6.94 (197)	65.34***
Retirees present	7.15 (105)	8.02 (213)	0.84
Recent layoff	5.79 (80)	9.00 (213)	9.45**
Less than high school	10.67 (149)	21.15 (509)	36.79***
High school/ GED	42.58 (584)	48.06 (1181)	6.86*
Bachelor's+	25.86 (341)	7.73 (183)	166.92***

* $p<0.05$; ** $p<0.01$; *** $p<0.001$ *Household Composition*

Differences between non-participating and program participating households were found in the number and age of children, but no difference was found in number of

working-age adults. Non-participating households were much less likely to have at least one child present (41.34%, $n = 552$) than their program participating peers (63.94%, $n = 1,515$). Among households with children, non-participating households had fewer children (mean = 2.01) than program participating households (mean = 2.38) ($t = -5.36$; $p < .0001$). Non-participating households with children also tended to have older children than program participating households—a mean age of youngest child of 6.86 versus 5.35 ($t = 5.43$; $p < .001$). Non-participating households had, on average, about the same number of working-age adults as program participating households (mean = 1.41 for both categories).

Household Employment Status

Non-participating households have more labor force engagement than participating households. A clear majority, 72.51% ($n = 981$), of non-participating households had at least one currently employed worker, compared to 49.35% ($n = 1195$) of program participating households. Despite the ubiquity of employment, particularly in non-participating households, a majority in both participation categories had no full-time workers. Among non-participating households, 46.20% ($n = 626$) had at least one full-time worker, greater than for program participating households (26.57%, $n = 644$). The differences were smaller, though still present, when examining reliance on part-time workers in a household. In 26.32% ($n = 355$) of non-participating households and 22.78% ($n = 551$) of program participating households, the only workers present are part-time. These findings indicate that a number of households both lack a full-time worker and are disconnected from support. Even if these households receive the Earned Income Tax Credit (EITC), neither the labor market nor the welfare state seems to meet their economic needs.

Households may have reduced labor force participation and greater reliance on public benefits if a working-age adult has a work-limiting disability, has retired, or has a recent layoff. Consistent with expectations, non-participating households were less likely to include an adult with a work-limiting disability (1.15%, $n = 21$) than program participating households (6.94%, $n = 197$). Similarly, non-participating

households were less likely to include a member with a recent (any time during the four months of Wave 6) layoff. In contrast, no meaningful difference was found in the presence of retirees in non-participating (7.15%, $n = 105$) and program participating (8.02%, $n = 213$) households.

Education

To examine educational attainment, a variable indicating the highest level of education among all household members was created. The modal value was a high school diploma or equivalent for both participation categories. There was variation, however, in the overall distribution of educational attainment. In general, non-participating households had a higher level of education than program participating households. Non-participating households were considerably more likely (25.86%, $n = 341$) to have a member possessing a bachelor's degree or higher than program participating households (7.73%, $n = 183$). Conversely, the program participants group was more likely to have no member with at least a high school diploma or equivalent (21.15%, $n = 509$ of participating vs. 10.67%, $n = 149$ of non-participating households).

Income & Economic Need

Economic need was first judged by expressing a household's income from all sources as a percentage of its relevant poverty threshold. Findings support the existence of a difference between non-participating and program participating households in degree of need, with non-participating households having deeper economic need than program participating households. The mean percent of poverty among non-participant households was 46.42%, compared to 58.44% for program participating households. Differences between groups also emerged when expressing level of need as dollar figures. Non-participating households had a mean monthly earned income of \$587.80, which was more than that of program participants (\$452.70). The latter value is influenced by the subset of households using Social Security or SSI as their primary source of income, many of which report zero earned income. Including all cash income (earned income, property income, and cash program benefits) produced contrasting results.

Non-participating households had a mean monthly total income of \$687.44 compared to \$918.62 for program participating households. When considering only earned income, non-participating households were economically better off. The inclusion of program benefits and asset-generated revenue in the income calculation, meanwhile, indicates that program participating households actually had greater economic resources. These households are, however, below the poverty threshold even with receipt of assistance.

Table 3: Economic Need

	Non-participating Mean (SD)	Participating Mean (SD)	t
Percent poverty threshold	46.42 (33.25)	58.44 (29.12)	-9.15***
Monthly earned income	587.80 (588.67)	452.70 (608.98)	5.65***
Monthly total income	687.44 (596.98)	918.62 (587.84)	-9.30***

*p<0.05; **p<0.01; ***p<0.001

Multivariate Analysis

Non-participating and program participating households have, to this point, been compared on only one variable at a time. Given the SIPP's representative sample, this simple analysis provides a descriptive overview of population characteristics. To account for potential covariance between factors, however, a multivariate model is needed. Two logit models—one for all households in the sample and one for only households with children—were estimated predicting the probability of non-participation as a function of descriptive characteristics. *White non-Hispanic* served as the base category for race/ethnicity and *high school graduate* served as the base category for highest level of education in the household. The households with children model included age of youngest child in addition to the variables used in the full sample model.

Results

Results of the two models are presented in Table 4 and are expressed as mean marginal effects to facilitate interpretation. These values represent the average effect, using the sample values for the other covariates, of a one-unit change in the given variable or, for categorical variables, the effect of having the given characteristic on the probability of household non-participation.

Demographically, model results generally support the previous analysis. Non-participant household heads were much less likely to identify as Black, with a marginal effect of -0.148 in the all households model and -0.200 in the households with children model, than program participant household heads. While non-participant household heads were more likely to identify as Asian (marginal effect of 0.120) than program participant household heads in the all households model, no statistically significant relationship was found in the households with children only model. The Hispanic/Latino indicator did not achieve statistical significance at $\alpha=0.05$ in the all households model, but was significant in the households with children model (marginal effect -0.090). Households with any non-citizens present were more likely to be non-participating (mean marginal effect of 0.136 in the all households model). Linguistic isolation, however, was not related to participation status.

The multivariate models suggest education and employment are strongly related to non-participation. In the all households model, a household with at least one college-educated individual had a 0.213 greater probability of non-participation than an otherwise identical household in which the highest level of education was high school. Conversely, a household in which the highest level of education was less than high school had a 0.097 lower probability of being non-participating. Employment status similarly sustains the bivariate patterns. Presence of any full-time workers was strongly predictive of non-participation, associated with a 0.291 greater probability in the all households model. Presence of part-time workers was not statistically significant in the multivariate models.

Table 4. Logit Models of Household Non-Participation

Variable	All Households Mean Marginal Effect (se)	All Households Mean Marginal Effect (se)
Household head Black	-0.148 (0.021)***	-0.200 (0.032)***
Asian	0.120 (0.052)*	0.015 (0.073)
Hispanic/Latino	-0.045 (0.025)#	-0.090 (0.028)**
other	-0.132 (0.033)***	-0.141 (0.048)**
Any non-citizens	0.136 (0.031)***	0.134 (0.034)***
Linguistic isolation	0.017 (0.030)	0.028 (0.034)
Highest level education less than high school	-0.097 (0.027)***	-0.041 (0.033)
associates/certificate	0.018 (0.020)	0.044 (0.024)#
bachelors or greater	0.213 (0.025)***	0.189 (0.032)***
Any full-time workers	0.291 (0.019)***	0.227 (0.027)***
Any part-time workers	-0.007 (0.037)	-0.038 (0.035)
Only workers are part-time	0.181 (0.040)***	0.133 (0.045)**
Any retirees	-0.056 (0.032)#	-0.031 (0.056)
Any recent layoff	-0.106 (0.031)**	-0.113 (0.034)**
Disabled adult	-0.316 (0.051)***	-0.302 (0.083)***
One child	-0.178 (0.024)***	
Two children	-0.285 (0.020)***	-0.085 (0.025)**
Three or more children	-0.320 (0.024)***	-0.104 (0.032)**
# working age adults	-0.011 (0.014)	0.042 (0.016)**
Age youngest child		0.009 (0.002)***
Observations	3823	2060
F	33.30 (19,94)***	16.71 (19,91)***

#p<0.10 *p<0.05; **p<0.01; ***p<0.001

However, a household in which the only workers are part-time was more likely to be non-participating than an otherwise equivalent household (marginal effect of 0.181 in the all households model). Presence of a working-age adult with a work-limiting disability was strongly associated with a decreased likelihood of non-participation. In the all households model, these households had a 0.316 lower probability of

non-participation. Concurring with the bivariate analysis, the indicator for retirees in the household did not reach statistical significance at $\alpha=0.05$ in either model.

Finally, differences in household composition are related to differences in rates of non-participation. While number of working-age adults in the household was not statistically significant in the all households model, reflecting bivariate findings, it was statistically significant and positively signed in the households with children model (marginal effect of 0.042). Among households with children, then, an increase in the number of working-age adults is associated with a higher probability of non-participation. In both the all households model and the households with children model, an increasing number of children was related to a lower probability of non-participation. In the all households model, a Wald test of equality of coefficients indicates that the coefficients on the indicator variables for two children and three or more children are equivalent ($F(1,112) = 1.81$). Both two children ($F(1,112) = 18.27$) and three or more children ($F(1,112) = 20.52$) are significantly different from only one child in the household, however. In the households with children model, households with two children (marginal effect of -0.085) and three or more children (marginal effect of -0.104) were less likely to be non-participating than households with one child. A one year increase in age of youngest child was associated with a 0.009 increase in the probability of non-participation.

Discussion

While the majority of U.S. households experiencing poverty receive some public assistance, many are left out. Analysis of the SIPP data suggests non-participating households differ systematically from program participating households. Indeed, with some exceptions (e.g., presence of retirees), non-participating and program participating households differed in nearly every aspect examined. The racial and ethnic demographics, education, employment status, and household composition of the two groups were all dissimilar. These differences, however, generally parallel what might be

expected—groups with some type of social or labor market disadvantage or with children, particularly young children, in the household are more likely to receive assistance.

While the expected groups generally benefit from the American welfare state, contextualizing the study's findings also brings pause. Employed households—even those with only part-time workers—are less likely to receive public assistance of some form. However, all households included in the sample are in economic need, falling below the federal poverty threshold. Merely by inclusion in the sample, earned income is not sufficient to bring these households out of poverty, yet they are not receiving cash or near-cash assistance. It is likely that many of these households do benefit from the Earned Income Tax Credit (EITC), a refundable tax credit available to low-income workers and with relatively high participation rates (Scholz, Moffitt, & Cowan, 2009). The EITC is, unfortunately, not explicitly included in the core SIPP survey, and the lack of this very large program is a major limitation of this study. Even if employed households are receiving the EITC, however, it is unclear whether this boost is sufficient for all households. The typical household in this study is well below the poverty threshold, while the average EITC benefit in 2013 was \$2,335 (equivalent to approximately \$195 per month) (Internal Revenue Service, 2014). Findings therefore raise questions not only about who participates in the American welfare state, but also about the adequacy of social programs, even in concert with employment, to lift households out of poverty.

A few specific findings warrant additional discussion. First, households with only part-time workers are more likely to be non-participating. Some households are both disconnected from public supports and do not participate fully in the labor force. Further investigation of this group is warranted to develop appropriate policy solutions. Are these households merely passing through a temporary phase, or do they represent a unique subpopulation that is chronically underserved by both the welfare state and the labor market? If non-participation in conjunction with part-time work is merely a temporary state, it suggests a short-term consumption-smoothing program to bridge periods of more complete labor force participation would be useful. If these households instead are part

of a distinct subgroup that is engaged with the labor force but unable to obtain full-time employment, expansion of job opportunities and human capital enhancement are needed.

Two findings conflict, at least superficially, with previous scholarship. No relationship was found between linguistic isolation and program participation, a contrast to research suggesting English language ability influences participation (Algert et al., 2006). Algert and colleagues (2006) used a sample drawn from Los Angeles food pantry clients. Perhaps some characteristic of that service environment, such as state or local policies, made English language skills a more potent moderator of program participation in that locale than it is elsewhere. Alternatively, some aspect of Food Stamps/SNAP, the focus of the Algert et al. (2006) study, might make facility with the dominant language particularly important for that program. If so, the dependent variable constructed for this study, which combines multiple programs that could vary in the influence of linguistic isolation, would mask the relationship.

Similarly, in this study, households with one or more non-citizens were more likely to be non-participating. This finding seemingly contradicts Borjas (2011), who found immigrant children were more likely than native children to live in a household receiving some type of public benefit. The sample here includes only households below the federal poverty threshold, while the earlier study imposed no such restriction. A possible explanation for the discrepancy, then, is that citizenship status has a different relationship with receipt of support among the poorest households than it does for households more broadly.

The present study also did not examine the citizenship status of various household members, only whether non-citizens were included in the household. As found by Borjas (2011), it is reasonable to expect variation in program participation depending on the immigration status of both the child and the parent(s). Further research examining the interaction between degree of economic need and citizenship/immigration status would provide a degree of clarity to these contrasting findings.

Finally, the study suggests that neither the labor market nor the welfare state meet the economic needs of many U.S. households. For those able to work, employment opportunities not only need to be available, but must also offer both

adequate hours and wages to provide a basic standard of living. Gaps in the safety net, meanwhile, affect both those with reduced work capacity and those for whom employment opportunities are unavailable. Policy action in recent decades, such as the end of welfare as an entitlement and the scaling back or elimination of state General Assistance programs, has tended to weaken the safety net even as transfers to workers have increased through programs such as the EITC. Temporary expansions of programs such as Unemployment Insurance in response to the Great Recession are an exception to this trend, but still left coverage gaps.

Two limitations warrant mention. First, this analysis examined households cross-sectionally. Simply because a household is not participating at the time of the survey interview does not indicate the household has never participated or will never participate in public support programs. Second, the analysis was descriptive, with inferential statistics used only to ascertain whether a difference existed between groups or if the results could have been produced by random chance. Findings should therefore not be interpreted causally. This study does, however, provide a representative cross-sectional overview of households in economic need at a particular point in time, one in which engagement with the welfare state should be relatively high.

Conclusion

Ostensibly, the American system of social welfare and social insurance is intended to provide assistance to those in or at risk of poverty. More than a third of poor households do not receive any of eleven forms of public support examined in this article, however. Considering that these data were collected in the wake of the Great Recession, a time when many households were thrust into economic adversity, it is difficult to consider the American welfare state a true social safety net. Whether through policy design or personal preference, disconnection is widespread, leaving many without economic protection. This article identified systematic differences between non-participating and program participating households, with contrasts in racial/ethnic demographics, educational attainment, labor force participation, household composition, and degree of

economic need. Given both a high degree of need and disconnection from support programs, the economic survival strategies and material well-being of households not receiving assistance should be the subject of continuing research. This study also suggests a need to fill service gaps in the American welfare state and to improve employment prospects for low-income households. Until the labor market and the welfare state together meet the financial needs of all households, many will remain economically left out.

References

- Algert, S. J., Reibel, M., & Renvall, M. J. (2006). Barriers to participation in the food stamp program among food pantry clients in Los Angeles. *American Journal of Public Health*, 96(5), 807-809. doi:10.2105/AJPH.2005.066977
- American Recovery and Reinvestment Act of 2009, Pub. L. No. H.R. 1. (2009).
- Blank, R. M., & Ruggles, P. (1996). When do women use Aid to Families with Dependent Children and Food Stamps? The dynamics of eligibility versus participation. *The Journal of Human Resources*, 31(1), 57-89.
- Borjas, G. J. (2011). Poverty and program participation among immigrant children. *The Future of Children*, 21(1), 247-266. doi: 10.1353/foc.2011.0006
- Brodtkin, E. Z., & Majmundar, M. (2010). Administrative exclusion: Organizations and the hidden costs of welfare claiming. *Journal of Public Administration Research and Theory*, 20(4), 827-848. doi:10.1093/jopart/mup046
- Cancian, M., Han, E., & Noyes, J. L. (2014). From multiple program participation to disconnection: Changing trajectories of TANF and SNAP beneficiaries in Wisconsin. *Children and Youth Services Review*, 42, 91-102. doi:10.1016/j.childyouth.2014.04.003
- Coe, R., & Hill, D. (1998). Food Stamp participation and reasons for nonparticipation: 1986. *Journal of Family and Economic Issues*, 19(2), 107-130.
- Danziger, S., Chavez, K., & Cumberworth, E. (2012). *Poverty and the Great Recession*. Stanford, CA: Stanford Center on Poverty and Inequality.
- Daponte, B. O., Sanders, S., & Taylor, L. (1999). Why do low-income households not use Food Stamps? Evidence from an experiment. *The Journal of Human Resources*, 34(3), 612-628.
- Fujiwara, L. (2008). *Mothers without citizenship: Asian families and the consequences of welfare reform*. Minneapolis, MN: University of Minnesota Press.

- Grogger, J., & Karoly, L. (2005). *Welfare reform: Effects of a decade of change*. Cambridge, MA: Harvard University Press.
- Hanratty, M. J. (2006). Has the Food Stamp program become more accessible? Impacts of recent changes in reporting requirements and asset eligibility limits. *Journal of Policy Analysis and Management*, 25(3), 603-621. doi:10.1002/pam.20193
- Houtenville, A. J., & Brucker, D. L. (2014). Participation in safety-net programs and the utilization of employment services among working-age persons with disabilities. *Journal of Disability Policy Studies*, 25(2), 91-105. doi:10.1177/1044207312474308
- Huang, J., Nam, Y., & Wikoff, N. (2012). Household assets and food stamp program participation among eligible low-income households. *Journal of Poverty*, 16(2), 171-193. doi:10.1080/10875549.2012.667060
- Internal Revenue Service. (2014). *Statistics for tax returns with EITC*. Retrieved from <http://www.etc.irs.gov/EITC-Central/eitcstats>
- Kabbani, N. S., & Wilde, P. E. (2003). Short recertification periods in the U.S. Food Stamp program. *The Journal of Economic Perspectives*, 38(suppl.), 1112-1138.
- Lim, Y., Coulton, C. J., & Lalich, N. (2009). State TANF policies and employment outcomes among welfare leavers. *Social Service Review*, 83(4), 525-555.
- Mabli, J., & Ohls, J. C. (2012). Supplemental nutrition assistance program dynamics and employment transitions: The role of employment instability. *Applied Economic Perspectives and Policy*, 34(1), 187-213. doi:10.1093/aep/ppr045
- MaloneBeach, E. E., Frank, C. S., & Heuberger, R. A. (2012). Electronic access to food and cash benefits. *Social Work in Public Health*, 27(5), 424-440. doi:10.1080/19371910903182849
- Meyer, B. D., Mok, W. K. C., & Sullivan, J. X. (2009). *The under-reporting of transfers in household surveys: Its nature and consequences* (NBER Working Paper 15181). Cambridge, MA: National Bureau of Economic Research.
- Newman, C., Todd, J. E., & Ploeg, M. (2011). Children's participation in multiple food assistance programs: Changes from 1990 to 2009. *Social Service Review*, 85(4), 535-564.
- Pati, S., Siewert, E., Wong, A. T., Bhatt, S. K., Calixte, R. E., & Cnaan, A. (2014). The influence of maternal health literacy and child's age on participation in social welfare programs. *Maternal and Child Health Journal*, 18(5), 1176-1189. doi:10.1007/s10995-013-1348-0
- Purtell, K. M., Gershoff, E., & Aber, J. L. (2012). Low income families' utilization of the federal "safety net": Individual and state-level predictors of TANF and Food Stamp receipt. *Child and Youth Services Review*, 34(4), 713-724. doi:10.1016/j.childyouth.2011.12.016.Low

- Rao, J., & Thomas, D. (1989). Chi-squared tests for contingency tables. In C. Skinner, D. Holt, & T. Smith (Eds.), *Analysis of complex surveys* (pp. 89-114). New York, NY: Wiley.
- Ratcliffe, C., McKernan, S.-M., & Finegold, K. (2008). The effect of state food stamp and TANF policies on food stamp program participation. *Social Service Review*, 82(2), 291-334.
- Ribar, D. C., Edelhoch, M., & Liu, Q. (2010). Food stamp participation among adult-only households. *Southern Economic Journal*, 77(2), 244-270.
- Scholz, J., Moffitt, R., & Cowan, B. (2009). Trends in income support. In S. Danziger & M. Cancian (Eds.), *Changing poverty, changing policies* (pp. 203-241). New York, NY: Russell Sage Foundation.
- Shaefer, H. L., & Gutierrez, I. A. (2013). The Supplemental Nutrition Assistance Program and material hardships among low-income households with children. *Social Service Review*, 87(4), 753-779.
- Skinner, C. (2012). State immigration legislation and SNAP take-up among immigrant families with children. *Journal of Economic Issues*, 46(3), 661-682. doi:10.2753/JEI0021-3624460304
- Social Security Administration. (2014). *Understanding Supplemental Security Income eligibility requirements—2014 edition*. Retrieved from <http://www.ssa.gov/ssi/text-eligibility-ussi.htm>
- Speiglmán, R., Castaneda, R.-M., Brown, H., & Capps, R. (2013). Welfare reform's ineligible immigrant parents: Program reach and enrollment barriers. *Journal of Children and Poverty*, 19(2), 91-106.
- Stuber, J., & Kronebusch, K. (2004). Stigma and other determinants of participation in TANF and Medicaid. *Journal of Policy Analysis and Management*, 23(3), 509-530. doi:10.1002/pam.20024
- Teitler, J. O., Reichman, N. E., & Nepomnyaschy, L. (2007). Determinants of TANF participation: A multilevel analysis. *Social Service Review*, 81(4), 633-656.
- U.S. Census Bureau. (2006). *Overview of the Survey of Income and Program Participation*. Retrieved from <http://www.census.gov/sipp/overview.html>.
- U.S. Census Bureau. (2014). *SIPP 2008 panel data*. Retrieved from <http://www.census.gov/programs-surveys/sipp/data/2008-panel.html>
- U.S. Department of Health and Human Services Administration for Children & Families. (2014). *Temporary Assistance for Needy Families (TANF)*. Retrieved from <http://www.acf.hhs.gov/programs/ofa/programs/tanf>
- United States Census Bureau. (2014). *Survey of income and program participation*. Retrieved from <http://www.census.gov/sipp/>
- United States Department of Agriculture Food and Nutrition Service. (2014). *Women, Infants, and Children (WIC)*. Retrieved from <http://www.fns.usda.gov/wic/women-infants-and-children-wic>

- Winicki, J. (2003). Children in homes below poverty: Changes in program participation since welfare reform. *Children and Youth Services Review*, 25(8), 651-668.
- Wong, E., & Mack, S. (2013). *Source and accuracy statement for the Survey of Income and Program Participation 2008 wave 1 to wave 11 public use files*. Washington, DC: U.S. Census Bureau.
- Wu, C.-F., Cancian, M., & Wallace, G. (2014). The effect of welfare sanctions on TANF exits and employment. *Children and Youth Services Review*, 36, 1-14. doi:10.1016/j.childyouth.2013.10.022

Applying Sen's Capability Approach to Understand Work and Income among Poor People in India

MAHASWETA M. BANERJEE

School of Social Welfare
University of Kansas

Applying Sen's capability approach, this paper explores income-poor individuals' capabilities—abilities, skills, resources, and opportunities at personal, inter-personal, and structural levels—for work and income. It reports on data collected from 92 individuals identified through purposive sampling and interviewed face-to-face. The study found that 11% of respondents had varied work capabilities and earned a relatively high income; 49% of respondents had some work capabilities and were in the medium income bracket; 40% of respondents had few work capabilities and remained below the poverty line; and 8% of respondents with even fewer work capabilities were not working. Implications include expansion of certain work abilities, skills, resources, and opportunities to enhance poor people's capability for work.

Key words: Capability approach; social development; poverty; informal work; governmental and non-governmental organizations

In India, poverty has declined from 45.3% in 1994 to 21.9% in 2012, yet poverty persists, with approximately 400 million people living in poverty (World Bank, 2013). One of the reasons for poverty is the mismatch between people's abilities and skills for work in relation to the availability of work that generates sufficient income to cross the poverty line. For example, in 2012 the official Indian employment rate was 56%, and the unemployment rate was only 3.6%. This indicates that although many were not counted in the official employment statistic, relatively few were actively seeking employment, partly due to unavailability of paid work at ability-skill levels.

Journal of Sociology & Social Welfare, September 2015, Volume XLII, Number 3

Yet, the International Labor Organization (2014) reports that approximately 91-93% of the Indian workforce were active in the informal sector, where there is no work security, protection, or benefits. Together, these statistics imply that a majority of the Indian workforce engages in some form of paid work opportunity. Consequently, the concept of employment and unemployment might be more relevant for the global north, where benefits associated with employment or unemployment are available. But, unemployment might have less relevance in the global south, where "to be unemployed, a worker has to be fairly well off. To survive, an unemployed person must have an income from another source" (Streeten, 1981, p. 13). Thus, the preferred terminology in this paper is *working or not working* instead of *employed or unemployed*.

Sen (1992) argues that poverty cannot be understood by examining people's income in relation to an externally fixed poverty line. Instead, poverty indicates an income which is inadequate to generate capabilities to reach certain minimally acceptable levels of functioning required for survival. Although Sen (1992, 1999) views income only as a means to expand important capabilities, he also acknowledges that income is a "crucial means to a number of important ends," and as such "income has much significance in the accounting of human development" (Anand & Sen, 2000, p. 100).

Since 1990, the United Nations Human Development Reports have used Sen's concept of capability in global assessments of the Human Development Index (HDI), and the Indian government's socio-economic policies have also been influenced by Sen (Government of India, 2006, 2011). As such, the Indian government has several programs to address poverty, hunger, lack of work and its consequences on families and children. Examples include: the Public Distribution System (PDS), which provides essential food and cooking commodities through fair price shops to families living below the poverty line; the National Rural Employment Guarantee Act (NREGA), which provides 100 day's unskilled manual work to rural poor; the Swarnajayanti Gram Swarozgar Yojana or the Self-Help Group program (SHG), which emphasizes integrated social development through skills training, savings, and loans to generate income, along with literacy, nutrition,

health, sanitation, and overall well-being; the Integrated Child Development Services (ICDS) program, which focuses on 0-6 mother-child health, nutrition and education; and the Mid-day Meal program for school-going children up to the age of 14, to address hunger and to retain children in schools. According to Kattumuri and Singh (2013), who cite these and several other social protection programs, in 2007 the Asian Development Bank rated the PDS and ICDS programs, along with primary education, as having the largest reach in India. Nonetheless, despite numerous efforts poverty persists. Consequently, India's primary Millennium Development Goal is to eradicate extreme poverty and hunger, and to achieve full and productive employment for all, including women and young adults, by 2015 (UNDP, 2011).

Poverty resulting from lack of capabilities for work, and low- or underpaid work at the structural level are beyond individual control. They require our attention because enhancing socio-economic justice is a mission of the Social Work profession. The purpose of this paper is to apply the capability approach, a social justice framework developed by Sen (1992, 1999, 2009) to explore capabilities—abilities, skills, resources, and opportunities at personal, inter-personal and structural levels—that enhance economically disadvantaged people's capacity to work and earn an income. It is important to study this topic as an understanding of factors that contribute to or restrict poor people's capabilities for work would help social workers identify and build on people's ability to earn, thereby reducing income poverty.

The Capability Approach (CA)

The literature review primarily presents Sen's ideas related to the capability approach as it pertains to work, income, and well-being. It briefly highlights empirical findings related to work and income in India. In the capability approach (CA), Sen (1992, 1999, 2009) argues that the extent of justice in a society can be assessed by examining how people actually live or what people are able to do and be, and not by examining whether people are happy (utilitarian justice) or what and how many resources they have (Rawlsian justice). Sen criticizes

utilitarian and Rawlsian justice because: (a) poor people adapt to their circumstances and learn to be happy with less; (b) income and wealth are means to ends but not valuable ends in themselves; and (c) different people need different types and amounts of resources to achieve well-being. In developing the CA as an alternative perspective to social justice, Sen points out that a just society expands people's freedoms and opportunities to lead a life of their choice, and that "an integrated and multifaceted approach is needed, with the object of making simultaneous progress on different fronts, including different institutions which reinforce each other" (1999, p. 115).

In the CA, the term "capability" is used in a counter-intuitive manner. Instead of implying abilities and capacities for doing something or being someone, *capability refers to freedom or opportunity*. Sen (1999) categorizes capabilities into two broad groups: substantive and instrumental. Substantive capabilities are basic and complex functionings that enable people to be or to do things that enhance their well-being. Basic functionings include being nourished, safe, healthy, educated, and employed; complex functionings include being able to participate in the life of a community, and being able to appear in public without shame. In other words, capabilities are not functionings such as working, but the possibility of working resulting from inter-related abilities and opportunities. The CA emphasizes the freedom to work, instead of the achieved functioning of working, because it values the freedom to choose whether or not to work. However, a rare few in India would choose to starve because they prefer not to work and earn.

Instrumental capabilities relate to rights, opportunities, and entitlements that expand people's well-being. Sen (1999) identifies five types of instrumental freedoms: political (e.g., civil rights); economic (e.g., consumption, production or exchange, availability and access to finance, and distribution of national wealth); social (e.g., education, and health care), transparency guarantees (e.g., trust and openness, lack of corruption); and protective security (e.g., presence of a social safety net with fixed institutional arrangements and ad hoc arrangements). Instrumental freedoms tend to contribute to the general capability of a person to live more freely and also tend to complement one another, strengthening their joint importance.

Influenced by Marx, Sen prefers not to view people "only as workers" but as full human beings with diverse needs and characteristics that influence their functionings and well-being. As such, diversities with regard to personal (e.g., gender, age, education, health), social (e.g., public policies, social norms, gender roles, discriminating practices, hierarchies, and power relationships), and environmental (e.g., climate, geographic location) factors impact people's ability to convert resources into functionings. For example, two individuals may have the same low income, but one may be healthy while another may have a physical disability which requires expensive corrective prosthetics for movement. Thus, simply noting people's income does not tell the whole story of how they are faring; each individual and their unique characteristics matter in assessing societal well-being. The CA takes account of human diversity in two ways: (a) by focusing on the plurality of functionings, and capabilities as the evaluative space; and (b) by explicitly focusing on personal and social-environmental conversion factors of resources into functioning, and the resulting capability set.

Unlike Nussbaum (2011), Sen prefers not to develop a list of substantive capabilities, but repeatedly emphasizes education, health, social bases of self-respect, and socio-political participation as valuable capabilities for well-being, and states that they should be pursued in enhancing social justice because they are ends in themselves. However, Sen's writings display a level of ambivalence about capability for work in relation to well-being because, like Marx, he prefers not to view humans only as workers. Although he discusses the value of work and the ill effects of unemployment, he rarely includes work as a critical functioning. With regard to work, Sen (1999) states,

we have good reasons to buy and sell, to exchange, and to seek lives that can flourish on the basis of transactions ... The loss of freedom in the absence of employment choice and in the tyrannical form of work can itself be a major deprivation. (pp. 112-113)

He characterizes unemployment not only as loss of income, but also as causing "psychological harm, loss of work

motivation, skill and self-confidence, increase in ailments and morbidity, disruption of family relations and social life, hardening of social exclusion, and accentuation of racial tensions and gender asymmetries" (1999, p. 94).

Sen notes the importance of income from work in people's ability to lead a dignified life, and acknowledges that inadequacy of income is a major cause of deprivations associated with poverty. Viewing poverty as capability deprivation, he maintains "*relative deprivation in the space of incomes can yield absolute deprivation in the space of capabilities*" (1992, p. 115, italics in original). For Sen, while it is acceptable to begin understanding poverty with income distribution, particularly low income, it is not good enough to end with income only as it does not explain the lack of freedoms that contribute to low income. And, poverty needs to be addressed because it limits "the lives that some people are forced to live" (1992, p. 115).

In the CA, Sen has drawn attention to valuable beings and doings that had been overlooked. As noted, Sen's CA has had a significant influence on development thinking and practices. However, it has also been criticized for ambiguity, under-specification, and lack of attention to structural inequality (Midgley, 2014; Nussbaum, 2011; Robeyns, 2005; Wolff & De-Shalit, 2007). Additionally, in the context of this study, given Sen's astute observations about income from work, unemployment and its multi-faceted effects, and poverty as capability deprivation, his silence with regard to freedom to work in the CA is perplexing. Sen's Marxian philosophy of work—individuals live to work, but they do not just work to live—is idealistic, because the reality is that almost no country fully provides for all its people's economic needs. Thus, a majority of people must engage in some type of income-generating work to enhance their well-being. While the "absence of employment choice" and "tyrannical forms of work" are not desirable anywhere in the world, many people, and particularly poor people, are thankful to have any form of income-generating work in order to survive. Given India's level of economic development and consequent limitation in providing cash assistance to non-working poor, capabilities for work are critical for a majority of poor people's basic survival needs. Thus, Sen's silence with regard to income-generating work as a valuable capability, on par with education, health, self-respect,

and social participation, is a shortcoming of the CA. Instead of merely critiquing Sen about this gap in the CA, it is briefly explored in this study by directly asking people about the importance of work in achieving well-being.

Two recent large-scale studies in India inform us about work, income, and its correlates. Das (2012) analyzed the National Sample Survey 2004-2005 dataset, and found that a large part of the Indian workforce is either not working or is engaged in extremely low-paid contractual work. Workers in the informal sector are paid less than one-third of the wage in the formal sector. Desai, Dubey, Joshi, Sen, Sharif, and Vanneman (2010) examined a nationally representative sample of 41,554 households, and found that salaried jobs are most coveted but are difficult to obtain. They found public sector jobs pay Indian Rupees (INR) 6,980 per month, as opposed to private sector jobs, which pay INR 4,569, if permanent, and INR 2,365, if temporary. On the other hand, manual laborers earn INR 50-80/day, and, if lucky, they find 200 day's work in a year. Urban males earn the most (INR 48,848/year) and rural females earn the least (INR 4,491/year). Adivasi (tribal) and Dalit (low caste) men and women earn less than forward caste Hindus. In short, income is impacted by gender, education, work type, social group, and location. However, unlike Desai et al. (2010), Das found that wages in the formal private sector are higher than the public sector, but similar to Desai et al., his analysis showed wage differentials are higher in rural compared to urban areas, and are higher among women than men.

While the research reviewed informs us about types of work and pay, pay inequities, and circumstances that promote or deter work and income, it does not tell us what capabilities at individual, inter-personal, and structural levels enhance or impede work, income, and poverty. Further, although several authors refer to the CA in the Indian context, I am not aware of any study that has examined capabilities for work. Due to the complexity in the idea of capability, a mixed methods study emphasizing qualitative research (Padgett, 2008) was designed to clarify capabilities for work. The broad research question was: Can economically disadvantaged individuals work and earn, if they choose? What opportunities are available for work and income? Specifically, I asked: What kind of work do you do to earn money? What abilities, skills, resources, and

opportunities for work do you have at personal, inter-personal and structural levels? How much do you earn? How adequate is your income for your well-being?

Research Methods

Purposive sampling (Patton, 2002) with an eye towards maximum variation was used to identify past and current economically disadvantaged individuals. Also, 11 out of 18 districts classified by Human Development Index (HDI) were sampled in the state of West Bengal, an eastern state in India, where the data were collected. HDI is a simple average of life expectancy at birth, education, and income in purchasing power parity. Among the sampled districts, 3 had high HDI, 4 had medium HDI, and 4 had low HDI. The entire sample comprised of 783 individuals, among whom 658 were disadvantaged and 125 were service providers. Data were collected through semi-structured interviews in focus groups ($n = 566$) and in individual sessions ($n = 92$) with disadvantaged people. Length of interviews ranged from 30 to 120 minutes, and the average length of interviews was 50 minutes. This article reports findings from 92 disadvantaged individuals who were interviewed face-to-face.

Access to the sample was obtained through staff at various levels of hierarchy in government departments, non-governmental organizations (NGOs), for-profit organizations, and through key informants. IRB permission for the study was granted from the author's university. Participation in the study was voluntary and informed. Oral consent was obtained from all respondents in a two-step process: first oral consent was obtained from all top officials of participating organizations for access to the sample, and then an oral consent was obtained from all respondents who agreed to participate. No monetary incentive was provided to any individual, as per the customary social science research procedures in India. However, preliminary findings were shared with participating organizations, and the audience agreed with the findings.

A majority of interviews were recorded on a digital recorder, and later translated into English and transcribed. Transcripts were imported into NVivo 10 qualitative software.

Parent and child nodes were created both deductively and inductively, and categories and sub-categories were finalized after constant comparison; classification sheets were examined for similarities and differences among categories and sub-categories (Bazeley & Jackson, 2013). Later classification sheets with demographic data were imported into SPSS 21, and qualitative findings related to work abilities, skills, resources, and opportunities at personal, inter-personal and structural levels were entered. The presence of self-identified capabilities were denoted as 1 and the absence of those as 0. Univariate, bi-variate, and multi-variate analyses were conducted; relationships were examined through chi-square and correlational tests, and differences were tested through ANOVA. Post hoc Dunnett C tests were conducted to identify which group was significantly different from the other. Only quantitative findings are reported here.

Findings

Sample Characteristics, Type of Work, and Income

Table 1 shows respondents' characteristics with regard to gender, age, education, marital status, religion, caste, location, district classification, work type, and work sector classified by monthly income. A majority of respondents were female ($n = 67$; 73%), in the age range of 20-29 (41%), Hindu (70%), Dalit or Adivasi (48%), with less than high school education (52%), living in an urban area (62%), from districts with high HDI (61%), working in the informal sector (63%), and engaging in wage work (41%).

It is important to note, here wage work does not imply benefits were tied to wages, although 6 individuals in the high income bracket had benefits. Among the 38 wage workers, 8 were contract laborers, or worked as domestic help, 9 had entry-level temporary government contracts with no benefits, 11 worked for NGOs, but a majority had contract employment with no benefits, and 10 worked for the for-profit sector and 6 had benefits. Examples of wage work include stone crusher, janitor, nurse's aide, primary school teacher, community organizer, debt collector, IT customer support staff, computer programmer, accountant, scientist, and public relations officer. About a third ($n = 32$; 35%) were engaged in self-employment

Table 1. Sample Characteristics grouped by Income

	Income ¹			F	Dunnett C
	Low (n = 37; 40%)	Medium (n = 45; 49%)	High (n = 10; 11%)		
Gender**				8.412	L ≠ from H
Male	4 (11%)	14 (31%)	7 (70%)		
Female	33 (89%)	31 (69%)	3 (30%)		
Age**				5.130	L ≠ from M
20-29	21 (57%)	11 (24%)	6 (60%)		
30-39	12 (32%)	17 (38%)	1 (10%)		
40-49	3 (8%)	13 (29%)	0		
50-59	1 (3%)	4 (9%)	3 (30%)		
Education**				14.914	L ≠ from M & H; M ≠ from L & H; H ≠ from L & M
Non-literate	11 (30%)	1 (2%)	0		
<HS	18 (49%)	29 (64%)	1 (10%)		
HS	5 (14%)	7 (15.6%)	2 (20%)		
>HS	3 (8%)	8 (18%)	7 (70%)		
Marital Status					
Single	15 (41%)	7 (16%)	3 (30%)		
Divorced	2 (5%)	4 (9%)	0		
Widowed	1 (3%)	2 (4%)	0		
Married	19 (51%)	32 (71%)	7 (70%)		
Religion**				6.141	L ≠ from M
Hindu	19 (51%)	37 (82%)	8 (80%)		
Muslim	13 (35%)	8 (18%)	1 (10%)		
Christian	5 (14%)	0	1 (10%)		
Caste**				6.775	L ≠ from M
Other Religion	13 (35%)	8 (18%)	2 (20%)		
Adivasi (Tribal)	5 (14%)	1 (2%)	0		
Dalit (Low caste)	17 (46%)	19 (42%)	2 (20%)		
General Caste	2 (5%)	17 (38%)	6 (60%)		

Table 1. Sample Characteristics grouped by Income (continued)

	Income ¹			F	Dunnett C
	Low (n = 37; 40%)	Medium (n = 45; 49%)	High (n = 10; 11%)		
Location*				4.092	H ≠ from L & M
Rural	16 (43%)	9 (20%)	0		
Semi Urban	0	10 (22%)	0		
Urban	21 (57%)	26 (58%)	10 (100%)		
District by HDI*				3.302	L ≠ from H
Low HDI	8 (22%)	7 (16%)	0		
Medium HDI	9 (24%)	12 (27%)	0		
High HDI	20 (54%)	26 (58%)	10 (100%)		
Work Type					
Not Working	6 (16%)	1 (2%)	0		
Wage	14 (38%)	17 (38%)	7 (70%)		
Privage wage or contract	6 (16%)	2 (4%)	0		
Government wage	0	9 (20%)	0		
NGO wage or contract	8 (22%)	2 (4%)	1 (10%)		
For Profit wage	0	4 (9%)	6 (60%)		
Self Employed	13 (35%)	17 (38%)	2 (20%)		
Mixed	4 (11%)	10 (22%)	1 (10%)		
Work Sector**				23.045	L ≠ from M & H M ≠ from L & H; H ≠ from L & M
Not Working	6 (16%)	1 (2%)	0		
Informal	30 (81%)	27 (60%)	1 (10%)		
Formal	1 (3%)	17 (38%)	9 (90%)		

Note: ¹ N = 92. Low income = < INR 2,000/month; medium income = INR 2,001-10,000/month; high income = INR 10,001+. ANOVA * = p. ≤ .05; ** = p. ≤ .01. A Post hoc Dunnett C test showed which income group was statistically significantly different from (≠) one another, H = High income, M = Medium income, and L = Low income group. Last, F values are not reported where there is no statistically significant difference.

such as working as artisans in jute, wood, leather, pottery, jewelry making, painting, and embroidering or tailoring. Three engaged in chow manufacturing, car rental, and petrochemical businesses. Some self-employed individuals were connected with the Self-Help Group (SHG) program either operated by the government or by NGOs; none had any benefits. A few ($n = 15$; 16%) engaged in mixed work, such as janitor and rickshaw puller, electrician and office supply business, jute and pottery business. Seven (8%) females were not working; reasons were family tradition ($n = 2$), lack of work availability ($n = 2$), health ($n = 1$), young child ($n = 1$), and looking for work ($n = 1$). Later, work was classified into two broad sectors: informal ($n = 58$; 63%), and formal ($n = 27$; 27%), and a third category, not working ($n = 7$; 8%) was added.

With regard to monthly income, 37 (40%) respondents had low income (Indian Rupees [INR] < 2,000), which represents living below the Indian poverty line (earning less than US \$2/day). About half (49%) had just managed to cross the poverty line and were in the medium income group (earning between INR 2,001 to INR 10,000). Only a few (11%) were earning more than INR 10,000 per month and were classified as high income group. Fifty-eight respondents were working in the informal sector, and 51 (55%) had variable or unsteady income.

Relationship between Personal, Inter-personal, Structural Capabilities, and Work and Income

Analyses revealed that type of work or work sector was not consistently or strongly related to abilities, skills, resources and opportunities at personal, inter-personal and structural levels. Primarily, it was found that the 7 women who were not working were different from those who were working in the informal and formal sectors with regard to abilities, skills, resources and opportunities. However, income appeared to have a more consistent relationship with these work capabilities. Thus, the following sections focus on work capabilities in relation to income.

Personal Abilities, Skills, and Resources for Work and Income

Abilities. When asked what abilities or mental and physical functions facilitate work, respondents identified 17

characteristics including hard working, intelligence, pragmatism, initiative, courage, pride, persistence, flexibility, entrepreneurship, high aspirations, and trustworthiness (see Table 2). Among the respondents, 25 (27%) failed to identify any work ability, 16 of whom had low income and 9 of whom had medium income. Although abilities for work have been split into numerous sub-categories, some respondents identified many abilities simultaneously, and those who identified more abilities, skills, resources, and opportunities for work were more successful in their work and income (Combined Capabilities), as discussed later.

One Way Analysis of Variance or ANOVA tests showed that there was a statistically significant difference among the three income groups with regard to whether respondents had identified any abilities ($F = 5.263$, $df\ 2, 89$, $p < .01$), and a post-hoc test showed that the low income group identified fewer abilities in relation to medium and high income groups. Second, Table 2 shows that with regard to the 17 self-identified personal work abilities, there was a statistically significant difference among the three income groups with regard to 11 abilities: hard working, pragmatism, intelligence, initiative, courage, pride, persistence, flexibility, entrepreneurship, high aspirations, and trustworthiness. Also, the low-income group was consistently different from either the medium or high-income groups as the latter had consistently identified more and different types of work abilities than the low income group.

Skills. Respondents identified 34 types of trade and job skills, which are reflected in type of work. A majority of respondents (95%) was able to identify either trade or job skills; 14 (16%) respondents reported their trade/job skills were in family tradition, implying caste-based work; only 5 non-working respondents did not identify any work-related skill. Forty-two (46%) respondents reported that they had inter-personal skills which were essential for work, such as being able to work with others, learning from one another, helping one another, and influencing one another. Also, some self-employed respondents identified having three types of management skills, such as leadership (37%), marketing (15%), and accounting (13%).

Table 2. Personal Capabilities for Work and Income

Personal Work Abilities	Income			F	Dunnett C
	Low ¹ (n = 37; 40%)	Medium ² (n = 45; 49%)	High ³ (n = 10; 11%)		
None identified**	16 (43%)	9 (20%)	0		
Identified ⁴	21 (57%)	36 (80%)	10 (100%)	5.263	H ≠ from L & M
Hard working**	13 (35%)	14 (31%)	9 (90%)	6.885	H ≠ from L & M
Self-Confidence	6 (16%)	7 (16%)	2 (20%)		
Determination	4 (11%)	9 (20%)	4 (40%)		
Pragmatism*	2 (5%)	12 (27%)	4 (40%)	4.712	L ≠ from M
Intelligence*	2 (5%)	10 (22%)	4 (40%)	4.232	
Initiative**	4 (11%)	13 (29%)	7 (70%)	8.437	L ≠ from H
Courage**	2 (5%)	4 (9%)	4 (40%)	5.477	
Pride**	1 (3%)	10 (22%)	6 (60%)	10.807	L ≠ from M & H
Enthusiasm	2 (5%)	3 (7%)	1 (10%)		
Persistence**	2 (5%)	8 (18%)	6 (60%)	9.611	L ≠ from H
Patience	1 (3%)	2 (4%)	0		
Desire to learn	1 (3%)	1 (2%)	1 (10%)		
Desire to earn	1 (3%)	6 (13%)	1 (10%)		
Flexibility**	1 (3%)	3 (7%)	6 (60%)	19.753	H ≠ from L & M
Entrepreneurship*	1 (3%)	10 (22%)	3 (30%)	4.178	L ≠ from M
High aspirations**	0	4 (9%)	7 (70%)	30.524	H ≠ from L & M
Trustworthy**	0	7 (16%)	3 (30%)	5.010	L ≠ from M
Personal Work Skills					
None Identified	4 (11%)	1 (2%)	0		
Identified	33 (89%)	44 (98%)	10 (100%)		
Job skills*	13 (35%)	23 (51%)	8 (80%)	3.513	L ≠ from H
Trade skills	25 (68%)	26 (58%)	3 (30%)		
Inter-personal skills at work**	8 (19%)	26 (58%)	8 (80%)	9.392	L ≠ from M & H
Leadership skills **	7 (19%)	25 (56%)	2 (20%)	7.377	L ≠ from M
Financial skills**	0	10 (22%)	2 (20%)	5.016	L ≠ from M
Marketing skills*	1 (3%)	11 (24%)	2 (20%)	4.029	L ≠ from M
Abilities and Skills Through					
Formal experience **	5 (14%)	24 (53%)	6 (60%)	9.336	L ≠ from M
Informal experience **	27 (73%)	19 (42%)	3 (30%)	5.519	L ≠ from M

Personal Work Resources	Income			F	Dunnett
	Low (n = 37; 40%)	Medium (n = 45; 49%)	High (n = 10; 11%)		
None Identified **	17 (46%)	1 (2%)	0		
Identified	20 (54%)	44 (98%)	10 (100%)	18.870	L ≠ from M & H
Non-Material Resources **					
None Identified	22 (60%)	6 (13%)	0	16.892	L ≠ from M & H
Education **	6 (16%)	13 (29%)	7 (70%)	6.199	L ≠ from H
English medium education **	0	0	3 (30%)	16.998	
Vocational training/diploma	6 (16%)	10 (22%)	1 (10%)		
Health (physical strength)	4 (11%)	2 (4%)	2 (20%)		
Reputation	5 (14%)	12 (27%)	2 (20%)		
Time	0	3 (7%)	0		
God's gift*	0	0	1 (10%)	4.407	
Material Resources **					
None Identified	26 (70%)	19 (42%)	3 (3%)	4.596	L ≠ from M
Work tools	10 (27%)	21 (47%)	3 (30%)		
Capital **	0	7 (16%)	3 (30%)	5.010	L ≠ from M
Space*	4 (11%)	17 (38%)	2 (20%)	4.253	L ≠ from M
Land*	0	8 (18%)	2 (20%)	4.001	L ≠ from M
Cycle/car	2 (5%)	3 (7%)	2 (20%)		
ID Cards	1 (3%)	1 (2%)	0		

Legend: ¹In this group, 31 were working (27 females and 4 males) and 6 females were not working. ²In this group, 44 were working (30 females and 14 males) and 1 female was not working. ³In this group all 10 were working (3 females and 7 males). 4 Only those who identified these abilities, skills, resources, and opportunities are reported in the text of the tables. N = 92. ANOVA * = p. ≤ .05; ** = p. ≤ .01. A Post hoc Dunnett C test showed which income group was statistically significantly different from (≠) one another, H = High income, M = Medium income, and L = Low income group. Last, F values are not reported where there is no statistically significant difference.

ANOVA tests showed there was no difference in income and trade skills, but there was a statistically significant difference between low and high income groups with regard to job skills (F = 3.513, p. = .05). This finding makes sense in that a majority of respondents in the low income group were engaged

in low-skill work in the informal sector, while high income individuals had educational qualifications required for higher skilled jobs in the formal sector. More importantly, although a similar number of low- and middle- income individuals were in wage work or self-employment, there was a statistically significant difference between them with regard to inter-personal skills at work, and leadership, financial, and marketing skills (see Table 2).

Experience. Work-related abilities and skills can be both innate and nurtured through experience. More respondents (53%) reported opportunities for informal experience such as learning at home by watching, than formal experience (38%) such as skills training or on-the-job training; 9% of respondents lacked either type of experience. Again ANOVA and post hoc tests showed a statistically significant difference. The low income group had less formal and more informal work experience compared to medium and high income groups.

Resources. Respondents identified two types of resources that helped them to work: material and non-material. Material resources were land ownership, capital, work space, work tools, vehicles for work access, and ID cards. Non-material resources were education, English medium education, vocational training, health, reputation, time, and grace. About half (48%) of the respondents reported having material resources, but 70% identified having non-material resources; 20% of respondents did not identify any personal resource for work.

ANOVA and post hoc comparisons showed that the low income group was different from the medium and high income groups with regard to work resources, both material and non-material. Among non-material resources, it was found that the low income group was different from the high income group with regard to education, but there was no statistically significant difference between the medium and high income groups with regard to education, as two high income self-employed males and one high income wage earning female had only high school education. However, all three individuals with English medium education fell into the high income group. But, there was no major difference in health among the three income groups, perhaps implying that without good health one cannot work and earn. Two female respondents had major physical disabilities, and one could not work while another struggled to

earn some income. Also, the medium income group had more material work resources than the low-income group.

Table 3. Inter-Personal Capabilities for Work and Income

Inter-personal Capabilities	Income			F	Dunnett
	Low (n = 37; 40%)	Medium (n = 45; 49%)	High (n = 10; 11%)		
None Identified	6 (16%)	2 (4%)	0		
Identified	31 (84%)	43 (96%)	10 (100%)		L ≠ from H
Family tangible support **	16 (43%)	27 (60%)	10 (100%)	5.789	H ≠ from L & M
Friends/neighbors tangible support	13 (35%)	21 (47%)	5 (50%)		
Organizational tangible support*	13 (35%)	29 (64%)	4 (40%)	3.907	L ≠ from M
Family intangible support	0	2 (4%)	2 (20%)		
Friends/organization intangible support	1 (3%)	2 (4%)	2 (20%)		
Networking **	1 (3%)	23 (51%)	5 (50%)	15.545	L ≠ from M
To love and to be loved	2 (5%)	2 (4%)	1 (10%)		

Inter-Personal Capabilities for Work

Two types of inter-personal capabilities or social capital were reported: tangible social support and intangible social support. A majority reported getting tangible help from family, friends, and neighbors, as well as from local organizations. Examples include learning about work opportunities, and getting connected to work through family and friends. Few reported getting assistance from political parties to get a job or in addressing health-care costs. Fewer respondents reported that intangible support in the form of networking helps, as does having mentors who help with building confidence or with providing encouragement for work. Eight (9%) respondents did not report any inter-personal capabilities related to work.

Just as there was no difference among the income groups with regard to trade skills, there was no difference among the income groups with regard to inter-personal support or social

capital. However, the low income group could garner less tangible support from family members in relation to the high income group, who got more support. Also, those who had opportunities for getting tangible support from organizations were able to move up to the middle income group, and there was a statistically significant difference in access to tangible organizational support between low and medium income groups. Last, low income respondents lacked networking opportunities, and availability of networking and mentoring support enabled respondents to move up to the middle or high income categories.

Structural Opportunities for Work

Access to some type of paid work, through public, NGO, for-profit, or domestic spheres in the formal or informal sectors, was the main structural opportunity sought, and 92% were able to get some form of work access. As already noted, some were in wage work, while others were in self-employment or in mixed work. Among many who were self-employed or were in mixed work, the opportunity to participate in the Self-Help Group (SHG) program, operated both by the government and NGOs, was reported to be a helpful structural opportunity for work and income. SHG participation enabled respondents to: (a) save and get access to micro-credit; (b) get access to skills training for starting or improving micro-businesses; and (c) get access to markets to sell products. In addition, government-led SHGs provided a stipend during training as well as travel and daily allowance when respondents travelled to fairs to sell their products. Meeting other producers at these fairs enhanced respondents' marketing skills and widened their horizons regarding future possibilities. In addition, government-led SHGs enabled women to earn by cooking for the government's Mid-Day Meal program in schools. Finally, 10 self-employed respondents affiliated with a fair-trade agency reported benefitting from its ongoing monitoring and support, and all of them fell into the middle income bracket, unlike some SHG participants.

In addition to structural opportunities for income generating work, a few identified access to educational scholarships as an important opportunity that helped them to further their

education; and a few others mentioned that access to needed resources, such as assistance with housing or medical bills, was a critical structural opportunity. However, two non-working respondents did not identify any structural opportunity.

Table 4. Structural Capabilities for Work and Income

Structural Opportunities	Income			F	Dunnett
	Low (n = 37; 40%)	Medium (n = 45; 49%)	High (n = 10; 11%)		
None Identified	2 (5%)	0	0		
Identified	35 (95%)	45 (100%)	10 (100%)		
Work Availability					
Self-employment opportunity **	11 (30%)	30 (67%)	3 (30%)	7.017	L ≠ from M
Government job availability **	2 (5%)	15 (33%)	1 (10%)	5.866	L ≠ from M
NGO job availability	11 (30%)	9 (20%)	1 (10%)		
For profit job availability **	1 (3%)	5 (11%)	6 (60%)	14.899	L ≠ from H
Private work availability	8 (22%)	4 (9%)	0		
Mixed work availability	4 (11%)	10 (22%)	1 (10%)		
Skills Training					
NGO skills training **	9 (24%)	2 (4%)	0	4.913	L ≠ from M
Government SHG participation	4 (11%)	8 (19%)	0		M ≠ from H
NGO SHG participation	2 (5%)	3 (7%)	0		
Fair Trade participation **	0	10 (24%)	0	6.495	M ≠ from L & H
Other					
On the job training **	6 (16%)	31 (69%)	7 (70%)	16.411	L ≠ from M & H
Educational scholarship	5 (14%)	3 (7%)	2 (20%)		
Material assistance	5 (14%)	5 (11%)	0		
Personal loans	4 (11%)	4 (9%)	1 (10%)		
Business loan	2 (5%)	10 (22%)	2 (20%)		

All income groups were able to identify some form of structural opportunity for work and income. The low income group had less business opportunity than middle or high income groups, and they had less opportunity to get a government job than the middle income group. Interviews revealed that government jobs had minimum educational requirements for different categories of work, and as such, some were not eligible for government work. NGO jobs were available among all income groups and income varied widely, showing no difference among the groups. For-profit job availability allowed some respondents to be in the high income bracket, and was strikingly absent for low and middle income groups. On-the-job training was an important opportunity to further knowledge and work skills, and the low income group did not benefit at all from on-the-job training (few had formal work) and were statistically significantly different from medium and high income individuals. Some respondents participated in SHGs, and while there was no difference in income between those who participated in government or NGO operated SHGs, those who obtained skills training from NGOs earned less than those who obtained training from government programs. Last, those affiliated with a fair trade organization earned more than those who were affiliated with NGO operated SHGs.

Table 5. Combined Capabilities for Work and Income

	Range	Mean	s.d.	F	Dunnett
Combined Capabilities	0-28	10.20	6.20	19.161	L ≠ from M & H
Low income	0-13	6.35	3.22		
Medium income	3-26	12.00	6.04		
High income	8-28	16.30	7.13		

Combined Capabilities

Through qualitative analyses, it appeared that some individuals identified more work capabilities than others. Thus, a new variable, Combined Capabilities, was created by adding 50 variables related to personal abilities, skills, resources, and interpersonal and structural opportunities for work. Respondents' combined capabilities in these spheres ranged from 0 to 28, with a mean of 10.20, median of 9, and a standard

deviation of 6.20. ANOVA showed there was a statistically significant difference among the income groups ($F = 19.161$, $df. 2, 89$, $p = .000$), and a post hoc comparison revealed that the low income group had significantly less mean combined capability than the middle (-5.649 , $p = .00$) or high income (-9.949 , $p = .00$) groups. In short, the study consistently showed that the low income group had fewer capabilities than the two other income groups with regard to capabilities for work and income.

Relationship between Personal Diversities and Capabilities and Income

Because Sen emphasizes diversities with individuals' ability to convert income into functionings, a re-examination of Table 1 is important to understand how personal, social, and environmental heterogeneities might influence work and income. Among the 10 personal characteristic variables displayed in Table 1, there was a statistically significant difference among the three income groups with regard to 7 characteristics. As noted, work type does not show a statistically significant difference among the income groups, nor does marital status. However, among the 37 individuals in the low income group, 33 were women (49% of women in the study). Second, a larger percent (57%) of respondents between the ages of 20-29 were low-income. Third, 29 out of 37 individuals (78%) had low education, i.e., were either non-literate or had not completed high school. Fourth, non-Hindus tended to have low-income, although 51% of low-income respondents were also low caste Hindus. Thus, caste barrier played a role with a much larger percent (60%) of low income respondents representing Dalit or Adivasi affiliation. Sixth, 43% of low income respondents lived in rural areas, and many represented low or medium district HDI. Last, a majority (81%) of low-income respondents worked in the informal sector.

Well-being and Income

For a majority of respondents, well-being primarily meant being able to feed the family, having housing and a few clothes to wear, a source of income, and meeting healthcare costs. A majority reported that their income was inadequate to live

well. A majority of respondents reported a positive relationship between income and well-being. On a 3-point scale of "Very Important," "Important," and "Not Important," more respondents identified income as very important, followed by important, but none reported it as not important for well-being.

Limitations

Because the study explored capabilities for work with an open-ended question, it is possible that in some instances those who were more verbally expressive identified more capabilities for work than those who were not as expressive. Thus, the capabilities list derived from this study could be used in future research to examine whether the findings are similar through a quantitative survey. Second, translation and back translation have the potential to dilute meanings or to not convey the exact idea in another language. The potential for this bias exists in the study. For example, one of the abilities, "pragmatism" (practical reasoning as per Nussbaum, 2011) was coined to put together ideas related to seeking information, thinking, processing, reasoning, and making practical decisions, although no respondent used a comparable term in Bengali to indicate this ability. Third, the study does not answer why capabilities are not as tightly connected with type of work as they are with income, despite income being variable for almost half the sample. Again a more structured quantitative study with a much larger sample size may be able to answer this question. Finally, because the analyses presented here is limited to 92 individual interviews, no attempts are made to generalize the findings. However, these respondents' work type and income in relation to gender, religion, caste, and location are comparable to findings by Das (2012), and Desai et al. (2010).

Discussion and Implications

This study makes a significant contribution by identifying work capabilities—abilities, skills, resources and opportunities at personal, inter-personal, and structural levels—that enable individuals to move out of poverty by specifying capabilities that impede work and compel people to live below the poverty line. The substantive capability of working and the resultant

income which is a means to well-being is influenced by at least four of the five instrumental freedoms (economic, social, transparency guarantees, and protective security), as well as by personal, social, and environmental diversities identified by Sen. Space limitations restrict elaboration of instrumental freedoms and their relationship to work and income. Briefly, qualitative data reveal that getting work is tied to freedoms related to economy, transparency guarantees, and protective security; and personal work abilities, skills, and resources, and inter-personal capabilities are influenced by social freedoms. The low income group's lack of freedoms can be inferred from their work type and income as well as personal, social and environmental characteristics, and social constraints; the converse is true for medium and high income groups. No known study has made these connections with regard to work and income.

Findings show that only 10 (11%) urban respondents had succeeded in utilizing their personal, inter-personal, and structural capabilities to get out of poverty and earn a relatively high income (INR 10,000+/month), and 45 (49%) individuals had managed to cross the poverty line (medium income = INR 2001-10,000/month) and were somehow able to keep their heads above water through abilities, skills, resources and opportunities to work and earn. However, the major concern identified in this study is that 37 (40%) respondents still lived below the poverty line (INR <2,000/month), and 11 even lacked literacy as well as other capabilities for work and income; and 7 (8%) were not engaged in any income generational work, and except for one, were also living below the poverty line. As both low and medium income respondents reported, inadequate income forced them to perpetually borrow to survive. In short, income from work matters a great deal for poor people's basic well-being.

The government of India has made social investments (Kattumuri & Singh, 2013) to help people acquire abilities, skills, and resources for work through programs such as the SHG and ICDS (7 respondents were ICDS teachers, and obtained periodic training to enhance their work abilities and skills). Also, the government has created work opportunities for people through the NREGS and Mid-Day Meal preparation program, where existing abilities, skills, and resources could

be utilized to earn an income, albeit very low. Some respondents had been able to access these opportunities where/when available and appropriate, and some had been able to cross the poverty line, but many still lacked access to these programs for regular work and income.

Additionally, civil society organizations such as NGOs and for-profits have also provided skills training and created work opportunities. When such jobs or contracts are more stable, they have allowed people to cross over the poverty line. Further, the opportunity to engage in mixed work of various sorts has helped people; they were placed in all three income brackets based on Combined Capabilities for work. However, the fact remains that many individuals still have inadequate work and income, indicating capabilities deprivation. Significantly more effort needs to be invested in expanding opportunities for enhancing abilities, skills, and resources for decent work and income for particular groups such as women, young adults with low education, non-Hindus as well as low caste Hindus, and tribal people living in low and medium HDI districts.

Both the public and private sectors need to create programs that help to develop low-income people's work skills and create varied work opportunities in urban and rural areas. Because some government-led SHG programs are running well and benefitting higher skilled and slightly better-educated participants, more efforts should be directed at replicating such programs. SHG participation also helps when individuals have traditional skills, but income from SHGs is often inadequate to sustain a family if there are no other earners. Thus, both government and NGOs should provide high quality skills training, assist with larger loan amounts, and examine how to create marketing opportunities for SHG products. Finally, the personal abilities, skills, and resources, as well as the interpersonal connections that have helped some to move out of poverty, can be integrated into such programs and taught by social workers.

Some suggestions are offered to help such programs push people out of poverty. After assessing participants' abilities, skills, resources and opportunities, the first priority should be to promote literacy, and, when feasible, progress towards higher levels of education to obtain more stable jobs in the public or private sectors. Second, the program could teach participants

that certain abilities for work, such as initiative, persistence, pragmatism, and pride, are important. Simultaneously, after assessing interest and context, it is important to formally train participants in varied work skills to expand the possibilities of their work types. Some may choose a vocational training track such as nursing to get a higher paying job. For others who prefer to be micro-entrepreneurs, in addition to formal advanced skills training and inter-personal skills training, they ought to be taught leadership, financial, and marketing skills. Further, programs must create access to work space and loans for their success. While in training or after training, tangible support from organizations, such as assistance with housing and medical care costs, might be needed to prevent emergency borrowing from loan sharks. Also organizations should extend their networking support by connecting people to work. Finally, individuals from medium and high income groups could be invited to serve as role models and mentors to help participants dream of and strive for a better future.

Much more social work involvement in public and NGO programs is needed to help low income individuals move out of poverty. Very few trained social workers were engaged in this process, and it was hard to find social workers willing to travel to distant villages even for data collection. Personal travel revealed the difficulties of living in such areas where road connectivity, electricity, water, housing and sanitation were often sub-standard. However, similar issues were evidenced in poor urban areas as well. Thus, significant investment in infrastructural development for rural and urban poor is also required, both to erase capability barriers and to encourage social workers to serve in such areas. This study affirms that Sen is correct in stating that the more capabilities that people have, the better their quality of life. However, the study also indicates that income from work is critical in overcoming poverty. Thus, the study recommends that work opportunities leading to income deserve a central space in Sen's capability approach.

References

- Anand, S., & Sen, A. (2000). The income component of the human development index. *Journal of Human Development*, 1(1), 83-106.

- Bazeley, P., & Jackson, K. (2013). *Qualitative data analysis with NVivo*. Thousand Oaks, CA: Sage.
- Das, P. (2012). Wage inequality in India: Decomposition by sector, gender, and activity status. *Economic & Political Weekly*, 47(50). Retrieved from http://www.epw.in/system/files/pdf/2012_47/50/Wage_Inequality_In_India.pdf
- Desai, S. B., Dubey, A., Joshi, B. L., Sen, M., Sharif, A., & Vanneman, R. (2010). *Human Development in India: Challenges for a Society in Transition*. New Delhi: Oxford University Press.
- Government of India. (2006). *Towards faster and more inclusive growth: An approach to the 11th Five Year Plan*. New Delhi: Planning Commission. Retrieved from <http://www.planningcommission.nic.in>
- Government of India. (2011). *Faster, sustainable and more inclusive growth: An approach to the twelfth Five Year Plan*. New Delhi: Planning Commission.
- International Labor Organization. (2014). *India: Decent work country programme 2013-17*. Retrieved from <http://www.ilo.org/public/english/bureau/program/dwcp/download/india.pdf>
- Kattumuri, R., & Singh, M. (2013). Social protection in India: Current approaches and issues. In J. Midgley & D. Piachaud (Eds.), *Social protection, economic growth and social change* (pp. 102-116). Northampton, MA: Edward Elgar.
- Midgley, J. (2014). *Social development: Theory & practice*. Thousand Oaks, CA: Sage.
- Nussbaum, M. C. (2011). *Creating capabilities: The human development approach*. Cambridge, MA: The Belknap Press of Harvard University.
- Padgett, D. K. (2008). *Qualitative methods in social work research*. Thousand Oaks, CA: Sage.
- Patton, M. Q. (2002). *Qualitative research and evaluation methods*. Thousand Oaks: Sage.
- Robeyns, I. (2005). The capability approach: A theoretical survey. *Journal of Human Development*, 6(1), 93-114.
- Sen, A. (1992). *Inequality reexamined*. Cambridge, MA: Harvard University Press.
- Sen, A. (1999). *Development as freedom*. New York, NY: Anchor Books.
- Sen, A. (2009). *The idea of justice*. Cambridge, MA: The Belknap Press of Harvard University.
- Streeten, P. (1981). *First things first: Meeting basic human needs in the developing countries*. World Bank, Washington DC, Oxford: Oxford University Press.
- United Nations Development Program (UNDP). (1999-2011). *Human Development Report*. Retrieved from <http://www.undp.org/country>
- Wolff, J., & de-Shalit, A. (2007). *Disadvantage*. Oxford, UK: Oxford University Press.
- World Bank. (2013). World Data Bank: World development indicators. Retrieved from <http://data.worldbank.org/>

Relationship-Based Justice for Gender Responsive Specialty Courts

MARGARET H. LLOYD

University of Kansas
School of Social Welfare

Family drug courts (FDCs) have existed in the U.S. since 1994. Since that time, dozens of studies have found evidence that FDCs improve child welfare outcomes compared to traditional dependency courts. The level of sophistication of this research has stalled, however, arguably because the theoretical foundations of the approach are underdeveloped. The social psychological theory of procedural justice can predict and explain outcomes in treatment courts better than therapeutic jurisprudence. However, in light of evidence suggesting that gender impacts treatment court outcomes, procedural justice alone falls short as the mechanism of change in family drug courts, because women constitute the majority of FDC participants. To reconcile the empirical with the conceptual, concepts from Lind and Tyler's relational model of procedural justice are examined through the lens of the feminist relational cultural theory. Suggestions for continuing social work research into family drug courts are offered.

Key words: relational justice, family drug court, feminist relational cultural theory, social psychology, procedural justice

Family drug courts (FDC) are intensive, treatment-oriented, specialty child welfare courts designed to meet the needs of, and improve outcomes for, substance abuse-affected families. Since 1994, when the first FDC was put into service, the approach has increased in popularity, and now over 300 of these non-adversarial, team-led courts exist across the United States. Outcomes of nearly twenty studies suggest that involvement of FDCs decreases foster care utilization and increases timely permanent placements, including more frequent reunifications as a permanency outcome, compared to their traditional counterpart (see Lloyd, 2015). However, the level of

sophistication of FDC research has been, and remains, relatively limited. The majority of studies use cross-sectional, descriptive, or quasi-experimental designs comparing participation in an FDC to treatment-as-usual on child welfare indicators. Even the more rigorous studies, while supporting FDC effectiveness in general, have struggled to home in on the mechanisms that lead to the observed benefits.

The FDC research published to date suffers from a lack of theoretical formulations and support. Most authors writing about FDCs invoke therapeutic jurisprudence for their conceptual guidance (Choi, 2012; Hora, 2002; Hora, Schma, & Rosenthal, 1998; Pach, 2009). However, therapeutic jurisprudence does not explain how a court intervention produces actual therapeutic outcomes and generally directs inquiring scholars back to the social sciences literature for answers (Wexler & Winick, 1991). Thus, focused on therapeutic jurisprudence, the once inspired researcher may stall when contemplating ways to study and understand the inner workings of family drug courts.

In response to the limits of therapeutic jurisprudence generally, an embryonic body of literature on treatment courts incorporates the social psychological theory of procedural justice, specifically Lind and Tyler's relational model (Ashford & Holschuh, 2006; McIvor, 2009) to identify the therapeutic mechanisms of change. Generally, procedural justice can be understood as fairness of a process, as opposed to distributive justice, which addresses fairness of an outcome. Procedural justice is a subjective experience, and perceptions of the different relational and situational attributes of the experience of procedural justice are found in the literature (Lind & Tyler, 1988; Thibaut & Walker, 1975; Tyler, 1988), along with accounts of how the experience of procedural justice relates to behavior, particularly socially desirable behaviors such as motivation and compliance (Lind & Tyler, 1988).

Lind and Tyler's relational model suggests that if an authority figure interacts with an individual in a way that enhances perceived fairness, the individual will exhibit greater motivation to comply with the terms of the authority figure's orders (Lind & Tyler, 1988; Tyler & Lind, 1992). In a treatment court setting, compliance with these orders results in having

access to more treatment opportunities, and consequently, to better outcomes (Ashford, 2006; Ashford & Holschuh, 2006). However, the ability of procedural justice to explain why such procedural elements would influence outcomes in a FDC requires exploration. Further, procedural justice is inadequate for fully explaining the outcomes of FDCs, because it does not account for the experience of women who constitute the majority of FDC participants.

This paper begins by situating family drug courts within their larger theoretical frames. A review of the FDC literature follows and serves to link FDCs and procedural justice in part by referencing early scholarship regarding the utility of procedural justice as a tool for evaluating problem-solving courts (and therefore, FDCs as well). Then, after arguing that procedural justice is necessary but insufficient for family drug courts, relational cultural theory (RCT) will be proposed as a way to further illuminate the therapeutic change mechanisms within FDCs. Four key concepts from procedural justice are explored from a RCT perspective. This union of justice and relationship theories aids in examining FDC process and ultimately in explaining FDC outcomes. Implications for future research are discussed.

Family Drug Courts

The first family drug court (FDC) was started in response to the influx of parents with substance abuse issues entering the child welfare system and the challenges that judges and caseworkers faced in reunifying these families (McGee, 1997). Parental substance abuse continues to be a primary factor in cases characterized by foster care utilization, unstable placements, delayed reunification, and recurring child protective services intervention. Three related influences are central to understanding FDCs: therapeutic jurisprudence; problem-solving courts; and the emergence of the FDC approach.

Therapeutic Jurisprudence

Therapeutic jurisprudence is a legal perspective that was first developed in the late 1980s after the rise and plateau of the mental health patients' rights movement a decade earlier

(Wexler & Winick, 1991). The patients' rights movement started because psychiatrists were previously afforded extensive power in the court system, power not always used to the advantage of their patients. Judges often deferred to psychiatrists and psychologists, uncritically, for decisions on the treatment (or punishment) of people with mental illness. The rights movement sought to shift control from these professionals back to the neutrality of law and therefore to the individuals who could defend themselves in court. Although this shift spared people with mental illness from indefinite civil commitment or other constraints not imposed on the general population, it also barred judges from administering the law in a way that might therapeutically benefit defendants. In the wake of all this emerged therapeutic jurisprudence (TJ), which identified a middle ground by acknowledging that the courts and the adjudicatory process can yield a therapeutic impact on its participants. Therapeutic jurisprudence was not advanced as a theory, but as a framework for analyzing the consequences of law.

Central tenets of therapeutic jurisprudence include its regard for the law as a "social force that produces behaviors and consequences" (Hora, 2002, p. 1471). It asserts that the courts, guided by a set of rules and procedures, are not just neutral forums for weighing issues of law, but that they also have the capacity to therapeutically affect involved parties. Indeed, "the task of therapeutic jurisprudence is to identify and ultimately examine empirical relationships between legal arrangements and therapeutic outcomes" (Wexler & Winick, 1991, p. 8). Although TJ indirectly implies that civil or criminal procedure and judicial attention to behavioral health are important, the framework does not articulate what exactly is needed to achieve therapeutic outcomes. Early essays on TJ suggest that it asserts no preference for therapeutic outcomes, but later commentaries argue that therapeutic outcomes should be strived for, but only if in accordance with traditional legal values, including individual rights (Hora et al., 1998; Wexler, 2008; Winick, 2013).

Problem-Solving Courts

Problem-solving courts are viewed as practical examples of therapeutic jurisprudence because their orientation is

treatment-focused (Winick, 2013). The first problem-solving court, a criminal drug court, was created in Dade County, Florida in 1989, and sought to rehabilitate offenders through mandated drug treatment, rather than incarceration. As of December 31, 2013, 2,907 drug courts and 1,133 other problem-solving courts were operating in the United States and its territories (National Drug Court Resource Center, 2014a, 2014b).

Problem-solving court (PSC) is a term used to characterize drug courts, mental health courts, domestic violence courts, veteran's courts, juvenile drug courts, DWI courts, truancy courts, and other special problem areas. These different types of PSCs share in common the understanding that the accused has come into contact with the legal system as a result of an underlying issue that must be addressed if permanent exit from the criminal or juvenile justice system is to be achieved. Although there is no strict definition of a problem-solving court, Weiner and Georges (2013) identified the two primary ways that traditional courts and problem-solving courts differ: the role of the judge; and the assumptions about human decision-making. The judge in a traditional court is an "arbitrator": objective, neutral, and fairly uninvolved and uncommunicative. The PSC judge is a "facilitator" who "serves as a case manager or team leader forming partnerships ... in order to understand and find solutions for the underlying social and psychological problems that contributed to the offender's conflict with the law" (Weiner & Georges, 2013, p. 12). In these court settings, the judge is actively involved in problem-solving, because the courtroom professionals agree that the charges or allegations stem from a solvable problem. This distinction is meaningful because it represents an alternative approach to understanding the nature of criminal behavior.

Similarly, the orientation in problem-solving courts presumes that motivations of defendants to follow or disobey the law are misunderstood in the traditional context. General courts are grounded in a rational utility maximizer model of decision making, which "assumes that people weigh the costs and benefits of following, or not following the law and based upon the outcome of that calculus deliberately choose a course of action" (Weiner & Georges, 2013, pp. 4-5). The consequences for unlawful actions, in accordance with the rational utility

maximizer model, are punitive. Problem-solving courts, on the other hand, having observed the revolving door phenomenon of the criminal justice system, rely on an alternative theory of criminal behavior and an alternative approach to addressing it. This alternative approach is a psychological understanding of decision making that does not assume that people are rational calculators. The implications of this perspective are that the judge, attorneys and other court room personnel handle noncompliance and punishment differently. For example, in a drug court setting, relapse into substance use is seen as a part of the defendant's nonlinear recovery process and is therefore treated therapeutically, rather than as a violation or act of defiance that must be punished.

FDC Model

Family drug courts are a variation of the problem-solving court, and serve to adjudicate dependency cases for families where substance dependence is the primary reason for child abuse or neglect allegations. As a PSC, the FDC judge assumes a facilitator role, a role much different from that assumed by the judge in a common court who presides over child welfare hearings. Drug courts use a team approach; lawyers, treatment professionals and child welfare workers view and address cases in a non-adversarial manner with the judge at the helm. FDCs also understand that defendant parents are not operating according to a strict rational utility maximizer model of decision making; these courts assume that individuals with substance dependence can benefit from a therapeutically-oriented courtroom and emphasize timely entry into substance abuse treatment (Center for Substance Abuse Treatment, 2004).

Although there is no national governing body that oversees or accredits family drug courts and no two FDCs are identical, a common framework exists for all FDCs that is based on the National Association of Drug Court Professionals' (1997) "10 Key Components of Drug Courts." This framework reflects the commitment and participation of community stakeholders, reliance on interdisciplinary teams in the courtroom, compliance with policy/time constraints, the dynamic use of incentives and sanctions to encourage participant progression through the drug court program, the need for specialized training

on the course and nature of substance abuse, extensive case management, individualized service plans, significant linkages to comprehensive community services, and carefully monitored oversight related to parents' participation in FDC activities (Pach, 2009). FDCs also seek to balance the rights and needs of parents and children (Young, Breitenbucher, & Pfeifer, 2013).

Literature Review

Researchers comparing child welfare outcomes for substance-affected families in traditional courts versus FDCs observed that children whose families are involved in FDCs spend hundreds of fewer days in foster care (Boles, Young, Moore, & DiPirro-Beard, 2007; Bruns, Pullmann, Weathers, Wirschem, & Murphy, 2012) and are 11 percent (Chuang, Moore, Barrett, & Young, 2012) to 40 percent (Gifford, Eldred, Vernery, & Sloan, 2014) more likely to achieve reunification. Given that parental substance abuse is a risk factor for poorer child welfare experiences and outcomes within the general child welfare population (Barth, Gibbons, & Guo, 2006; Brook, McDonald, Gregoire, Press, & Hindman, 2010; Green, Rockhill, & Furrer, 2007), and that across the system reunification is achieved in only half of all foster care cases (Children's Bureau, 2012), these findings are quite meaningful.

Little is known about how and why family drug courts produce these beneficial outcomes. Previous research into this unanswered question hypothesized that FDC participants have better substance abuse treatment experiences than parents whose cases are adjudicated in traditional dependency courts (Green et al., 2007; Worcel, Green, Furrer, Burrus, & Finigan, 2007). The results of those studies made two important findings: (1) FDC parents entered treatment faster, stayed in treatment longer, and completed treatment more frequently than comparison parents not in FDCs; and (2) even after controlling for these treatment characteristics, FDC parents were more likely to reunify with their children than comparison parents. This suggests that substance abuse treatment is not the sole driver of the improved child welfare outcomes observed in FDCs. Thus, other proposals regarding the causal factors in

FDCs are needed.

However, therapeutic jurisprudence is the preferred theoretical framework for family drug courts, and the capacity for determining the key constructs that lead to the value-added outcomes previously identified is limited. Consequently, some scholars have veered down an alternate theoretical path for understanding these courts—the social psychological theory of procedural justice.

Procedural Justice

Keeping in mind the central concept of procedural justice (PJ)—that of fairness of process—several theoretical paradigms have been applied to PJ that help explain its value in particular applications. Thibaut and Walker (1975) were the first to use the term *procedural justice* to describe the social-psychological effects of procedural processes, particularly as it relates to conflict resolution procedures and legal proceedings. Their procedural justice theory rests on the premise that people want to maximize their personal gains. In many situations, however, individuals lack control over the outcome and, therefore, over whether they gain or lose. In a legal proceeding, the judge or arbitrator controls the outcome. Thibaut and Walker assert that individuals' self-interest goals will be satisfied even when they lack outcome control if they perceive control over the process; that is, the desire to control the process will trump the desire to control the outcome. Perceived process control is achieved when the judge or arbitrator conducts the proceeding in a manner perceived to be fair (Lind & Tyler, 1988; Thibaut & Walker, 1975). The extent to which people judge a legal proceeding as fair impacts whether they will comply with any resultant judicial orders. Additionally, Thibaut and Walker (1975) found that even when an individual loses a dispute, he or she will experience greater satisfaction with the proceeding if it was conducted in a manner perceived to be fair.

Lind and Tyler (1988), building on the work of Thibaut and Walker (1975), proposed a *group-value model* of procedural justice that suggests the observed effects of procedural justice are due to the innate need for affiliation or group identification, rather than self-interest. Their work ultimately yielded a *relational group-value model* (Tyler & Lind, 1992), which pro-

poses that the influence and attitude of an authority figure, perceptions of the individual, and the experience of fairness impact the outcome of increased motivation to comply with the authority figure's wishes or orders.

Tyler and Lind (1992) identified key factors which influence judgments of fairness: standing, neutrality and trust. *Standing* is defined as "status recognition," which is "communicated to people by the interpersonal quality of their treatment by those in a position of authority" (Tyler & Lind, 1992, p. 141), and this includes dignity and respect. *Neutrality* has to do with honesty and a lack of bias, and use of "facts, not opinions, in an effort to produce decisions of objectively high quality" (p. 141). *Trustworthiness* is defined as "whether the person believes that the authority can be trusted to behave fairly," which "involves beliefs about the intentions of the authority" (p. 142). Another key concept in procedural justice is *voice*, which is also called non-instrumental process control. It is the "opportunity to express one's views and opinions, even when the expression of views is clearly not instrumental to obtaining favorable outcomes" (p. 146). Thus, Thibaut and Walker theorize that fair legal processes lead to participant motivation to comply with judicial orders, and Lind and Tyler's work adds to this the idea that the preference for fair process is driven by an innate desire for a positive relationship between the judge and individual. Accordingly, effective jurisprudence requires the judge or authority figure to act in a manner that communicates the key relational procedural justice concepts.

Procedural Justice in Problem-Solving Courts

The link between procedural justice concepts and problem-solving courts has been made by a small but growing group of scholars (Ashford, 2006; Ashford & Holschuh, 2006; Mahoney, 2014; McIvor, 2009; Rossman, Roman, Zweig, Rempel, & Lindquist, 2011). Gottfredson, Kearley, Najaka, and Rocha (2007) identified Lind & Tyler's group value model of procedural justice and life course theory as the two key theories underlying the adult drug court model. Mahoney's (2014) recent study explored perceptions of the judge-probationer relationship, procedural justice and outcome satisfaction in a co-occurring disorders' court. Findings suggest that perceptions of relationship quality are significantly linked with perceptions

of procedural justice.

Ashford and Holschuh's (2006) manuscript published in this journal explored procedural justice from a social work perspective and argued that future social work research into problem-solving courts should look to PJ theory for guidance. Because the profession values the importance of human relationships (NASW, 2009), Ashford and Holschuh specifically highlighted Lind and Tyler's relational model as appropriate for PSCs, and they argued for research into how the procedural aspects of relationships between judges and defendants connect to case outcomes. Certain qualitative research on family drug courts suggests that the participants' relationships with the judge and court team are indispensable (Burrus, Worcel, & Aborn, 2008; Dobbin, Gataowski, Litchfield, & Padilla, 2006; Somervell, Saylor, & Mao, 2005; Worcel et al., 2007). These findings are an initial indication of the importance of procedural justice in FDCs.

Two quantitative studies on the outcomes of an Arizona family drug court provide additional support for Lind and Tyler's relational model of procedural justice in FDCs. In 2004, the first peer-reviewed FDC evaluation reported that FDC participants were less likely to have their parental rights terminated, were more likely to achieve reunification, and that their children spent fewer days in foster care (Ashford, 2004). Two years later, grounded in Lind and Tyler's theory, a pilot study in the same court examined parental attitudes of the child dependency hearing process. Having previously reported that outcomes were superior in the FDC, the purpose of the follow up study was to examine whether tenets of the relational model of procedural justice may underlie the observed effects on child welfare outcomes. Participants in both the FDC and the traditional child welfare court were polled regarding the presence of Lind and Tyler's procedural justice concepts in their relationship with either the FDC judge or their caseworker. Results indicated that participants perceived the FDC judge as more fair and trustworthy than CPS caseworkers (Ashford, 2006), suggesting that Lind and Tyler's procedural justice influenced the outcomes observed in the FDC.

The Gender Factor

Although at face value these findings suggest that

Lind and Tyler's relational model of procedural justice is sufficient for understanding family drug courts, certain theoretical issues remain unsolved. In criminal drug courts, which also exemplify this model of procedural justice (Rossman et al., 2011), participant gender has been found to influence outcomes. One key study examining the effect of gender on drug court outcomes found that, among women, drug court involvement significantly reduced recidivism when compared to traditional probation (Shaffer, Hartman, & Listwan, 2009). Other studies also found that female drug court participants have better outcomes than male participants (Latessa, Shaffer, & Lowenkamp, 2002; O'Connell, Nestlerode, & Miller, 1999; Spohn, Piper, Martin, & Frenzel, 2001; Wolfe, Guydish, & Termondt, 2002). Taken together, these findings suggests that the relational elements of procedural justice impact women more profoundly than men—a finding not explained by any procedural justice theory alone. Lind and Tyler's procedural justice relies on social identity theory to explain the motivational powers of relationship—that humans simply need to feel valued by others (Ashford & Holschuh, 2006). It does not account for gender differences. The fact that family drug court participants are close to 70 percent women (Boles et al., 2007) is therefore significant and calls for further inquiry. In order to understand procedural justice in the context of FDCs (and in turn, advance FDC research and scholarship), an additional theoretical framework that incorporates the unique experience of women is needed.

Relational Cultural Theory

Miller's (1976) *Toward a New Psychology of Women* is considered the genesis of the ever-evolving relational cultural theory (RCT). The book was a landmark work in feminism that sought to reform psychodynamic theory to be more relevant for women. Its central thesis is that men and women undergo psychological development in different ways. While male development involves differentiation and culminates in independence, female development occurs through relational connection. For women, relationship functions as a means for self-discovery, growth, and change. Rather than viewing women's interconnectedness and dependence as weaknesses,

which was and arguably still is the hegemonic perspective, Miller (1976) called for female characteristics to be re-conceptualized as the strengths which they are. From this theory, even the notion of self can be viewed as a male concept when it is understood that the goal of self-development is to separate/individuate. From a RCT perspective, the female self is always in relation to others.

The relationally-oriented psychodynamic approach offered by Miller launched a new era of feminist scholarship that continues to the present day at the Jean Baker Miller Training Institute (JBMTI) at Wellesley College Centers for Women. Since it was originally articulated, additional theory-specific ideas have been explored and defined. The relevant concepts, "relationship," "connection," "power-with," "strategy of disconnection," "mutuality," and "caring about," are conceptualized as follows:

Relationship: "A set of interactions that occur over a length of time ... it may be composed of connections and disconnections, usually a mixture of both" (Miller, 1982, p. 26). As noted, relationship is the vehicle for women's growth and development.

Connection: "An interaction between two or more people that is mutually empathic and mutually empowering" (Miller & Stiver, 1997, p. 26). Connection is understood as an innate human motivation.

Power-with (versus power-over): "a power that grows as it is used to empower others" (Miller, 1982, p. 16). Power-over involves power differentiation, control, and disconnection.

Strategy of disconnection: "Ways for staying out of connection because the only relationships that had been available were in fundamental ways disconnecting and violating ... there was a good reason to develop these strategies" (Miller & Stiver, 1994, p. 3).

Mutuality: "...affecting the other and being affected by the other; one extends oneself out to the other and is also receptive to the impact of the other. There is openness to influence, emotional availability, and

a constantly changing pattern of responding to and affecting the other's state. There is both receptivity and active initiative toward the other" (Jordan, 1986, p. 82).

Caring about (versus caretaking): Caretaking maintains the imbalance and distance between therapist and client, whereas caring about is an emotional investment in the client's well-being. Women want "to be listened to and understood in a way which precludes the kind of distancing which exists in the more traditional models of therapy" (Stiver, 1985, p. 10).

Relationship-based Justice in FDCs

While relational cultural theory aids in interpreting the research finding that women respond to procedural justice differently from men, using RCT to explain all phenomena in FDCs is inappropriate, because RCT was developed to critique therapy practices and developmental theory. Although it has been extended to practice with non-voluntary clients (Kates, 2010), it is not fully applicable to a court setting where the "therapist" is a judge or FDC team. This is because the power in the relationship developed between the participant and judge is extremely imbalanced, and ultimately the judge must perform her or his role as a decider of law. That said, RCT can help to explain why concepts from Lind and Tyler's procedural justice are effective in a FDC.

Table 1 presents four key Lind and Tyler procedural justice concepts and the relational cultural theory interpretation. These concepts were selected for analysis because of their central position in Lind and Tyler's group-value model. The following will briefly elaborate on this relationship-based justice framework.

The concept of voice connotes the opportunity or ability for a FDC participant to express her views or opinions to the court team. In a family drug court, participants are called into the courtroom on a weekly basis during the first phase of the program, which typically lasts three to four months. At each hearing, the mother has an opportunity to communicate directly to the judge and the court team, facing and engaging them, rather than relying on her lawyer to do so or by being on the stand facing the courtroom audience. This allows participants

"to have a voice in their treatment progress instead of being a passive observer in a court while their lives were discussed by everyone else in the room" (McMillin, 2007, p. 108). According to Lind and Tyler's theory, voice relates to perceived fairness and procedural satisfaction. That is, people who feel that they have had their day in court also perceive that the process was fair and are therefore more likely to be satisfied and compliant.

Table 1: Relationship-based Justice Concepts

PJ Concept	How concept enhances relationship using a RCT lens
Voice	Connection occurs when woman feels heard. Judge is impacted by experience. Also an opportunity for caring about, rather than caretaking.
Standing	Example of power-with, and therefore enables connection; enhances feeling respected.
Trustworthiness	Perception that the judge is trying to be fair (and the act of the judge trying to be fair and convey that fairness) enhances feeling power-with, rather than power-over.
Neutrality	Honesty from authority to mother is an example of mutuality (because dishonesty is a strategy of disconnection). Lack of bias does not mean lack of emotional availability, necessarily. It means equal amounts of emotional availability to all participants.

From a relational cultural theory perspective, however, how the experience of voice facilitates connection and relationship can be evaluated. Specifically, connection occurs when the woman feels heard. The phenomenon of mutuality emerges because the judge and team are impacted by listening to the mother, and each develops his/her own connection with the mother, as well. Additionally, creating a space where the mother can be heard is an example of caring about, as opposed to caretaking, because it minimizes psychological distance between the mother and judge/team. By hearing her out, the judge and team emotionally invest in the mother (whether

they intend to or not), and mutuality can flourish.

Recall Lind and Tyler's concept of "standing," which refers to status recognition: the authority figure treats people in a way that communicates respect and elevated status. In addition to respect, standing involves dignity and esteem. In a family drug court, mothers experience a different level of treatment from the judge than defendants do in a typical courtroom, evidenced by this quote from a FDC participant:

She (the judge) is respectful to the fact that we've had a drug problem and she doesn't judge us for it ... She makes sure that if you need anything, and I ask for it, I get put in the right direction in getting what I need ... She's rooting for us to be successful. (Worcel et al., 2007, p. 61)

Participants are treated with dignity and esteem by the judge and court team. Lind and Tyler's procedural justice theory invokes standing as enabling perceived fairness, because people are concerned with how they are viewed by the authority figure. Incorporating RCT concepts reveals that standing impacts relationship-building and is a source of connection. Standing is an example of power-with, as opposed to power-over. Power-with is the RCT concept of shared power that is mutually empowering. In a court setting, true "power-with" is never possible because of the inherent power differentials. But, when compared to a traditional child welfare court, where the concept of standing is not embraced, FDCs do move the pendulum toward power-with.

Trustworthiness, as Lind and Tyler's procedural justice concept, has to do with the ability of someone to believe that the authority figure has good intentions, or can be trusted to act in a way that is perceived as fair. Ashford's (2006) small study comparing procedural justice perceptions between 21 FDC and 19 traditional child welfare parents (78% were women) found that the FDC judge was perceived to be more trustworthy than the CPS caseworkers. Trustworthiness effectuates perceived fairness by implying to the defendant parent information about her relationship with the judge, and ultimately information about affiliation and group membership. RCT would suggest that the mother's perception that the judge

can be trusted and is trying to be fair also enhances feeling power-with, rather than power-over. In a situation of shared power, each person experiences trust and fairness as features of a connected relationship. Although the judge cannot truly share power with the participant, when the mother feels that the judge is trustworthy, a deeper connection can be made. Moreover, the judge will experience connection in the act of being trustworthy. Again, as the judge takes strides to invest in the relationship, mutuality can thrive.

The final Lind and Tyler concept, neutrality, has to do with honesty and a lack of bias. In the group-value model, neutrality also has to do with believing that one is not being discriminated against and is viewed as worthy in the eyes of the authority figure (Tyler & Lind, 1992). In a family drug court, participants view the FDC judge as making decisions based on facts and not personal biases (Ashford, 2006), which suggests that they view the judge as honest. One qualitative FDC study supports this notion. McMillin (2007) reported the following comments from participants in the Spokane County Meth Family Treatment Court regarding the judge: "She's direct and to the point; She lays out the requirements. Tells you how it's gonna be and then it's up to you" (McMillin, 2007, p. 112).

Relational cultural theory suggests that honesty from an authority to a mother is an example of mutuality (because dishonesty is a strategy of disconnection). When the judge and team are striving for honesty with the mothers, they are opening themselves up to an authentic exchange. Judge McGee, who started the first family drug court, echoes this concept: "[t]here will be ups and downs in every conversation with the offender. It is a mistake to encourage the participant to express a false level of enthusiasm. Let each court appearance reflect the energy and feeling of that moment" (Parnham, Smith, McGee, Merrigan, & Cooper, 2000, p. 44). Lack of bias does not mean lack of emotional availability from the judge and team. It means equal amounts of emotional availability to all participants. Emotional availability supports connection by requiring emotional input from the judge and team.

Implications

With an enhanced understanding of how procedural justice interacts with relational cultural theory to form relationship-based justice (which in turn illuminates the process of family drug court participation for women), multiple implications for future research emerge. First and foremost, additional qualitative research is needed to evaluate whether this proposed theoretical linkage can be observed in participants' experiences. A semi-structured interview designed to capture relational aspects of the court process might reveal that FDC participants attribute the enhanced relationships with the judge to the judge's personality characteristics or gender, rather than to the perceptions of voice, standing, neutrality and trustworthiness. Using this proposed framework for qualitative inquiry also suggests that interviews should include open-ended questions regarding the ways that the experiences of relationship building in the courtroom enhance growth and change in an interdependent, non-linear process. Finally, interviews with fathers in family drug courts should seek to understand their experiences in a relational environment. Although relational cultural theory is woman-focused, it suggests that men, particularly men who are also members of oppressed groups, can also grow in connection with others (Comstock et al., 2008; Jordan & Hartling, 2002).

In addition to or following the qualitative inquiry, mixed-methods and quantitative research are important to further probe constructs from this relationship-based justice framework. Although questions examining the phenomenological experience of relationship are not feasible with quantitative methods, research seeking to understand the existence of concepts or experiences (i.e., using yes or no questions), can provide useful information. Quantitative measures can be developed and validated that approximate the occurrence of these relational elements, e.g., "Do you have an opportunity to verbalize your side of the story during FDC hearings?," "Do you feel respected by the judge?," "Do you think the judge is being honest with you?," "Do you think the judge is trying to be fair?," "Do you feel emotionally connected to the judge and

team?" Questions such as these can help to gauge whether relationship-based justice is present in a FDC and inform courts of the potential need for improvement in this area.

The primary benefit of quantitative research is the ability to generalize findings, and generalizability improves with increased sample size and a more rigorous design including random assignment, use of control groups, etc. The mechanism for accomplishing this in FDC settings is to harvest data from administrative databases. However, this type of research is limited by the extent of variables available. These databases are currently limited to recording the dates of child welfare involvement and reason(s) for case closure, dates of substance abuse treatment involvement and reason(s) for exit, etc. In order to test the proposed theoretical linkage, databases must be capable of recording simple measures of relational aspects, such as how much time the participant spends with the judge, and the extent of sanctions received (inverse relational variable). Gathering these data will complement the qualitative and questionnaire-based data and provide a complete picture of family drug courts.

Conclusion

Over the last 30 years, an increasing number of women live in poverty, are addicted to drugs and alcohol, and are involved in the criminal justice system (Lapidus et al., 2005). These deleterious positions culminate in a population of mothers who face allegations of child abuse and neglect. Research suggests that poverty and parental substance abuse negatively influence child welfare experiences (Testa & Smith, 2009). Mothers with substance use disorders whose child dependency cases are adjudicated in family drug courts experience better outcomes than mothers in traditional juvenile courts (Lloyd, 2015). The mechanism(s) in FDCs that drive these outcomes remain unconfirmed.

Any theoretical framework for family drug courts must incorporate the experience of women who make up the majority of its participants. Compared to traditional child welfare courts, which emphasize self-sufficiency, independence, and detachment (Sinden, 1999), FDCs promote procedural justice

and, unintentionally, relationship-building between courtroom professionals and FDC participants. Thus, linking Lind and Tyler's relational model of procedural justice with the feminist relational cultural theory aids in explaining why FDCs are more effective than general juvenile courts.

Beyond its explicative properties, the promotion of this theoretical linkage serves another purpose. Social work's historically-prominent role in the child welfare system and allegiance to professional values directs our profession to advocate for justice in the CWS. Positioned in this way, we are called upon to work toward understanding and disseminating policies and practices that further the well-being and fair treatment of vulnerable individuals. The research and theory presented in this paper suggest mainstream jurisprudence that minimizes key aspects of procedural justice disenfranchises women with substance abuse and their children. Alternatively, relationship-based justice appears to improve outcomes for this population. It is our professional and ethical responsibility to critically examine the status quo and further the scholarship on fairness in specialty courts, including family drug courts, in the quest to achieve justice for vulnerable women, children, and families.

References

- Ashford, J. B. (2004). Treating substance-abusing parents: A study of the Pima County Family Drug Court approach. *Juvenile & Family Court Journal*, 55(4), 27-37.
- Ashford, J. B. (2006). Comparing the effects of judicial versus child protective service relationships on parental attitudes in the juvenile dependency process. *Research on Social Work Practice*, 16(6), 582-590.
- Ashford, J. B., & Holschuh, J. (2006). Fairness issues in law and mental health: Directions for future social work research. *Journal of Sociology & Social Welfare*, 33(4), 151-172.
- Barth, R. P., Gibbons, C., & Guo, S. (2006). Substance abuse treatment and the recurrence of maltreatment among caregivers with children living at home: A propensity score analysis. *Journal of Substance Abuse Treatment*, 30(2), 93-104.
- Boles, S. M., Young, N. K., Moore, T., & DiPirro-Beard, S. (2007). The Sacramento Dependency Drug Court: Development and outcomes. *Child Maltreatment*, 12(2), 161-171.

- Brook, J., McDonald, T., Gregoire, T., Press, A., & Hindman, B. (2010). Parental substance abuse and family reunification. *Journal of Social Work Practice in the Addictions*, 10(4), 393-412.
- Bruns, E. J., Pullmann, M. D., Weathers, E. S., Wirschem, M. L., & Murphy, J. K. (2012). Effects of a multidisciplinary family treatment drug court on child and family outcomes: Results of a quasi-experimental study. *Child Maltreatment*, 17(3), 218-230.
- Burrus, S. W. M., Worcel, S. D., & Aborn, J. A. (2008). *Hartford County Family Recovery Court (FRC) evaluation: Process, outcome and cost report*. Portland, OR: NPC Research. Retrieved from: http://www.npcresearch.com/Files/Harford_County_FRC_Final_Report_0308.pdf
- Center for Substance Abuse Treatment. (2004). *Family dependency treatment courts: Addressing child abuse and neglect cases using a drug court model*. Washington, DC: U.S. Dept. of Justice, Office of Justice Programs, Bureau of Justice Assistance.
- Children's Bureau. (2012). *The AFCARS Report: Preliminary FY 2011 estimates as of July 2012*. Washington, DC: U.S. Dept. of Health and Human Services.
- Choi, S. (2012). Family drug courts in child welfare. *Child & Adolescent Social Work Journal*, 29(6), 447-461.
- Chuang, E., Moore, K., Barrett, B., & Young, M. S. (2012). Effect of an integrated family dependency treatment court on child welfare reunification, time to permanency and re-entry rates. *Children and Youth Services Review*, 34(2012), 1896-1902.
- Comstock, D. L., Hammer, T. R., Strentzsch, J., Cannon, K., Parsons, J., & II, G. S. (2008). Relational cultural theory: A framework for bridging relational, multicultural, and social justice competencies. *Journal of Counseling & Development*, 86(3), 279-287.
- Dobbin, S., Gataowski, S., Litchfield, M., & Padilla, J. (2006). *Evaluating front-loading strategies in child abuse and neglect cases: Are we improving outcomes for children and families?* [monograph]. Reno, NV: National Council of Juvenile and Family Court Judges.
- Gifford, E., Eldred, L., Vernerey, A., & Sloan, F. (2014). How does family drug treatment court participation affect child welfare outcomes? *Child Abuse & Neglect*, 38(10):1659-1670. DOI: 10.1016/j.chiabu.2014.03.010
- Gottfredson, D. C., Kearley, B. W., Najaka, S. S., & Rocha, C. M. (2007). How Drug Treatment Courts work: An analysis of mediators. *Journal of Research in Crime and Delinquency*, 44(1), 3-35. doi: 10.1177/0022427806291271
- Green, B. L., Rockhill, A., & Furrer, C. (2007). Does substance abuse treatment make a difference for child welfare case outcomes? A statewide longitudinal analysis. *Children and Youth Services Review*, 29(4), 460-473.

- Hora, Hon. P. F. (2002). A dozen years of Drug Treatment Courts: Uncovering our theoretical foundation and the construction of a mainstream paradigm. *Substance Use & Misuse*, 37(12-13), 1469-1488. doi: doi:10.1081/JA-120014419
- Hora, Hon. P. F., Schma, W. G., & Rosenthal, J. T. A. (1998). Therapeutic jurisprudence and the drug treatment court movement: Revolutionizing the criminal justice system's response to drug abuse and crime in America. *Notre Dame Law Review*, 74(2), 439-538.
- Jordan, J. V. (1986). *The meaning of mutuality*. Wellesley, MA: Stone Center for Developmental Services and Studies, Wellesley College
- Jordan, J. V., & Hartling, L. M. (2002). New developments in relational-cultural theory. In M. Balloue & S. Brown (Eds.), *Rethinking mental health and disorder: Feminist perspectives* (pp. 48-70). New York, NY: Guilford Press.
- Kates, E. (2010). *Promising gender-responsive, community-based programs for women offenders in Massachusetts: A resource for policymakers*. Wellesley, MA: Wellesley Centers for Women.
- Lapidus, L., Luthra, N., Verma, A., Small, D., Allard, P., & Livingston, K. (2005). *Caught in the net: The impact of drug policies on women and families*. New York: American Civil Liberties Union.
- Latessa, E. J., Shaffer, D. K., & Lowenkamp, C. (2002). *Outcome evaluation of Ohio's Drug Court efforts: Final report*. Center for Criminal Justice Research, Division of Criminal Justice, University of Cincinnati.
- Lind, E. A., & Tyler, T. R. (1988). *The social psychology of procedural justice*. New York: Plenum Press.
- Lloyd, M. H. (2015). Family drug courts: Conceptual underpinnings, empirical evidence, and implications for social work. *Families in Society*, 96(1), 49-57.
- Mahoney, M. K. (2014). Procedural justice and the judge-probationer relationship in a co-occurring disorders court. *International Journal of Law and Psychiatry*, 37(2014), 260-266.
- McGee, Hon. C. M. (1997). Another permanency perspective: Family Drug Court. *Juvenile and Family Court Journal*, 48(4), 65-68.
- McIvor, G. (2009). Therapeutic jurisprudence and procedural justice in Scottish Drug Courts. *Criminology and Criminal Justice*, 9(1), 29-49.
- McMillin, H. E. (2007). *Process and outcome evaluation of the Spokane County Meth Family Treatment Court*. (Doctoral Dissertation). Spokane, WA: Washington State University.
- Miller, J. B. (1976). *Toward a new psychology of women*. Boston, MA: Beacon Press.
- Miller, J. B. (1982). *Women and power* (Vol. 1). Wellesley, MA: Stone Center for Developmental Services and Studies, Wellesley College.

- Miller, J. B., & Stiver, I. P. (1994). *Movement in therapy: Honoring the "strategies of disconnection."* Wellesley, MA: Stone Center Working Paper Series.
- Miller, J. B., & Stiver, I. P. (1997). *The healing connection: How women form relationships in therapy and in life.* Boston, MA: Beacon Press.
- National Association of Drug Court Professionals. (1997). *Defining Drug Courts: The key components.* Washington, DC: U.S. Department of Justice.
- National Association of Social Workers. (2009). *Social work speaks: National Association of Social Workers policy statements, 2009-2012.* Washington, DC: NASW Press.
- National Drug Court Resource Center. (2014a). *How many Drug Courts are there?* Retrieved 10/09/2014, from <http://www.ndcrc.org/content/how-many-drug-courts-are-there>
- National Drug Court Resource Center. (2014b). *How many Problem-Solving Courts are there?* Retrieved 10/09/2014, from <http://www.ndcrc.org/content/how-many-problem-solving-courts-are-there>
- O'Connell, J. P., Nestlerode, E., & Miller, M. L. (1999). Evaluation of the Delaware juvenile drug court diversion program. *Wilmington, DE: State of Delaware, Statistical Analysis Center.*
- Pach, Hon. N. M. (2009). An overview of operational family dependency treatment courts. *National Drug Court Institute*, 6(1), 67.
- Parnham, Hon. J., Smith MD, M. S., McGee, Hon. C. M., Merrigan, Hon. T. T., & Cooper, C. S. (2000). *Applying Drug Court concepts for juveniles and family court environments: A primer for judges* (rev. ed.). Washington, DC: American University.
- Rossman, S. B., Roman, J. K., Zweig, J. M., Rempel, M., & Lindquist, C. (2011). *The multi-site adult drug court evaluation: Study overview and design.* Washington, DC: Urban Institute Justice Policy Center.
- Shaffer, D. K., Hartman, J. L., & Listwan, S. J. (2009). Drug abusing women in the community: The impact of drug court involvement on recidivism. *Journal of Drug Issues*, 39(4), 803-827.
- Sinden, A. (1999). Why won't mom cooperate: A critique of informality in child welfare proceedings. *Yale Law Journal & Feminism*, 11, 339-396.
- Somervell, A. M., Saylor, C., & Mao, C. L. (2005). Public health nurse interventions for women in a dependency drug court. *Public Health Nursing*, 22(1), 59-64.
- Spohn, C., Piper, R., Martin, T., & Frenzel, E. D. (2001). Drug courts and recidivism: The results of an evaluation using two comparison groups and multiple indicators of recidivism. *Journal of Drug Issues*, 31(1), 149-176.
- Stiver, I. P. (1985). *The meaning of care: Reframing treatment models.* Wellesley, MA: Stone Center for Developmental Services and Studies, Wellesley College.

- Testa, M. F., & Smith, B. (2009). Prevention and drug treatment. *The Future of Children*, 19(2), 147-168.
- Thibaut, J. W., & Walker, L. (1975). *Procedural justice: A psychological analysis*. New York, NY: L. Erlbaum Associates.
- Tyler, T. (1988). What is procedural justice?: Criteria used by citizens to assess the fairness of legal procedures. *Law & Society Review*, 22(1), 103-135.
- Tyler, T. R., & Lind, E. A. (1992). A relational model of authority in groups. *Advances in Experimental Social Psychology*, 25(1992), 115-191.
- Wexler, D. B. (2008). Two decades of therapeutic jurisprudence. *Touro Law Review*, 24, 17-29.
- Wexler, D. B., & Winick, B. J. (1991). *Essays in therapeutic jurisprudence*. Durham, NC: Carolina Academic Press.
- Weiner, R. L., & Georges, L. G. (2013). Social psychology and problem-solving courts: Judicial roles and decision making. In R. L. Weiner & E. M. Brank (Eds.), *Problem solving courts* (pp. 1-20). New York: Springer.
- Winick, B. J. (2013). Problem solving courts: Therapeutic jurisprudence in practice. In R. L. Weiner & E. M. Brank (Eds.), *Problem solving courts* (pp. 211-236). New York: Springer.
- Wolfe, E., Gudyish, J., & Termondt, J. (2002). A drug court outcome evaluation comparing arrests in a two year follow-up period. *Journal of Drug Issues*, 32(4), 1155-1172.
- Worcel, S. D., Green, B. L., Furrer, C. J., Burrus, S. W. M., & Finigan, M. W. (2007). *Family Treatment Drug Court evaluation*. Portland, OR: NPC Research.
- Young, N. K., Breitenbucher, P., & Pfeifer, J. (2013). *Guidance to states: Recommendations for developing Family Drug Court guidelines*. Retrieved from <http://www.cffutures.org/files/publications/FDC-Guidelines.pdf>.

Race–Gender Differences in the Impact of History of Heavy Drinking on Current Alcohol Consumption during the Transition to Adulthood

C. ANDRÉ CHRISTIE-MIZELL

Department of Sociology
Vanderbilt University

WHITNEY N. LASTER PIRTLE

Department of Sociology
University of California - Merced

BENJAMIN D. TYNDALL

Department of Sociology
Vanderbilt University

DAVID M. MEROLLA

Department of Sociology
Wayne State University

American youth transitioning to adulthood consume more alcohol than in any other period of the life course. This high level of consumption can result in serious consequences, including lost productivity, death and disability, sexual assault, and addiction. Nevertheless, relatively little is known, especially by race and gender, about how prior history of heavy drinking (e.g., in late adolescence) impacts drinking in young adulthood. Utilizing data from the National Longitudinal Survey of Youth (1994-2004) for African Americans, Latinos, and Whites (N = 2,300), we found

that Whites and Latinos drink more than African Americans, and men report drinking more than women. However, accounting for a history of heavy drinking introduces considerable variation in current drinking patterns by race-gender status. A history of heavy drinking more than doubles the number of drinks consumed by African American women, putting their drinking levels on par with African American men and White women and raising their level of drinking above Latinas. Further, African American women's probability of heavy drinking becomes indistinguishable from that of African American men and White women, once accounting for a prior history of binge drinking. For Latinas with a history of heavy drinking, the probability of being a current binge drinker is equal to Latinos and White men and higher than African Americans and White women.

Key words: race-ethnicity, gender, heavy drinking, alcohol consumption, young adulthood

In the United States, the transition to adulthood is characterized by higher levels of alcohol consumption than any other period of the life course. This trend is also reflected in the number of fatalities associated with drinking and alcohol-related instances of violence among young adults (Archer, 2004; Centers for Disease Control [CDC], 2012). Additionally, heavy alcohol consumption is highly co-morbid with mental health problems such as anxiety and depression and is associated with feelings of low self-esteem, social isolation, and a lack of motivation and productivity that may threaten future success (Catanzaro & Laurent, 2004). Research has further shown that the normative trajectory for drinking includes that most individuals start drinking in adolescence, increase the amounts they drink into the early to mid-twenties, and then decrease drinking as they adopt adult roles (employment, marriage, parenthood) (Bachman et al., 2002; Christie-Mizell & Peralta, 2009). In other words, young adults often "age-out" of heavier drinking patterns. Moreover, epidemiological studies indicate that men drink more than women, and White youth drink more than their African American and Latino counterparts (Caetano, Clark, & Tam, 1998; Caetano, Ramisetty-Mikler, & Rodriguez, 2009; Johnston, O'Malley, Bachman, & Schulenberg, 2011). Nevertheless, in this period of emerging adulthood, population level estimates may be hiding more nuanced patterns of

current drinking both within and between race and gender groups. For instance, do White men drink more than women and racial and ethnic minorities because they establish more robust patterns of heavy drinking earlier in the life course? Or, do earlier trajectories of heavy drinking have the same impact on current drinking, regardless of race and gender?

In this study, we seek to determine how a history of heavy drinking impacts current levels of drinking and whether this association varies by race–gender status. Our focus is not to challenge long-standing research patterns (e.g., that men drink more than women), but instead to establish whether these population-level patterns are qualified by prior history of heavy drinking. In two important ways, we add to the growing body of research that seeks to understand how trajectories of alcohol consumption develop across social statuses. First, we employ a nationally representative sample of African American, Latino, and White men and women transitioning to adulthood. This period of maturation is when stark race and gender differences in alcohol usage first appear; therefore, it may be especially important to scrutinize whether these patterns have lasting effects. Furthermore, drinking habits established during this period have implications for other important transitions, including employment, marriage, and parenthood. Second, we exploit ten years of data (over six waves) to model drinking histories, including heavy drinking, age at first drink, problem drinking within the family of origin, and two forms of current alcohol consumption: number of drinks per occasion and the probability of heavy or binge drinking. Young adults often engage in transitory periods of heavy or binge drinking (e.g., college parties) as a normative part of aging, but it is less clear how this history impacts current alcohol use by race and gender.

Background

The Impact of Heavy Drinking Trajectories on Current Drinking in Young Adulthood

Detecting the consequences of earlier alcohol use on future drinking patterns has been the topic of many research studies which show that experimentation with heavy usage may bear little relationship to later patterns of use (Bachman et al., 2002).

One often-used framework for identifying the relationship between past and present alcohol use has been taxonomy approaches, in which distinct categories of previous drinking behavior (e.g., abstainers, light drinkers, chronic heavy drinkers) are then tied to current alcohol consumption (Flory, Lynam, Milich, Leukefeld, & Clayton, 2004; Maggs & Schulenberg, 2005; Sher, Gotham, & Watson, 2004). The taxonomy approach adopted for this research focuses on how a history of heavy alcohol use impacts current drinking. To illustrate, if over a five year period researchers identified a group of individuals who were heavy drinkers for four of those years, one might expect that current levels of drinking would also be heavy in the fifth year. This type of heavy drinking trajectory has certainly been established for middle-aged and older adults (Berg et al., 2013; Brennan, Schutte, & Moos, 2010; Jacob, Bucholz, Sartor, Howell, & Wood, 2005). Nevertheless, the population of interest for this study is youth transitioning to adulthood, and the relationship between prior heavy drinking and current consumption is less certain.

The transition to adulthood is marked by periods of time (e.g., college life, first full-time job) where alcohol consumption for both social and "rite of passage" reasons is expected to be high (Greenbaum, Del Boca, Darkes, Wang, & Goldman, 2005). For example, a full 40% of college students are at high risk for regular binge drinking as a normative part of social development, with few gatekeepers to curtail the behavior (Campbell & Demb, 2008). However, illustrating the flexibility of situation-specific drinking, most college students do not go on to become problem drinkers, and their levels of consumption moderate as they age and take on adult roles and responsibilities (Christie-Mizell & Peralta, 2009). That is, despite the dangers (e.g., violence, injury and death) associated with high alcohol consumption, the vast majority of young adults do not experience persistent heavy drinking into their 30s.

Heavy Drinking Trajectories, Current Drinking, and Race–Gender Status

Existing research makes it clear that men drink more than women and Whites consume more alcohol than African Americans and Latinos (Johnston et al., 2011). However,

despite these population-level patterns of consumption, both women and racial and ethnic minorities, especially young people transitioning to adulthood, are drinking more than they did 30 years ago. In fact, many researchers have noted that among contemporary 18- to 30-year-olds alcohol use has become ever-present, permeating everyday life at all levels (e.g., family events, peer celebrations and get-togethers, and work events) (Escobar-Chaves & Anderson, 2008; Greenbaum et al., 2005). Although the gender- and race-gaps in alcohol use still exist during the transition to adulthood, many factors associated with contemporary emerging adulthood—greater educational and occupational opportunities for women and minorities, fewer early entries into marriage and parenthood, and the transformation of attitudes about the appropriateness of drinking—have led to increased alcohol consumption (Arnett, 2004, 2006; Christie-Mizell & Peralta, 2009; McPherson, Casswell, & Pledger, 2004).

With respect to the six race-gender groups under consideration in this study, general population estimates show that the majority of African American men (63%), Latino men (70%), and White men (74%) report being current drinkers (Chartier & Caetano, 2011). Among women, Whites (65%) report the highest levels of current drinking, followed by Latinas (50%) and African American women (46%) (Caetano, 1984; Caetano et al., 1998; Caetano et al., 2009; Chartier & Caetano, 2011). In terms of weekly heavy drinking, defined as imbibing 5 or more drinks per day for men and having 4 or more drinks for women, African American and White men have the highest prevalence at about 19%, followed by Latino men (14%) (Chartier & Caetano, 2011). African American (13%) and White women (14%) have similar rates for weekly heavy drinking, while Latinas have the lowest rates (9%) (Chen et al., 2006).

While these statistics are striking and indicate the ubiquity of alcohol consumption across race-gender status, they do little to help understand the relationship between prior histories of heavy drinking and current alcohol use patterns. During the transition to adulthood, existing studies indicate two major trajectories associated with prior heavy drinking. The first trajectory is often referred to as normative and involves a pattern in which young adults "age-out" of heavy alcohol use

(Bukstein, 1994; Bukstein & Winters, 2004; Lowman, 2004). In the second trajectory, heavy drinking becomes chronic and persists well into adulthood (Lowman, 2004). In one longitudinal study examining outcomes for young men, Temple and Fillmore (1985) found that among young adult heavy drinkers, 50% aged out of heavy drinking patterns, while the remaining 50% continued to exhibit heavy drinking status twelve years later. Nevertheless, fewer studies have sought to understand whether a history of heavy drinking differentially impacts current levels of alcohol consumption by race-gender status.

Minority Status and the Paradox of Alcohol Consumption

Women and racial minorities may be less likely to drink as much as their White male counterparts, but paradoxically, the consequences of drinking are socially and clinically more punitive. Studies on young women's drinking show that alcohol use, especially heavy or binge drinking, is regarded as counter to appropriate femininity (Iwamoto, Cheng, Lee, Takamatsu, & Gordon, 2011). Conversely, heavy drinking is seen as consistent with the achievement of masculinity (Lyons, Dalton, & Hoy, 2006). Young women's drinking is judged more harshly by men and other women, and many women experience social isolation when their drinking includes public drunkenness, and/or expressions of sexual desire, hostility, or aggression (Archer, 2004; de Visser & McDonnell, 2012; Iwamoto et al., 2011). Moreover, among the heaviest drinkers, women surpass men in the number of problems that result from high levels of alcohol consumption. To illustrate, problem drinking among women accounts for death rates double those of male alcoholics, including deaths from suicides, alcohol-related injury, heart attack, stroke, and liver cirrhosis (National Institute on Alcohol Abuse and Alcoholism [NIAAA], 2008).

Similarly, racial and ethnic minorities receive more scrutiny in environments where drinking occurs or is suspected (Siebert, Wilke, Delva, Smith, & Howell, 2003). For example, studies reveal that African Americans and Latinos receive more harsh treatment from law enforcement and community members in incidents where alcohol consumption is involved, even though overall rates of drinking are lower for these groups (Weitzer & Tuch, 2006). In fact, Siebert and her colleagues (2003) show that African Americans take multiple steps to

minimize public drunkenness and to remain in control when imbibing compared to their White counterparts. Nevertheless, both African Americans and Latinos have worse health connected to alcohol consumption, because of low education and fewer resources that can be directed at access to health care and alcohol abuse treatment, life in poorer neighborhoods, and more frequent incarceration (Hatchett, 2002; Jones-Webb, 1998; Siebert et al., 2003). A major goal of this study is to understand whether a history of heavy drinking may be a factor that contributes to differential patterns of current alcohol consumption by race and gender and will add to our understanding of the minority drinking paradox.

Data and Measures

The data utilized for this study were extracted from the National Longitudinal Survey of Youth—Mother (NLSY) and Young Adult (NLSY-YA) samples. The NLSY is a representative sample of non-institutionalized Americans and is part of a larger project sponsored by the U. S. Departments of Labor and Defense under a grant to the Center for Human Resource Research at The Ohio State University (Center for Human Resource Research, 2004). NLSY researchers have included measures of family life, labor force participation, cognitive and behavioral functioning, and demographic factors. In the original sample, African Americans, Latinos, and economically disadvantaged White youth are overrepresented. Respondents were interviewed each year from 1979 to 1994 and every other year after 1994. Initial ages ranged from 14 to 22 years old.

In 1994 and biennially thereafter, youth who were the offspring of the women of the NLSY and 15 years of age and older and were surveyed (NLSY-YA). This survey gathered information germane to social, physical, and emotional development, delinquent activities, substance use, employment, marriage, and parenthood. Although we utilized six waves of data over ten years (1994 - 2004), the primary period of study is from 2002 to 2004. The majority of our control variables come from the 2002 wave, and the dependent variables (i.e., number of drinks per occasion, and heavy drinking status) were taken from the 2004 wave. As described below, we utilize the 1994-2000 waves of data to construct our measure of the history of

heavy drinking. In 2002, the youth in our study were 18-30 years old, and the total sample size was 2,300.

Measures

Dependent variables. We measure current alcohol consumption in two ways. Our first measure is *number of drinks per occasion*. For this measure, respondents were asked: "On average, when you drink, how many drinks do you have per occasion?" This variable was captured as a count. For our second measures of alcohol use, *heavy drinking*, we adopt the Centers for Disease Control's (2012) definition of heavy or binge drinking which is defined as four or more drinks in one sitting for women and five or more drinks for men. Therefore, each respondent is coded 1 when he or she meets the CDC criteria for heavy drinking.

Independent variables. Our three key independent variables are history of heavy drinking, race-ethnicity, and gender. *History of heavy drinking* is a count of how many times the respondent reported heavy drinking prior to the main period (2002-2004) of study. To create our history of heavy drinking variable, we exploited the longitudinal nature of the NLSY-YA and extracted information from four waves of data (1994 to 2000). Each respondent is coded 1 for heavy drinking for each year she or he meets the CDC criteria. We explored multiple ways for coding history of heavy drinking, including treating it as a count variable [i.e., ranging from 0 (no history of heavy drinking) to 4 (four years of heavy drinking)] or representing it as a single dummy variable that represented a categorization of the number of times heavy drinking was reported (e.g., 2 or more years). In preliminary analyses, we determined that due to over-dispersion (i.e., the standard deviation is much greater than the mean), especially among minority women in our sample, the count version of the variable was not appropriate for the analyses we present below. This auxiliary analysis is available upon request. Therefore, we operationalized history of heavy drinking as a categorical variable, where those who reported one or more years of heavy drinking are coded as 1 and are compared to those respondents who reported no heavy drinking from 1994 to 2000 (coded as 0). This bifurcation was the most meaningful for our data, compared to other categorical divisions (e.g., 1 = 2 or more years). For this study, women

Table 1. Weighted Means, Percents and Standard Deviations (SD) for All Study Variables. National Longitudinal Survey of Youth - Young Adult Sample

Variables	Whites (N=1,596)		African Americans (N=495)		Latinos (N=209)	
	Mean/ Percent	SD	Mean/ Percent	SD	Mean/ Percent	SD
<i>Alcohol Consumption</i>						
Number of Drinks Per Occasion (Count)	3.15	4.18	1.88***	2.40	2.69	3.43
Heavy Drinker (1=Yes)	32.76%	—	20.64%***	—	31.82%	—
<i>Race-ethnicity, Sex, Age, and Drinking History</i>						
African American (1=Yes)	—	—	—	—	—	—
Latino (1=Yes)	—	—	—	—	—	—
Female (1=Yes)	48.64%	—	49.65%	—	49.48%	—
Age (Years)	21.11	2.40	21.76***	2.74	21.31	2.41
First Drink at Age 12 Years or Younger (1=Yes)	22.34%	—	20.00%	—	20.25%	—
First Drink at Age 13 or 14 Years (1=Yes)	32.21%	—	23.95%***	—	28.31%	—
First Drink at 15, 16, or 17 Years (1=Yes)	33.45%	—	33.38%	—	37.34%	—
Parent/Grandparent w/ Drinking Problem (1=Yes)	31.16%	—	24.82%**	—	27.82%	—
History of Heavy Drinking (1=Yes)	33.68%	—	22.80%***	—	32.85%	—
<i>Religion, Education, and Adult Roles</i>						
No Religious Affiliation/ Attendance (1=Yes)	16.99%	—	11.82%***	—	11.25%***	—
Parents' Education (1=College+)	17.43%	—	9.78%***	—	7.85%***	—
R's Education (1=College+)	4.81%	—	1.93%**	—	2.56%	—
Employment 2002 (1=Yes)	93.63%	—	88.98%***	—	88.20%***	—
Marriage 2002 (1=Yes)	19.02%	—	7.36%***	—	18.56%	—
Parenthood 2002 (1=Yes)	10.97%	—	19.46%***	—	15.46%*	—
Transition to Employment 2002-2004 (1=Yes)	4.77%	—	6.43%	—	6.74%*	—
Transition to Marriage 2002-2004 (1=Yes)	6.55%	—	3.05%***	—	5.04%	—
Additional Child 2002-2004	20.09%	—	20.16%	—	24.25%	—

Note: Asterisks denote significant differences by race and ethnicity when African Americans and Latinos are compared to Whites, where * $p < .05$, ** $p < .01$, *** $p < .001$.

are compared to men, and race–ethnicity included three self-report categories: African Americans (Non-Hispanic Blacks); Latinos (Hispanic ethnicity); and Whites (Non-Hispanic, Non-black Whites; reference category).

Control variables. In the models presented below, we hold constant several variables that prior research and theorizing have shown are important in understanding alcohol consumption as youth transition to adulthood (see e.g., Christie-Mizell & Peralta, 2009). We adjust our models for age (years), religiosity (1 = no religious participation and no religious affiliation), parents' education (1 = college completion or more; when one or both parents have a college education or more), and respondents' education (1 = college completion or more). Our models are further adjusted for age at first drink by comparing those who had their first drink at age 12 or younger (1 = yes), at age 13 or 14 (1 = yes), or at ages 15, 16, or 17 (1 = yes), compared to those who had their first drink at age 18 or older (reference category). To account for the role of heritability as well as socialization, we incorporate a measure of whether the young adult respondent has a biological parent or grandparent with an alcohol problem (1 = yes), compared to those with no such family history. Finally, we control for whether respondents are employed, married, and/or a parent in 2002 and whether they transitioned to employment, marriage, and/or parenthood during the period of study. Together with the age range of the sample (18 to 30 years), accounting for the adoption of adult roles (i.e., employment, marriage, and parenthood) allows us to explicitly model the transition to adulthood.

Analytic Strategy

We proceeded with our analyses in two steps. In our first step, we generated our descriptives for the total sample as well as comparisons by race–ethnicity for all study variables. In the next step, utilizing ordinary least squares regression and logistic regression, we produced baseline models for number of drinks per occasion, and heavy drinking status. In these models, we establish the association between each outcome and history of heavy drinking as well as race–ethnicity and gender. In our third step, we test whether a history of heavy

Table 2. Frequency of Drinking and Number of Drinks Per Occasion Regressed on Selected Independent Variables National Longitudinal Survey of Youth (NLSY)—Young Adult Sample ($N = 2,300$).

Independent and Control Variables	Number of Drinks per Occasion Model 1		Heavy Drinking (1 = yes) Model 2
	b	se	Odds Ratio
<i>Race-ethnicity, Sex, Age and Drinking History</i>			
African American (1=Yes)	-1.05***	.18	.66***
Latino (1=Yes)	-.25	.20	.99
Female (1=Yes)	-1.28***	.15	.43***
Age (Years)	-.10**	.03	.93
Parent/Grandparent w/Drinking Problem (1=Yes)	.05	.16	.99
First Drink at Age 12 Years or Less (1=Yes) ^a	1.01***	.25	1.84**
First Drink at 13 or 14 Years (1=Yes) ^a	.56*	.23	2.07***
First Drink at 15, 16 or 17 Years (1=Yes) ^a	.82***	.22	1.99***
History of Heavy Drinking (1=Yes)	.96***	.10	2.08***
<i>Religion, Education, and Adult Roles</i>			
No Religious Affiliation/Attendance (1=Yes)	.12	.21	1.10
Parents' Education (1=College+)	.12	.22	1.26
R's Education (1=College+)	-.27	.47	.88
Employment 2002 (1=Yes)	.13	.42	1.06
Marriage 2002 (1=Yes)	-.59*	.25	.56**
Parenthood 2002 (1=Yes)	.31	.25	1.15
Transition to Employment 2002-2004 (1=Yes)	.68	.47	1.34
Transition to Marriage 2002-2004 (1=Yes)	-.81*	.34	.56*
First or Additional Child 2002-2004	.10	.19	.92
Constant	4.91		.68
R-square (Pseudo R-square)	.14		(.21)

Note: ^aFirst Drink at 18 years or older is the omitted category.

* $p < .05$ ** $p < .01$ *** $p < .001$

drinking modifies the association between current drinking and race-gender status, utilizing a three-way interaction (i.e., race \times gender \times history of heavy drinking). In all analyses presented below, the data were weighted to correct for the oversampling of racial minorities and low-income youth.

Results

Descriptives

This study consisted of 495 African American, 209 Latino, and 1,596 White respondents (total $N = 2,300$), and women constitute about half of each group. Whites reported drinking more drinks per occasion (mean = 3.15) than African Americans (mean = 1.88, $t = -8.36$, $p < .001$), but not more than Latinos (mean = 2.69, $t = -1.92$, $p = .06$). Similarly, while a significantly higher percentage of Whites (32.76%) compared to African Americans (20.64%, $\chi^2 = 30.81$, $p < .001$) reported being a current heavy drinker, there is no difference between Whites and Latinos (31.82%, $\chi^2 = .13$, $p = .72$). Likewise, a history of heavy drinking follows the same pattern. A larger proportion of Whites (33.68%) compared to African Americans (22.80%, $\chi^2 = 23.79$, $p < .001$) report a history of heavy drinking, but there is no difference between Whites and Latinos (32.85%). Other differences in our subsamples are noted in Table 1.

Multivariate Analyses

The results in Table 2 show the relationships between our two measures of current drinking and race-ethnicity, gender, and history of heavy drinking. Model 1 shows that African Americans drink fewer drinks than Whites, and that women drink less than men. A history of heavy drinking and early age at first drink result in consuming more drinks per occasion. Age, marriage, and transitions to marriage slow the number of drinks consumed. Model 2 indicates that African Americans have 34% (OR = .66 [.51-.84]) lower odds of engaging in heavy drinking compared to Whites, and women have 57% (OR = .43 [.34-.53]) lower odds of being a heavy drinker compared to men. A history of heavy drinking results in respondents being more than twice as likely (OR = 2.08 [1.80 – 2.39]) to be a heavy drinker. Finally, early age at first drink is related to higher probabilities of being a heavy drinker, while marriage and transitions to marriage result in lower odds of being a heavy drinker.

The findings in Table 3 show whether a history of heavy drinking moderates the association between race-gender status and our measures of current alcohol consumption.

Model 1 indicates that a history of heavy drinking qualifies the association between race–gender status and the average number of drinks consumed in one sitting. The coefficients

Table 3. Number of Drinks Per Occasion and Heavy Drinking Regressed on Selected Independent Variables and Interaction Terms. National Longitudinal Survey of Youth – Young Adult Sample (N = 2,300).

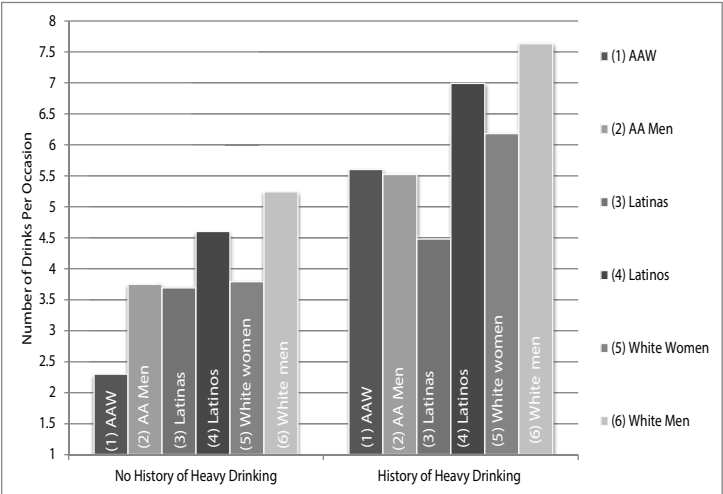
	Number of Drinks per Occasion		Heavy Drinking (1=yes)
	Model 1		Model 2
Independent Variables and Interactions	b	se	Odds Ratio
<i>Race-ethnicity, Sex, Age and Drinking History</i>			
Female (1=Yes)	-1.45***	.25	.47***
African American (1=Yes)	-1.49***	.26	.64***
Latino (1=Yes)	-.36	.31	.98
History Heavy of Drinking (1=Yes)	2.39***	.34	3.41***
<i>Interaction Terms</i>			
History of Heavy Drinking × African American	-.62	.52	1.21
History of Heavy Drinking × Latino	-.28	.57	.97
History of Heavy Drinking × Female	-1.01	.55	.87
African American × Female	.66*	.33	.74
Latino × Female	.26	.40	1.40*
History of Heavy Drinking × African American × Female	1.88*	.83	3.81*
History of Heavy Drinking × Latino × Female	-.28	.95	.96
Constant	5.24		.53
R-square (Pseudo R-square)	.15		(.22)

Note: These models control for respondent's age, family history of problem drinking, age at first drink, religion, education, and adult roles. *p < .05, **p < .01, ***p < .001

show that a history of heavy drinking substantially increases the number of drinks for all respondents, with the impact being especially notable for African American women. The complex relationships among history of heavy drinking, race–gender status, and current number of drinks are detailed in Figure

1. The interaction shows that African American women with a history of heavy drinking consume nearly 60% more (2.3 drinks versus 5.6 drinks) than those without a similar history. Moreover, for those with a history of heavy drinking, African American men, Latinas, and Latinos increase their consumption by 32%, 18%, and 34%, respectively. White women drink 39% more when they have a history of heavy drinking. For White men, a history of heavy drinking is associated with a 31% increase in the number of drinks consumed per sitting.

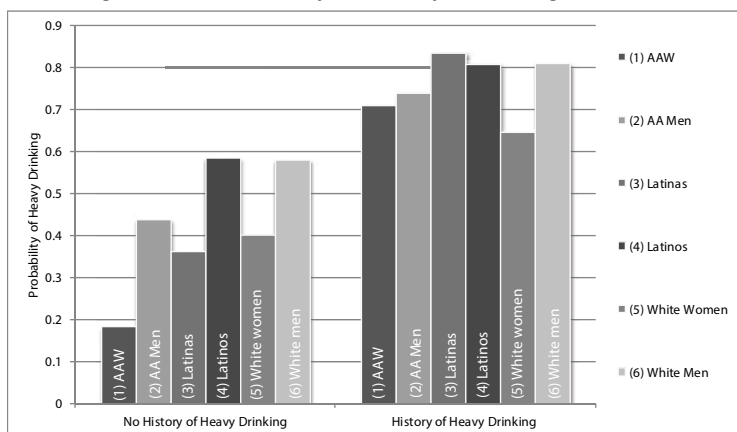
Figure 1. The Impact of Race, Gender and History of Heavy Drinking on the Number of Drinks per Occasion.



Note: AAW = African American Women; AA Men = African American Men.

Model 2 of Table 3 indicates that history of heavy drinking further moderates the relationship between race–gender status and the probability of heavy drinking. Similar to the finding above for number of drinks per occasion, a history of drinking increases the probability of heavy drinking for all groups, with notable variability among racial and ethnic minorities. The relationships among history of heavy drinking, race–gender status, and the probability of current heavy drinking are depicted in the graph in Figure 2. Two notable race–gender patterns emerge. First, when there is a history of heavy drinking, African American women move from a probability of .18 for current heavy drinking to a probability of .71. Not only is

Figure 2. The Impact of Race, Gender and History of Heavy Drinking on the Probability of Heavy Drinking.



Note: AAW = African American Women; AA Men = African American Men.

this nearly four times larger spike in the probability of heavy drinking the most dramatic for any race-gender group, but also it makes African American women's probability of heavy drinking indistinguishable from African American men and White women—two groups that, in general, drink much more than African American women. Second, once accounting for the race-gender-history of heavy drinking interaction, take note that the probability of heavy drinking for Latinas rises from .36 to .84, putting this group on par with White men and Latinos and above African American men, African American women, and White women.

Discussion and Conclusions

The main goal of this research was to investigate race and gender differences in the impact of a history of heavy drinking on current alcohol use—number of drinks consumed per sitting, and the probability of heavy drinking. Although population-level estimates indicate that Whites drink more than racial-ethnic minorities, less research has been devoted to understanding whether a history of heavy drinking has differential impact across race-gender status. Our findings apply to six race-gender groups during the transition to adulthood:

African American women, African American men, Latinas, Latinos, White women, and White men. Our exploration provided clarification of the complex ways in which race and gender are related to drinking outcomes.

In our main effects models (Table 2), we found that race and ethnicity is connected to current alcohol consumption. African Americans drank significantly less than Whites, whether drinking was measured as the number of drinks per sitting or as the probability of heavy drinking. In our sample of young adults, Latinos did not differ from Whites on either of these measures. Unlike the variation found for race-ethnicity, we found that gender was inversely related to each measure of current alcohol consumption.

Another clarification offered by this study is that race-ethnicity and gender must be considered in tandem to understand differences by history of heavy drinking. In auxiliary models (not shown for the sake of brevity), we estimated separate interactions by gender and history of heavy drinking, and then, separate interactions by race-ethnicity and history of heavy drinking. It was only in combination with a triple interaction (i.e., history of heavy drinking \times race \times gender) that the impact of history of heavy drinking was discovered. The result was that, when African American women have a history of heavy drinking, the number of drinks consumed per sitting as well as the probability of heavy drinking dramatically increases. We also saw a substantial increase in the probability of heavy drinking for Latinas—to levels matching the heavy drinking of Latinos and White men. Therefore, had we simply looked for gender differences by history of heavy drinking we would have erroneously concluded that a history of heavy drinking has the same impact on women and men. It was only through investigating the intersection of race and gender that we discovered significant differences in our sample.

The findings that show that women and minorities experience notable increases in current alcohol consumption as a result of prior heavy drinking are important because general population estimates that show that these groups drink less may be hiding two factors. For one, "normative" heavy drinking that occurs during the transition to adulthood may be more likely to have lasting effects for one group versus another. Additionally, these group-level estimates obscure

within-group variation. Therefore, our findings may, in part, help explain why racial and ethnic minorities disproportionately experience alcohol problems later in life, even though they drink less as young adults. For example, one puzzling research finding is that African American women are at greater risk for alcoholism compared to other groups during the middle adult years (NIAAA, 2008). This finding has been somewhat perplexing, given that cross-sectional population estimates tend to show that, regardless of the measure of alcohol consumption, African American women drink less. Therefore, the typical theoretical reasoning has been that African American women, compared to other women and men, face higher levels of accumulated life stressors including financial strain, racism and discrimination, poor health, and social isolation (Hatchett, 2002). The accumulation of these stressors may converge at mid-life and result in drinking as a coping mechanism (Hatchett, 2002; Jones-Webb, 1998). Our findings add to this reasoning and may show that those African American women who are most at risk are those who have a history of heavy drinking, even if they did not maintain that level of drinking earlier in adulthood.

Similar to the findings for African American women, we found that a history of heavy drinking significantly increases the probability that Latinas will binge drink. In fact, in our final models, levels of binge or heavy drinking were indistinguishable from White and Latino men. These findings support relatively recent results that indicate that binge drinking is becoming more common among Latinas (see e.g., CDC, 2013). Our findings suggest that this trend may, among other things, be due to a history of heavy drinking.

Beyond our focus on a history of heavy drinking, we found that there were two additional factors that are related to current levels of drinking. First, when youth begin drinking before the age 18, this status is positively related to both number of drinks consumed as well as the odds of heavy drinking. While population statistics show that alcohol use is pervasive among youth and the average age at first drink is 14 years old (see e.g., NIAAA, 2009), early onset still results in higher levels of alcohol consumption among the young adults in our sample. Second, both marriage and the transition to marriage was inversely related to the both the number of drinks consumed

and the odds of heavy drinking. Existing research suggests that marriage is linked to social supports that buffer individuals from the high levels of drinking associated with distress (Leonard & Mudar, 2000). Further, marriage transforms social identity in ways that can discourage drinking. For example, taking on the roles of husband and wife is associated with specific expectations that involve taking responsibility, being goal-oriented and mature, and homemaking as opposed to drunkenness and riskier behavior (Christie-Mizell & Peralta, 2009; Homish & Leonard, 2008; Leonard & Mudar, 2000).

There are two limitations to our study. First, although we utilize widely recognized self-report measures of alcohol use (e.g., number of drinks per sitting), our measures are quite general. Standard drinks contain about 14 grams of pure alcohol (about 0.6 fluid ounces) (Chen, Dufour, & Yi, 2005) and the information from the NLSY-YA does not allow for this level of specificity. Therefore, we cannot distinguish between those who counted one or two ounce shots of alcohol (e.g., whiskey or gin) as one drink versus those who may have counted a 24 ounce beer as a single drink. More standardized measures of drinking may help refine the relationships found in this study. Second, although our measure of heavy drinking is one used by other researchers (see e.g., Christie-Mizell & Peralta, 2009 or CDC, 2012), our data do not allow us to explore clinical levels of problem drinking. Namely, we do not have measures of major alcohol dependence or abuse, which take into account just how problematic drinking is in the life of the respondent. For respondents that meet the criteria for clinical diagnoses of alcohol problems, the relationships studied here may be different.

Future research should continue to explore how race, gender, and drinking histories jointly shape current alcohol consumption. We limited our study to three groups (i.e., African Americans, Latinos, and Whites), but further research should broaden to other populations (e.g., Asian Americans, Native Americans). For instance, even though research shows that Native Americans drink at levels higher than or equal to Whites (NIAAA, 2006), the extent to which ethnicity and gender matters is unknown. In conclusion, this work has shown that a history of heavy drinking matters in the transition to adulthood. Moreover, while this history matters regardless of

race–gender status, it matters more for current alcohol consumption among those groups which traditionally drink less.

Acknowledgement: This research was, in part, supported by grant #64300-1-4 to the first author from the Robert Wood Johnson Foundation Health Policy Research Center at Meharry Medical College.

References

- Archer, J. (2004). Sex differences in aggression in real-world settings: A meta-analytic review. *Review of General Psychology, 8*, 291-322.
- Arnett, J. J. (2004). *Emerging adulthood: The winding road from the late teens through the twenties*. New York: Oxford University Press.
- Arnett, J. J. (2006). Emerging adulthood in Europe: A response to Bynner. *Journal of Youth Studies, 9*, 111-123.
- Bachman, J. G., O'Malley, P. M., Schulenberg, J. E., Johnston, L. D., Bryant, A. L., & Merline, A. C. (2002). *The decline of substance use in young adulthood: Changes in social activities, roles, and beliefs*. Mahwah, NJ: Lawrence Erlbaum Associates.
- Berg, N., Kiviruusu, O., Karvonen, S., Kestilä, L., Lintonen, T., Rahkonen, O., & Huurre, T. (2013). A 26-year follow-up study of heavy drinking trajectories from adolescence to mid-adulthood and adult disadvantage. *Alcohol and Alcoholism, 48*, 1-6.
- Brennan, P. L., Schutte, K. K., & Moos, R. H. (2010). Retired status and older adults' 10-year drinking trajectories. *Journal of Studies on Alcohol and Drugs, 71*, 165-168.
- Bukstein, O. G. (1994). Treatment of adolescent alcohol abuse and dependence. *Alcohol Health & Research World, 18*, 296-301.
- Bukstein, O. G., & Winters, K. C. (2004). Salient variables for treatment research of adolescent alcohol and other substance use disorders. *Addiction, 99*, 23-37.
- Caetano, R. (1984). Ethnicity and drinking in northern California: A comparison among Whites, Blacks and Hispanics. *Alcohol and Alcoholism, 19*, 31-44.
- Caetano, R., Clark, C. L., & Tam, T. (1998). Alcohol consumption among racial/ethnic minorities: Theory and research. *Alcohol Health & Research World, 22*, 233-241.
- Caetano, R., Ramisetty-Mikler, S., & Rodriguez, L. A. (2009). The Hispanic Americans Baseline Alcohol Survey (HABLAS): The association between birthplace, acculturation and alcohol abuse and dependence across Hispanic national groups. *Drug and Alcohol Dependence, 99*, 215-221.
- Campbell, C. M., & Demb, A. (2008). College high risk drinkers: Who matures out? And who persists as adults? *Journal of Alcohol and Drug Education, 52*, 19-46.

- Catanzaro, S. J., & Laurent, J. (2004). Perceived family support, negative mood regulation expectancies, coping, and adolescent alcohol use: Evidence of mediation and moderation effects. *Addictive Behaviors*, 29, 1779-1797.
- Center for Human Resource Research. (2004). *NLSY79 user's guide: A guide to the 1979–2004 National Longitudinal Survey of Youth Data*. Columbus, OH: The Ohio State University Press.
- Centers for Disease Control (2012). *Vital signs: Binge drinking prevalence, frequency, and intensity among adults*. Atlanta, GA.
- Centers for Disease Control (2013). *Vital signs: Binge drinking among women and high school girls — United States, 2011*. Atlanta, GA.
- Chartier, K., & Caetano, R. (2011). Ethnicity and health disparities in alcohol research. *Alcohol Research & Health*, 33, 152-160.
- Chen, C. M., Dufour, M. C., & Yi, H. (2005). Alcohol consumption among young adults ages 18–24 in The United States: Results from the 2001–2002 NESARC Survey. *Alcohol Research & Health*, 28, 269-280.
- Chen, C. M., Yi, H., Falk, D. E., Stinson, F. S., Dawson, D. A., & Grant, B. F. (2006). *Alcohol use and alcohol use disorders in the United States: Main findings from the 2001–2002 National Epidemiologic Survey on Alcohol and Related Conditions (NESARC)*. Bethesda, MD: National Institute on Alcohol Abuse and Alcoholism.
- Christie-Mizell, C. A., & Peralta, R. L. (2009). The gender gap in alcohol consumption during late adolescence and young adulthood: Gendered attitudes and adult roles. *Journal of Health and Social Behavior*, 50, 410-426.
- de Visser, R. O., & McDonnell, E. J. (2012). 'That's OK. He's a guy': A mixed-methods study of gender double-standards for alcohol use. *Psychology & Health*, 27, 618-639.
- Escobar-Chaves, S. L., & Anderson, C. A. (2008). Media and risky behaviors. *The Future of Children*, 18, 147-180.
- Flory, K., Lynam, D., Milich, R., Leukefeld, C., & Clayton, R. (2004). Early adolescent through young adult alcohol and marijuana use trajectories: Early predictors, young adult outcomes, and predictive utility. *Development and Psychopathology*, 16, 193-213.
- Greenbaum, P. E., Del Boca, F. K., Darkes, J., Wang, C. P., & Goldman, M. S. (2005). Variation in the drinking trajectories of freshmen college students. *Journal of Consulting and Clinical Psychology*, 73, 229-238.
- Hatchett, B. (2002). *Attitudes of older African American women about alcohol abuse*. Lewiston, NY: The Edwin Mellen Press.
- Homish, G. G., & Leonard, K. E. (2008). The social network and alcohol use. *Journal of Studies on Alcohol and Drugs*, 69, 906-914.
- Iwamoto, D. K., Cheng, A., Lee, C. S., Takamatsu, S., & Gordon, D. (2011). "Man-ing" up and getting drunk: The role of masculine norms, alcohol intoxication and alcohol-related problems among college men. *Addictive Behaviors*, 36, 906-911.

- Jacob, T., Bucholz, K. K., Sartor, C. E., Howell, D. N., & Wood, P. K. (2005). Drinking trajectories from adolescence to the mid-forties among alcohol dependent males. *Journal of Studies on Alcohol and Drugs*, 66, 745-755.
- Johnston, L. D., O'Malley, P. M., Bachman, J. G., & Schulenberg J. E. (2011). *Monitoring the future: National results on adolescent drug use: Overview of key findings*. Ann Arbor, MI: Institute for Social Research, University of Michigan.
- Jones-Webb, R. (1998). Drinking patterns and problems among African-Americans: Recent findings. *Alcohol Health & Research World*, 22, 260-264.
- Leonard, K. E., & Mudar, P. J. (2000). Alcohol use in the year before marriage: Alcohol expectancies and peer drinking as proximal influences on husband and wife alcohol involvement. *Alcoholism: Clinical and Experimental Research*, 24, 1666-1679.
- Lowman, C. (2004). Developing effective evidence-based interventions for adolescents with alcohol use disorders. *Addiction*, 99, 1-4.
- Lyons, A. C., Dalton, S. I., & Hoy, A. (2006). "Hardcore drinking": Portrayals of alcohol consumption in young women's and men's magazines. *Journal of Health Psychology*, 11, 223-232.
- Maggs, J. L., & Schulenberg, J. E. (2004). Trajectories of alcohol use during the transition to adulthood. *Alcohol Research and Health*, 28, 195-201.
- McPherson, M., Casswell, S., & Pledger, M. (2004). Gender convergence in alcohol consumption and related problems: Issues and outcomes from comparisons of New Zealand survey data. *Addiction*, 99, 738-748.
- National Institute on Alcohol Abuse and Alcoholism. (2006). *Alcohol Use and Alcohol Use Disorders in the United States: Main findings from the 2001-2002 National Epidemiologic Survey on Alcohol and Related Conditions*. Bethesda, MD.
- National Institute on Alcohol Abuse and Alcoholism. (2008). *Alcohol: A women's health issue*. Bethesda, MD.
- National Institute on Alcohol Abuse and Alcoholism. (2009). *Percent distribution of current drinking status, drinking levels, and heavy drinking days by sex for persons 18 years of age and older: United States, NHIS, 1997-2008*. Bethesda, MD: Author.
- Siebert D. C., Wilke D. J., Delva J., Smith M. P., & Howell E. (2003). Differences in African American and White college students' drinking behaviors: Consequences, harm reduction strategies, and health information sources. *Journal of American College Health*, 52, 123-129.
- Sher, K. J., Gotham, H. J., & Watson, A. L. (2004). Trajectories of dynamic predictors of disorder: Their meanings and implications. *Development and Psychopathology*, 16, 825-856.

- Temple, M. T., & Fillmore, K. M. (1985). The variability of drinking patterns and problems among young men, age 16-31: A longitudinal study. *International Journal of the Addictions*, 20, 1595-1620.
- Weitzer, R., & Tuch, S. A. (2006). *Race and policing in America: Conflict and reform*. New York: Cambridge University Press.

Book Reviews

Bea Cantillon and Franz Vandenbroucke (Eds.), *Reconciling Work and Poverty Reduction: How Successful are European Welfare States?* Oxford University Press (2014), 464 pages, \$40.00 (hardcover).

Ivar Lødemel and Amílcar Moreira (Eds.), *Activation or Workfare? Governance and the Neo-liberal Convergence.* Oxford University Press (2014), 384 pages, \$59.99 (hardcover).

The role of employment as the primary means of promoting people's welfare has long been recognized. The policies of the New Deal in the United States, the recommendations of the Beveridge Report in Britain and the emergence of the Scandinavian welfare states after the Second World War were all predicated on the principle of full-employment supported by family leave, child care and other policies that promote work. However, many social policy scholars are ambivalent about work, believing that social needs should be met independently of employment and that benefits should be provided to those in need on the basis of rights. This view has been reinforced by the idea that social welfare should decommodify labor and that entitlements to benefits should be unconditional and unilateral. Although popular in social policy circles, this view has been challenged by policymakers, and various measures that promote employment have been given high priority. It is in this context that the two books reviewed here provide interesting insights into current thinking about the relationship between work, poverty reduction and social welfare. Both books focus on Europe and raise a number of important issues of policy relevance today.

The first book, edited by Cantillon and Franz Vandenbroucke, seeks to unravel the complex relationship between work, poverty and social welfare. As the editors explain in the book's introduction, this is a complex relationship in which the respective contribution of employment and

social benefits to poverty reduction is not properly understood. To investigate this relationship, they commissioned a number of chapters that focus on different aspects of the debate such as the meaning and measurement of poverty, the role of employment, particularly low-wage employment, and the contribution of social policies that invest in the capabilities of workers and enhance their participation in the productive economy. This latter aspect reflects the growing interest among European scholars and policy makers in what is called *social investment*, which some believe represents a new phase in welfare state development, replacing the earlier neoliberal and democratic approaches.

The book's first batch of chapters dealing with poverty show just how complicated attempts to define and measure poverty are and how difficult it is to reach conclusions about poverty trends and the extent to which social investment policies and programs contribute to poverty reduction. Nevertheless, there is evidence to show that despite increased social spending, poverty remains a persistent and apparently intractable reality in many European countries. The second batch of chapters deals with social investment, focusing on social policies and programs that create and support work. As mentioned earlier, social investment has recently become a popular issue in European social policy circles and the literature on the subject has increased exponentially. In an interesting analysis, Hemerijck concludes that social investment marks a profound change in European social policy, and several other authors agree, pointing out that many governments have prioritized social investment, with the result that social spending on active labor market and related policies has increased.

However, it is not clear whether this has been to the detriment of traditional social spending on cash transfers. A chapter by De Deken admits that the evidence is mixed and that the methodological issues make it extremely difficult to reach conclusions on this question. Also, it is not clear that the social investment approach has positive implications for redistribution. Indeed, the chapter by Van Lancker and Ghysels contends that family policies that support employment have what is cleverly called a "Matthew effect," benefiting the middle-class

rather than poor. Of course, this issue is not new, having been debated by Titmuss and his colleagues at the London School of Economics in the 1950s. In the light of these complexities, the editors conclude that there is still a great deal that sociologists and social policy scholars do not know about poverty, employment and social policy in Europe. The question of whether the social investment approach is paying dividends is also undecided. Nevertheless, despite the book's tentative conclusions and eclectic nature, it makes a significant contribution to understanding the complex relationship between poverty, work and social welfare.

The second book, edited by Lødemel and Moreira, is more tightly focused on labor activation policies and programs that have been adopted by many Western governments over the last two decades, largely in response to persistent unemployment or, otherwise, to the perceived economic and social problems that are alleged to accompany the payment of social assistance cash benefits. In a useful introduction, the editors grapple with the diverse ways the concept of labor activation has been employed. They distinguish between the "workfare" approach, designed to reduce the numbers of recipients of social assistance benefits by requiring employment, and the active labor market policy (ALMP) approach, which is not focused exclusively on social assistance recipients but rather seeks to promote labor force participation in general. They also provide a helpful summary of the findings of the book's country case studies which were specifically commissioned to document trends in activation as well as welfare to work programs in a number of Western nations—including Norway, Denmark, Germany, United Kingdom, France and the United States, as well as Portugal and the Czech Republic—which do not feature prominently in the comparative social policy literature. These country case studies are very thorough and provide a wealth of descriptive information about recent developments. The chapter on the United States focuses primarily on the TANF program and is useful for providing information about recent developments in the program's implementation.

In addition to providing descriptive information, the contributing authors were asked to examine governance patterns and the way they affect activation in each country. This aspect

of the book is less coherent, primarily because terms like *governance* have been used in very different ways and also raise a host of complex conceptual issues. Consequently, the question of whether the governance of these programs is being shaped by neo-liberal ideology remains elusive, although the editors do point out in their excellent summary that outsourcing of job training and job placement services to commercial providers has increased significantly in recent years. They also show that activation programs are being increasingly decentralized and managed by local government authorities.

Another interesting finding is the way activation policies in a number of countries have moved away from a simplistic "work first" approach inspired by developments in the United States in the 1990s to a more nuanced set of policies and programs designed to promote economic participation. They point out that greater use is being made of counselors, advisers and job coaches who seek to address the individual needs of different clients. They wonder whether this marks the beginning of a "second wave" of welfare-to-work reforms characterized by greater complexity and diversity.

Both books are part of the International Policy Exchange Series edited by Douglas Besharov and Neil Gilbert that has produced a useful collection of books on comparative social policy in recent years. Like some of the other books in the series, the two reviewed here reveal the extent to which comparative studies in social policy have become far more nuanced and sophisticated. Although the field retains a strong preference for typologies that reduce the complexities of government intervention in social welfare to a series of simplistic categories, both books show just how complicated the issues are. They also suggest that more research is needed to understand the way governments develop and implement policies that enhance social well-being in the context of the rapidly changing world of work, economic development and welfare. Both books, and the series, are to be commended for tackling these difficult issues.

*James Midgley, School of Social Welfare,
University of California, Berkeley*

Mary Gatta, *All I Want is a Job: Unemployed Women Navigating the Public Workforce System*. Stanford University Press (2014), 168 pages, \$19.95 (paperback).

During the Clinton Administration, American labor market policy moved from a focus on the economically disadvantaged and secondarily dislocated workers to a universal service, whose gatekeeper for job seekers and employers was One Stop Career Centers. Introduced in 1999 as part of the Workforce Investment Act (WIA), the Centers provide a succession of services starting with basic labor market information. Job seekers may also move to more costly services—counseling and training—if front line staff determine they would benefit from them. Researchers have agreed that WIA has been affected by funding decreases and the proliferation of low wage jobs. In this context, economically disadvantaged workers have failed to receive useful training that translates into obtaining decent jobs.

Mary Gatta adds to the literature by focusing on the felt experiences of women at One Stop Career Centers. With qualitative data, Gatta explores the experiences of customers and front line workers at a New Jersey center, using the concept of street-level bureaucracy to illustrate how interpretation of the program by front line workers may dictate the nature of the program more than official policy.

Among Gatta's findings is that the workers' interpretation of their role differed from the official understanding of it. She writes, "While the state may see the value added of the worker as navigating the system with the client so that he or she can access services in keeping with the policy goal, the workers see their value added as being the supportive and encouraging platform for the client" (p. 79). However, Gatta found that clients generally did not experience the workers as helpful; workers' low salaries and minimum qualifications for employment (high school diploma) help explain the clients' reaction.

Other findings stem from Gatta's undercover participation as a low- and high-skilled job seeker. She was able to feel the stigma and dehumanization job seekers experienced waiting for an unhelpful, mandatory workshop. She also experienced the frustration of being denied a voucher for training toward

a higher paying job because she was able to secure a new job in her current field without training. Counseling did not direct jobseekers to a career path, and there was no push to direct women to nontraditional employment. Gatta concludes that there seems to be little difference in implementation between One-Stop Centers and TANF welfare-to-work programs. One Stop clients were stigmatized like TANF clients, clients were held responsible for their own employment, and both systems adhered to a "work first" policy, negating consideration of further training if a job could be obtained without it.

While Gatta describes how her findings were used by New Jersey workforce administrators to improve certain features of the centers, such as the quality of workshops, she laments the inadequacy of the policy and calls for a new social contract to address structural issues. Excellent workshops have limited value without decent jobs at the end of the day.

With its lens on gender, this book is an important addition to workforce development literature. However, Gatta's description of jobseekers' difficulties obtaining training vouchers was repetitious, and she did not dig more deeply into the costs and benefits of training. While longer training periods generally can result in higher paying jobs, the U.S. lacks family policies that support job skills training. Costs increase not only because good jobs require more preparation, but also because some individuals have greater needs, such as those with disabilities or with limited basic education and English language skills. On the benefit side, training increases women's incomes as well as the well-being of their children with respect to their educational attainment, social behavior, and occupational aspirations.

The greater costs associated with these benefits are impeded less by the economy than by political resistance to such investments. As Gatta suggests, the workforce development system must move away from blaming individuals for their lack of persistence to achieving "economic security for workers, their families, and America at large" (p. 132), which is hardly a new assessment of the problem for feminists and social justice advocates.

Joyce Bialik, Touro College Graduate School of Social Work

Edward D. Berkowitz and Larry DeWitt, *The Other Welfare: Supplemental Security Income and U.S. Social Policy*. Cornell University Press (2013), 296 pages, \$45.00 (hardcover).

The Supplemental Security Income (SSI) program was enacted in 1972 at the zenith of the American welfare state. As a modern, computerized, federal program professionally administered by the Social Security Administration, SSI seemed well-positioned to "end the welfare mess," at least for the more "deserving" poor populations it would cover—namely the elderly, blind and disabled. As it turned out, however, welfare state historian Ed Berkowitz and former chief SSA historian Larry DeWitt argue that SSI failed to deliver on the hopes invested in it by policymakers of the time. Rather than reinventing welfare, SSI was dragged back down into the traditional morass of welfare policy by some of the same unavoidable dynamics that plague most public assistance programs.

The first of these concerned the population served. SSI was initially conceived primarily to supplement the income of poor seniors whose earnings history either did not qualify them for Social Security or earned them only sub-poverty level benefits. In the decades after the 1965 immigration reform, which liberalized immigration and encouraged family reunification, there was a substantial increase in the number of adult legal immigrants, which led SSI's noncitizen caseload to swell by the 1990s and caused SSI to get caught up in the broader backlash against immigrants' receiving public assistance.

The second controversial population was people with disabilities. In 1974, SSI's first year of implementation, the elderly made up the majority of the program's recipients. Over time, however, people with disabilities entered the rolls at a much greater rate than new seniors, and by 2010, there were more than four times as many people with disabilities on SSI's rolls as seniors. Disability policy is inherently much more complicated—and fraught with controversy—than old-age security policy, because of the subjective and evolving nature of what is considered a disabling condition, as well as the fact that any given person's condition can change over time. SSI also got stigmatized for having to serve certain groups among the disabled who were perceived as less deserving, such as substance

abusers and children with behavioral disorders.

A second dynamic that prevented SSI from becoming a more efficient, simplified system of welfare administration, the authors argue, was the fact that it was not created in a policy vacuum, like Social Security substantially was, but instead was layered over fifty different state policy legacies. This made the program much more complicated than it otherwise would have been and led to high rates of benefit over- and underpayment in the early years of the program, tarnishing its reputation from the start.

Another interesting insight from the book is that a key reason SSI was able to pass Congress in 1972 was that it was viewed as a more centrist alternative to Nixon's Family Assistance Plan that would have replaced most categorical public assistance programs with one program providing direct cash payments to the poor. The story of SSI's passage thus echoes that of Social Security in 1935, which was made possible in part by the establishment's fears of the more radical Townsend Plan. The lesson here for advocates is the value of having a left-flank when progressive reforms are sought (or of having a right flank, when conservative reforms are sought).

This well-researched and insightfully argued history of the SSI program tells us how and why SSI failed to reinvent welfare and illuminates our understanding of U.S. social policy in several fundamental ways along the way. It shows that welfare policy—particularly in the U.S. political-cultural context of deserving and undeserving poor—is inherently fraught with controversy. And it shows that even well-designed programs can have many unanticipated consequences. The book also succeeds in making the case that SSI cannot be well understood without an analysis of its origins and of the timing and sequence of events in its history. In this sense, it takes its place in the venerable tradition of American Political Development.

One weakness of the book is that it is very much a top-down history focusing on political and administrative actors. The voices of the elderly and disabled clients of SSI are largely absent. Nor is any scope given in this account to the role of their agency in the history of the SSI program, although this could simply be because these groups indeed wielded little

political influence over its design or implementation. The increasingly important role of disability advocates is given due consideration.

Benjamin W. Veghte, Social Security Works

Jessi Streib, *The Power of the Past: Understanding Cross-Class Marriages*. Oxford University Press (2015), 290 pages, \$24.95 (paperback).

Sometimes a researcher finds such a fruitful research question that it is surprising that no one has asked it before. Jessi Streib has found such a question in her study of what happens when people raised in different social classes marry each other. By interviewing 32 White, heterosexual couples who share white-collar occupations and high levels of education but are divided by class origin, Streib finds that class background shapes one's sensibility or "default ways of thinking about everyday events, such as how to use resources, divide labor and raise children" (p. 7). Thus, class origin, rather than current class status, is most important for shaping family life. Streib's book is not only a fascinating read about the role of class in marriage but also an important contribution to the sociology of marriage and family and the sociology of class.

Streib begins her book by discussing the importance of class differences in marriage. Streib argues that contrary to theories of cultural matching, which emphasize the importance of similarity in selecting a marriage partner, cross-class couples were actually attracted to the class-based cultural differences of their partners. Yet while class diversity might have brought cross-class couples together, it was often a source of conflict as couples clashed about decisions related to money, work, leisure, parenting, and even expression of emotions. Streib devotes subsequent chapters to examining each of these important aspects of marriage to understand the implication of class for marriage. In general, Streib finds that those from white-collar origins take a managerial approach to life by carefully planning spending decisions, career strategies, and leisure time and by controlling emotions. By contrast, those with blue-collar origins tended to have more *laissez faire* approaches to life through spontaneous approaches to spending money,

political influence over its design or implementation. The increasingly important role of disability advocates is given due consideration.

Benjamin W. Veghte, Social Security Works

Jessi Streib, *The Power of the Past: Understanding Cross-Class Marriages*. Oxford University Press (2015), 290 pages, \$24.95 (paperback).

Sometimes a researcher finds such a fruitful research question that it is surprising that no one has asked it before. Jessi Streib has found such a question in her study of what happens when people raised in different social classes marry each other. By interviewing 32 White, heterosexual couples who share white-collar occupations and high levels of education but are divided by class origin, Streib finds that class background shapes one's sensibility or "default ways of thinking about everyday events, such as how to use resources, divide labor and raise children" (p. 7). Thus, class origin, rather than current class status, is most important for shaping family life. Streib's book is not only a fascinating read about the role of class in marriage but also an important contribution to the sociology of marriage and family and the sociology of class.

Streib begins her book by discussing the importance of class differences in marriage. Streib argues that contrary to theories of cultural matching, which emphasize the importance of similarity in selecting a marriage partner, cross-class couples were actually attracted to the class-based cultural differences of their partners. Yet while class diversity might have brought cross-class couples together, it was often a source of conflict as couples clashed about decisions related to money, work, leisure, parenting, and even expression of emotions. Streib devotes subsequent chapters to examining each of these important aspects of marriage to understand the implication of class for marriage. In general, Streib finds that those from white-collar origins take a managerial approach to life by carefully planning spending decisions, career strategies, and leisure time and by controlling emotions. By contrast, those with blue-collar origins tended to have more *laissez faire* approaches to life through spontaneous approaches to spending money,

embracing unstructured leisure time both for their children and themselves and freely showing emotions. At times, however, gender interacted with class origin, as white-collar origin women sought to enroll their children in many structured activities to the dismay of their blue-collar origin husbands. By contrast, white-collar origin husbands tended to defer to the parenting decisions of their blue-collar origin wives. Another gender-class interaction was related to housework, as men of both classes were less likely to perform housework. However, women from white-collar backgrounds had higher expectations of shared housework than women from blue collar backgrounds. Consequently, they were more frustrated with their husbands than were blue-collar origin women.

The strength of Streib's work is her focus on couples who share the same race and current class status, as this allows her to capture the importance of class origin. She makes an important contribution by demonstrating the importance of habitus, as it seems that there is something about the class in which we were raised that shapes us for life. Streib's work also sheds light on the challenges of social mobility. Despite the fact that white-collar sensibilities are more likely to be rewarded in middle class institutions of work and education, those with blue-collar origins were unwilling or unable to adopt middle class sensibilities, even if their spouses were willing to teach them. In addition, Streib develops more nuanced understandings of class-linked parenting styles and gender conflicts over housework by incorporating the importance of class origin.

As Streib herself acknowledges, her sample lacks racial diversity, focuses on heterosexual couples, and is limited to those cross-class marriages that have survived. She cannot say anything about couples for whom cross-class differences were too difficult to overcome. In addition, Streib doesn't study cross-class couples who have disparate levels of education, income or occupation. If couples who shared high levels of education and similar occupations faced conflicts over their class-based sensibilities, what about those who don't share a current status?

Despite these limitations, this work is an excellent example of qualitative sociology and it is a pleasure to read. Streib is a natural story-teller who has a gift for telling the narratives of her respondents. The highest praise I can think of for a

work of empirical sociology is to recommend that non-sociologists read it. In particular, those who are currently living in a cross-class marriage should read this book. Many a cross-class couple might see themselves in conflicts over spending money, raising children, or planning vacations. *The Power of the Past* promises couples and sociologists greater understanding of how family life is shaped by the past.

Mary Ann Kanieski, Saint Mary's College

Clare Huntington, *Failure to Flourish: How Law Undermines Family Relationships*. Oxford University Press (2014), 352 pages, \$45.00 (hardcover).

In *Failure to Flourish: How Law Undermines Family Relationships*, legal scholar Clare Huntington argues that "negative family law" in the U.S. gets in the way of supportive family relationships. She proposes a new vision for responding to family disputes and engaging the state proactively in supporting families. While the critique is thought provoking and generally well-informed, Huntington's vision is less clearly developed and compelling.

Failure to Flourish includes two parts. In part one, Huntington explores the conflict between the conditions necessary for positive family relationships and the negative family law she finds in the U.S. She uses findings from research in the social, behavioral, and biological sciences to describe the importance of "strong, stable, and positive relationships" to the well-being of parents and their children, focusing on young children. She draws particular attention to how changes in family structure—particularly the frequency of divorce and children being raised in single-parent families—and the social forces contributing to those changes both reflect and contribute to harmful relations between family members. Huntington then examines how the "pervasive state" engages in regulation of the family, both direct regulation (e.g., deciding who can marry and who has the legal rights of a parent) and indirect regulation (e.g., incentives and subsidies, seemingly unrelated laws such as zoning ordinances, and the state's influence on social norms). She argues that the extent of this regulation belies what she calls the "myth of family autonomy" in

work of empirical sociology is to recommend that non-sociologists read it. In particular, those who are currently living in a cross-class marriage should read this book. Many a cross-class couple might see themselves in conflicts over spending money, raising children, or planning vacations. *The Power of the Past* promises couples and sociologists greater understanding of how family life is shaped by the past.

Mary Ann Kanieski, Saint Mary's College

Clare Huntington, *Failure to Flourish: How Law Undermines Family Relationships*. Oxford University Press (2014), 352 pages, \$45.00 (hardcover).

In *Failure to Flourish: How Law Undermines Family Relationships*, legal scholar Clare Huntington argues that "negative family law" in the U.S. gets in the way of supportive family relationships. She proposes a new vision for responding to family disputes and engaging the state proactively in supporting families. While the critique is thought provoking and generally well-informed, Huntington's vision is less clearly developed and compelling.

Failure to Flourish includes two parts. In part one, Huntington explores the conflict between the conditions necessary for positive family relationships and the negative family law she finds in the U.S. She uses findings from research in the social, behavioral, and biological sciences to describe the importance of "strong, stable, and positive relationships" to the well-being of parents and their children, focusing on young children. She draws particular attention to how changes in family structure—particularly the frequency of divorce and children being raised in single-parent families—and the social forces contributing to those changes both reflect and contribute to harmful relations between family members. Huntington then examines how the "pervasive state" engages in regulation of the family, both direct regulation (e.g., deciding who can marry and who has the legal rights of a parent) and indirect regulation (e.g., incentives and subsidies, seemingly unrelated laws such as zoning ordinances, and the state's influence on social norms). She argues that the extent of this regulation belies what she calls the "myth of family autonomy" in

the U.S. and explores the origins of that myth. Part one of *Failure to Flourish* concludes with an examination of how negative family law undermines the development and support of strong, stable, and positive family relationships. Huntington argues that the substance, process, and practice of dispute resolution family law in the U.S. contributes to the rupture of family relationships (e.g., exacerbating the estrangement of divorcing couples and impairing their ability to jointly care for their children) while doing little or nothing to repair troubled relationships. Huntington also argues that the myth of family autonomy leads to a reluctance to proactively support families before problems develop, which often contributes to coercive intervention later (e.g., through the intervention of the child welfare system).

In part two of *Failure to Flourish*, Huntington describes an approach to developing "flourishing family law" that would support strong, stable, and positive family relationships. She proposes changes to the substance (e.g., more use of open adoption arrangements), process (e.g., conflict mediation), and practice (e.g., training lawyers in family systems theory) of family law to achieve her vision. Few of these proposed solutions will raise serious objections and many, such as family group conferencing in child welfare practice, are already quite common. Huntington also argues for a much broader role of the state in proactively recognizing a broader range of families, encouraging long-term commitment between parents, altering the physical context for family life, and supporting parents in their child development work.

Huntington's critique of U.S. family law in part one of *Failure to Flourish* should be of interest to many readers. It should be required reading for legal scholars and professionals not familiar with recent research on family relationships and child development. Likewise, family scholars, family advocates and policymakers will learn much from Huntington's examination of the myriad ways that the state influences family life. Part one is not without its blind spots. For example, the unquestioning acceptance of attachment theory as the basis for understanding the development of human relationships will understandably rub many behavioral scientists the wrong way. Huntington also ignores the widespread practice of coercing parents who come to the attention of child protection

agencies into finding kin to take over care of the children. This seemingly family-friendly diversion policy, generally seen by child welfare authorities as identical in spirit to the subsidized guardianship programs that Huntington admires, arguably denies parents the right to rehabilitative services.

Unfortunately, Huntington's argument in part two often reads like a laundry list of policies and programs, and the level of evidence supporting the potential impact of these ideas varies widely. While the overall vision provided here is broad and optimistic, Huntington's concluding chapter will likely bring the reader back to the reality that today's politics make it very unlikely that the vision will be realized anytime soon.

*Mark E. Courtney, School of Social Service Administration,
University of Chicago*

Jacqueline Bhabha, Ed., *Human Rights and Adolescence*.
University of Pennsylvania Press (2014), 376 pages, \$69.95
(hardcover).

This is an advocacy book to advance policy and practice for adolescents from a rights-based perspective. Its goal, as the introduction states, is "to achieve what has so far eluded policy makers and practitioners [to make] real progress on protecting and enabling the realization of adolescent potential across the globe." The book argues for equity in the treatment of adolescents in spite of their limited political leverage. The book will contribute positively to that goal, though based on the information in the book, the goal appears illusive.

The book pulls together a great deal of the existing policy proposals, research and some legislation on adolescence from a rights-based perspective. As such, it is more of a reference than a book one sits down to read cover to cover. The book is divided into three useful sections: (I) an overview defining adolescence, adolescent rights, and cross-cutting topics such as the science of brain development and sociocultural differences; (II) the experience of growing up with violence, covering children in armed conflict, child soldiers and post-conflict situations; and (III) social interventions that have strengthened or tried to improve adolescent rights. The 17 chapters cover a

agencies into finding kin to take over care of the children. This seemingly family-friendly diversion policy, generally seen by child welfare authorities as identical in spirit to the subsidized guardianship programs that Huntington admires, arguably denies parents the right to rehabilitative services.

Unfortunately, Huntington's argument in part two often reads like a laundry list of policies and programs, and the level of evidence supporting the potential impact of these ideas varies widely. While the overall vision provided here is broad and optimistic, Huntington's concluding chapter will likely bring the reader back to the reality that today's politics make it very unlikely that the vision will be realized anytime soon.

*Mark E. Courtney, School of Social Service Administration,
University of Chicago*

Jacqueline Bhabha, Ed., *Human Rights and Adolescence*. University of Pennsylvania Press (2014), 376 pages, \$69.95 (hardcover).

This is an advocacy book to advance policy and practice for adolescents from a rights-based perspective. Its goal, as the introduction states, is "to achieve what has so far eluded policy makers and practitioners [to make] real progress on protecting and enabling the realization of adolescent potential across the globe." The book argues for equity in the treatment of adolescents in spite of their limited political leverage. The book will contribute positively to that goal, though based on the information in the book, the goal appears illusive.

The book pulls together a great deal of the existing policy proposals, research and some legislation on adolescence from a rights-based perspective. As such, it is more of a reference than a book one sits down to read cover to cover. The book is divided into three useful sections: (I) an overview defining adolescence, adolescent rights, and cross-cutting topics such as the science of brain development and sociocultural differences; (II) the experience of growing up with violence, covering children in armed conflict, child soldiers and post-conflict situations; and (III) social interventions that have strengthened or tried to improve adolescent rights. The 17 chapters cover a

wide swath of child rights, though I would have liked to see a chapter or a discussion of the intractable and politically volatile problem of rights of unaccompanied minors passing through Mexico to the United States. While there are chapters on Roma in Romania, urban adolescents in Brazil, and adolescents with disabilities throughout the world, only one chapter focuses on an industrialized country—the late departure of Italian adolescents from their paternal nests. As a result, the book misses the rights' violations of millions of adolescents who are homeless, trafficked, abused, marginalized or have attempted suicide in the industrialized world.

The chapters are written by analysts working in senior positions in United Nations agencies (WHO, UNICEF), well-regarded U.S. and international academic institutions (many connected with Harvard), the International Labor Organization, Oxfam and other human rights advocacy organizations. The training of the authors is similarly varied and relevant including public health, medicine, psychology, sociology, and international relations, and authors include a judge and human rights activists, though grass roots organizers are not among the contributors.

The book has many other strengths. The contributions generally propose an integrated, holistic approach to achieving adolescent rights. The chapters present the view that education, health, employment, security and rights need to be addressed simultaneously. The editor wove in references in almost every chapter to chapters in other parts of the book that deal with similar issues. Some of the contributions are well written, presenting concise and engaging summaries of the subject under review. Steinberg's chapter on adolescent brain development uses current research in neuroscience and clear and compelling logic to refute common misunderstandings about adolescent behavior. DeJong and Kavar present a long and engaging review of the situation of adolescents in the Arab region. Naeve's chapter on adolescents in Colombia's armed conflict shows how complicated solutions are. In one study, 70.5% of demobilized children joined armed groups voluntarily, motivated by poverty, lack of opportunity and rights violations.

The book reflects the severe limits to which social policies toward adolescents can realistically be pushed in the world

today and in the foreseeable future. Even nudging our social policies and our budget allocations further toward their politically possible limits will only marginally improve the conditions of adolescents, given the magnitude of their problems. One in seven girls in developing countries is married before the age of 15, with only small improvements in some countries and no progress or deterioration in others. Adolescent unemployment remains intractable. One in five adolescents suffers from mental illness, most often depression. Virtually all women in Egypt still experience some form of female genital mutilation.

The real solutions to human rights abuses of adolescents require major social transformations that address the overwhelming poverty, unemployment, racism, sexism and family violence that afflicts the world. While the book's chapters present reasonable recommendations, the likelihood of their implementation to the degree required is low. The recommendations in the book are punctuated with "should" and "must," imploring people of good will in high positions to do more to respect the rights and needs of adolescents. Except for one author who sees brutal conflicts and the harm to adolescents as "a challenge whose solution might only lie in divine hands," there is almost no guidance for how to influence or pressure people in power to act in the interests of adolescents or for those outside of power to act on our own if those in power don't respond. As is often said, "Hope is not a plan." The recommendations in this book are wise; the strategies to achieve them are lacking.

David Tobis, Senior Partner, Maestral International

Susan Starr Sered and Maureen Norton-Hawk, *Can't Catch a Break: Gender, Jail, Drugs, and the Limits of Personal Responsibility*. University of California Press (2014), 216 pages, \$29.95 (paperback).

Gender, race and income inequality remain huge problems in American society. These issues have drawn widespread attention through the recent Black Lives Matter and Occupy Wall Street movements. It is also well understood that women face

today and in the foreseeable future. Even nudging our social policies and our budget allocations further toward their politically possible limits will only marginally improve the conditions of adolescents, given the magnitude of their problems. One in seven girls in developing countries is married before the age of 15, with only small improvements in some countries and no progress or deterioration in others. Adolescent unemployment remains intractable. One in five adolescents suffers from mental illness, most often depression. Virtually all women in Egypt still experience some form of female genital mutilation.

The real solutions to human rights abuses of adolescents require major social transformations that address the overwhelming poverty, unemployment, racism, sexism and family violence that afflicts the world. While the book's chapters present reasonable recommendations, the likelihood of their implementation to the degree required is low. The recommendations in the book are punctuated with "should" and "must," imploring people of good will in high positions to do more to respect the rights and needs of adolescents. Except for one author who sees brutal conflicts and the harm to adolescents as "a challenge whose solution might only lie in divine hands," there is almost no guidance for how to influence or pressure people in power to act in the interests of adolescents or for those outside of power to act on our own if those in power don't respond. As is often said, "Hope is not a plan." The recommendations in this book are wise; the strategies to achieve them are lacking.

David Tobis, Senior Partner, Maestral International

Susan Starr Sered and Maureen Norton-Hawk, *Can't Catch a Break: Gender, Jail, Drugs, and the Limits of Personal Responsibility*. University of California Press (2014), 216 pages, \$29.95 (paperback).

Gender, race and income inequality remain huge problems in American society. These issues have drawn widespread attention through the recent Black Lives Matter and Occupy Wall Street movements. It is also well understood that women face

additional barriers in accessing equal pay and advancement.

The book *Can't Catch a Break: Gender, Jail, Drugs, and the Limits of Personal Responsibility* uses case studies to elucidate the aforementioned structural inequities and how they impact women. Authors Susan Starr Sered and Maureen Norton-Hawk build on their backgrounds as sociologists with respective expertise in women's health and criminal justice. Together, they conducted a 5-year longitudinal study of impoverished women in Boston. *Can't Catch a Break* gracefully zooms in and out between big picture policy discussion and individual stories gleaned from those 5 years of fieldwork. This combination of personal stories with powerful social policy analysis brings the subject to life.

A sociological lens is used to break down the cultural biases that maintain inequities for women. The belief in personal responsibility is examined as a central tenet in shaping American culture. Starr Sered and Norton-Hawk link America's Protestant beginnings to a widespread cultural belief in the Horatio Alger myth. They connect the idea that people can and should "pull themselves up by their bootstraps," to multiple social policies which keep women from "catching a break." Many of these policies relate back to the "War on Poverty" and neoliberal "Reaganomics," which radically restructured America's welfare system. Through the case studies, readers are able to see how these policies have affected real women.

The authors go on to discuss how institutional and social policies incorporate this American value of personal responsibility. The criminal justice, medical, mental health, substance abuse and child welfare systems are dissected in Chapters 3 - 7. In Chapter 8, the authors circle back to the criminal justice system and revisit the question, "have prisons become the way that America deals with human suffering?" In conclusion, they offer an alternative theoretical framework to that of "personal responsibility." This new framework views the problems of an individual as stemming from structural barriers which prevent an individual from accessing "good" choices. Finally, they offer suggestions for best practices in addressing these structural barriers.

Overall, the combination of the case studies with sometimes shocking demographic statistics is particularly

compelling. However, the authors drew conclusions from these anecdotes and personal observations. Additionally, in Chapter 5, "It's All in My Head: Suffering, PTSD, and the Triumph of the Therapeutic," the authors make unsubstantiated claims regarding therapeutic treatments. In this chapter, psychological treatments are characterized as contributing to the structural system that oppresses women. The authors state, "We suspect therapy is more likely to be effective for securely housed, middle-class Americans" (p. 103). They then go on to discuss a culturally irrelevant example from Sri Lanka that suggests that psychotherapy for trauma "makes things worse," as one of their participants reported. While their points are logical from the sociological lens through which they are examining this situation, they choose to ignore a wide body of research of evidence-based trauma treatment. Additionally, their repeated linking of actual professional psychological treatment to pop psychologists from "Oprah" and "Jerry Springer" suggests a lack of understanding of the field of which they are so critical.

In conclusion, *Can't Catch a Break* is an engaging read and serves as a good primer for those interested in how policies and institutions maintain gender inequality. However, it appears to succumb to internal biases resulting from a reliance on the ethnographic interviews that made the book so approachable.

Brandy Henry, Heller School for Social Policy & Management,
Brandeis University

Jill Leovy, *Ghettoside: A True Story of Murder in America*. Spiegel & Grau (2015), 386 pages, \$28.00 (hardcover).

Jill Leovy has been a crime reporter for the *Los Angeles Times* since 2000. Her book, *Ghettoside*, follows the police investigation of the 2007 murder of an 18-year-old African-American man, Bryant Tennelle, the son of a Los Angeles detective, who was shot and killed in an area of Los Angeles called "Ghettoside" by locals and police officers who work nearby. Leovy chronicles the police investigation from the ground in an amalgam of case-study/narrative/journalistic fashions. Much of the book focuses on L.A. Police Detective John Skaggs' perspective and interactions during his probe of the murder (which he subsequently solved).

compelling. However, the authors drew conclusions from these anecdotes and personal observations. Additionally, in Chapter 5, "It's All in My Head: Suffering, PTSD, and the Triumph of the Therapeutic," the authors make unsubstantiated claims regarding therapeutic treatments. In this chapter, psychological treatments are characterized as contributing to the structural system that oppresses women. The authors state, "We suspect therapy is more likely to be effective for securely housed, middle-class Americans" (p. 103). They then go on to discuss a culturally irrelevant example from Sri Lanka that suggests that psychotherapy for trauma "makes things worse," as one of their participants reported. While their points are logical from the sociological lens through which they are examining this situation, they choose to ignore a wide body of research of evidence-based trauma treatment. Additionally, their repeated linking of actual professional psychological treatment to pop psychologists from "Oprah" and "Jerry Springer" suggests a lack of understanding of the field of which they are so critical.

In conclusion, *Can't Catch a Break* is an engaging read and serves as a good primer for those interested in how policies and institutions maintain gender inequality. However, it appears to succumb to internal biases resulting from a reliance on the ethnographic interviews that made the book so approachable.

Brandy Henry, Heller School for Social Policy & Management,
Brandeis University

Jill Leovy, *Ghettoside: A True Story of Murder in America*. Spiegel & Grau (2015), 386 pages, \$28.00 (hardcover).

Jill Leovy has been a crime reporter for the *Los Angeles Times* since 2000. Her book, *Ghettoside*, follows the police investigation of the 2007 murder of an 18-year-old African-American man, Bryant Tennelle, the son of a Los Angeles detective, who was shot and killed in an area of Los Angeles called "Ghettoside" by locals and police officers who work nearby. Leovy chronicles the police investigation from the ground in an amalgam of case-study/narrative/journalistic fashions. Much of the book focuses on L.A. Police Detective John Skaggs' perspective and interactions during his probe of the murder (which he subsequently solved).

The book's narrative documents an underlying trend is that is already well known to those who study the criminal justice system: the majority of homicides in the United States involve young black men killing other young black men. Leovy tells us that, "Just 6 percent of the country's population [comprise] 40 percent of those murdered." Indeed, in 2003 the U.S. Bureau of Justice Statistics special report revealed that firearms violence rates for blacks ages 12 or older were 40% higher than those for Hispanics and 200% higher than those for Caucasians.

Leovy looks at the problem of Black violence mostly from the perspective of reactive police response and investigation and largely from an investigative outlook rather than a preventive policy standpoint. She calls into question the fundamental concept of police legitimacy, described so well in the President's Task Force on 21st Century policing's final report. She writes, "[T]he reluctance of witnesses to testify was the primary reason so many murder cases went unsolved." Without trust and legitimacy, communities don't talk to the police and, more importantly, don't police themselves through collective efficacy. *Ghettoside* is not the first book to describe this condition. Elijah Anderson's classic, *Code of the Street*, foresaw in Philadelphia many of the social conditions that Leovy opines as the causes of Black violence in Los Angeles. Poverty, drugs, and the differential association that causes young Black men to seek acceptance in gangs were and to this day remain important factors in the criminogenic crime facilitators that exist in many Black, inner city communities contemporarily.

Leovy's analysis reflects the "Broken Windows" theory popularized by Kelling and Wilson (1982): "[T]his is a book about a very simple idea: where the criminal justice system fails to respond vigorously to violent injury and death, homicide becomes endemic." And "it's like a default setting. Wherever human beings are forced to deal with each other under conditions of weak legal authority, the Monster lurks."

Leovy pays a lot of attention to her concern that only a small percentage of homicides are solved, but her attention is misplaced because, in fact, homicides are more frequently resolved than any other crime (FBI, 2010). Leovy, unfortunately, romanticizes police work, clearly writing as a journalist and not as a serious researcher. To become familiar with actual

research in policing, read for instance, Skogan, 2004, or Sherman, Farrington, et al., 2006.

All in all, however, this is an important book. It brings to light for a general audience something that police and academics already know: the homicide and crime rates in Black neighborhoods and Black representation in penal institutions are unacceptably skewed. The author takes us on a journey of occurrences that most individuals do not consider every day. Unfortunately, an increase of police presence and even an increase in police legitimacy within communities will not be enough to break the cycle of violent Black crime. Sociologist Orlando Patterson has recently written that changes other than those in policing are necessary. A reduction in youth incarcerations, chemical detoxification of ghetto neighborhoods, increases in child care programs such as Head Start and the Nurse Family Partnership program are all needed, along with social experiments like the president's My Brother's Keeper program.

As the author of *Ghettoside* observes, there are no simple answers. Complex problems like violence mandate complex solutions. The book may be frustrating for academics looking to tie in theories and solutions; however, the book is a sojourn into a world not often seen and which can no longer be ignored.

John DeCarlo, John Jay College of Criminal Justice, CUNY

Teresa Platz Robinson, *Café Culture in Pune: Being Young and Middle Class in Urban India*. Oxford University Press (2014), 320 pages, \$55.00 (hardcover).

Teresa Platz Robinson's ethnography of café culture in post-millennial Pune offers an engaging exploration of modernity, identity and intergenerational politics among India's middle-class urban youth. Robinson, a social anthropologist by training, shares insights from a year-long immersion in a city that has been economically and culturally transformed by the information technology revolution, focusing on cafés as emergent "third places" where young professionals explore their relationships to tradition and modernity while creating new norms for autonomy and integrity among their peers.

research in policing, read for instance, Skogan, 2004, or Sherman, Farrington, et al., 2006.

All in all, however, this is an important book. It brings to light for a general audience something that police and academics already know: the homicide and crime rates in Black neighborhoods and Black representation in penal institutions are unacceptably skewed. The author takes us on a journey of occurrences that most individuals do not consider every day. Unfortunately, an increase of police presence and even an increase in police legitimacy within communities will not be enough to break the cycle of violent Black crime. Sociologist Orlando Patterson has recently written that changes other than those in policing are necessary. A reduction in youth incarcerations, chemical detoxification of ghetto neighborhoods, increases in child care programs such as Head Start and the Nurse Family Partnership program are all needed, along with social experiments like the president's My Brother's Keeper program.

As the author of *Ghettoside* observes, there are no simple answers. Complex problems like violence mandate complex solutions. The book may be frustrating for academics looking to tie in theories and solutions; however, the book is a sojourn into a world not often seen and which can no longer be ignored.

John DeCarlo, John Jay College of Criminal Justice, CUNY

Teresa Platz Robinson, *Café Culture in Pune: Being Young and Middle Class in Urban India*. Oxford University Press (2014), 320 pages, \$55.00 (hardcover).

Teresa Platz Robinson's ethnography of café culture in post-millennial Pune offers an engaging exploration of modernity, identity and intergenerational politics among India's middle-class urban youth. Robinson, a social anthropologist by training, shares insights from a year-long immersion in a city that has been economically and culturally transformed by the information technology revolution, focusing on cafés as emergent "third places" where young professionals explore their relationships to tradition and modernity while creating new norms for autonomy and integrity among their peers.

Chapters on the importance of clothing, education, dating and the "morality of Indian conviviality" explore tensions that have emerged as youths gain visibility, agency and independence from gerontocratic power structures that have traditionally vested family elders with control over the fashion, education and social lives of the young. The stress of living simultaneously *for oneself* and *among others* pervades Robinson's accounts, manifested in youth's concerns that self-expression is rooted in something deeper than conspicuous consumption and that self-fulfillment does not come at the cost of one's familial ties and dignity. The author integrates analysis of the physical structures of shared living spaces in which shared bedrooms have given way to private ones, economic structures in which "work-life-balance" supplants the conventional primacy of filial duty, and social structures of peer grouping and partnering where shared connections are giving way to independent ones, with youth left to define their values, spaces, identities and cohorts outside of traditional defaults.

Robinson provides excellent context and commentary in her analysis, and she employs appropriate self-awareness in notes on her own actions and perceptions. Frequent references to other ethnographies of modern Indian youth lend nuance to Robinson's observations, and situate the book within a larger body of scholarship on the subject. The author relies heavily upon topics such as clothing, tobacco, alcohol and sex as signifiers of social change, and the study might have benefited from more expansive discussions of how political thought and post-academic professional identities inform and influence Pune's café culture. The discussion of social changes as consequences of economic liberalization may leave the reader wanting more information and insight into perceptions of political trends and ideologies that shape the socioeconomic environment in which the subjects operate and that will define the context of cultural iterations for years to come. A desire for deeper exploration of these forces reflects the engaging tone and topic of this book, which provides an inviting entrée to the café culture of modern India.

Michael Gilbert, Harvard T.H. Chan School of Public Health

Corresponding Authors

Julia Ostrov
jostrov.lmsw@gmail.com

Mary Ellen Brown
School of Social Work
Arizona State University
340 N. Commerce Park Loop
Suite 250
Tucson, AZ 85745
maryellen.brown@asu.edu

Mahasweta M. Banerjee
School of Social Welfare
University of Kansas
121 Twente Hall
1545 Lilac Lane
Lawrence, KS 66045
mahaswetab@ku.edu

C. André Christie-Mizell
Department of Sociology
Vanderbilt University
2301 Vanderbilt Place
VU Station B, Box 351811
Nashville, TN 37325-1811
andre.christie-mizell@vanderbilt.edu

Hilary Weaver
School of Social Work
University at Buffalo
The State University of New York
624 Baldy Hall
Amherst, NY 14260
hweaver@buffalo.edu

Vincent A. Fusaro
University of Michigan
School of Social Work
1080 South University Ave.
Ann Arbor, MI 48109-1106
vafusaro@umich.edu

Margaret H. Lloyd
The University of Kansas
School of Social Welfare
Twente Hall
1545 Lilac Lane
Lawrence, KS 66044-3184
mlloyd@ku.edu

JOURNAL OF SOCIOLOGY & SOCIAL WELFARE

2015 Publication Information & Subscription Rates

Volume:	XLII
Volume Year:	2015
Publication Period:	1-15 to 12-15
Publication Frequency:	Quarterly
Publication Dates:	March, June, September, December
Subscription Rates:	
	Retail Cost Subscription Agent
Online version only	Individual \$44.00 \$44.00 Institution \$88.00 \$78.00
Print plus online version (package)	Individual in U.S. \$52.00 \$52.00 Individual Outside U.S. \$64.00 \$64.00 Institution in U.S. \$96.00 \$86.00 Institution Outside U.S. \$108.00 \$98.00

Institutional subscribers can access the Journal's articles with ip authentication. Please send ip information to swrk-jssw@wmich.edu. Individual subscribers can access the Journal's articles online by contacting swrk-jssw@wmich.edu for a password.

Prepayment in U.S. funds. Single year subscriptions only. Subscriptions non-cancelable. Free replacement within six (6) months of publication of issues not received. Back Issues: \$20.00 per issue, plus \$2.00 for postage. ISSN: 0191-5096. Tax Free Registry No.: A-154961. Federal Tax ID No.: 386007327. Index: Included in Issue Number 4 (December) at no additional cost. Web Site: <http://www.wmich.edu/socialwork/journal/>. Contact Person: Gary Mathews, Ph.D., Managing Editor. *Journal of Sociology and Social Welfare*, School of Social Work, Western Michigan University, 1903 W. Michigan Ave., Kalamazoo, MI 49008-5354 USA. e-mail: swrk-jssw@wmich.edu. Tel: 269-387-3205 Fax: 269-387-3217.

INSTRUCTIONS FOR AUTHORS

(Revised June, 2015)

JSSW welcomes a broad range of articles which analyze social welfare institutions, policies, or problems from a social scientific perspective or otherwise attempt to bridge the gap between social science theory and social work practice.

Submission Process

The Journal is currently migrating to bepress Digital Commons for processing of submissions. To submit an article for consideration for publication, go to ScholarWorks, <http://scholarworks.wmich.edu>, select Journals, and find the Journal of Sociology & Social Welfare. In the upper left corner you will see a Submit Article button. This will help you create an account and submit your paper. Send with an abstract of approximately 100 words or less and key words. Please review the submission agreement. Electronic submissions will be acknowledged immediately and authors will be able to track the process of their articles through Digital Commons. Reviewing normally takes 120 days.

Preparation

Articles should be typed in a 12 point font, double-spaced (including the abstract, indented material, footnotes, and references), with one inch margins on all sides. Please number pages and disable the right justification. Tables may be submitted single-spaced. Please provide a running head and keywords with manuscript. Include tables and figures in the same document as the narrative. Due to space considerations, no more than five tables or figures can be included in an article. Please keep in mind that the tables must fit into a 4" x 6" page when printed, and adjust the size accordingly. Keep identifying information out of the narrative. Put identifying information (author names) in a separate document with full contact information and any acknowledgments. Aim for approximately 18 pages, not counting tables and references. Avoid footnotes and endnotes if possible. Overall style should conform to that found in the Publication Manual of the American Psychological Association, Sixth Edition, 2009.

Gender and Disability Stereotypes

Please use gender neutral phrasing. Use plural pronouns and truly generic nouns ("labor force" instead of "manpower"). When dealing with disabilities, avoid making people synonymous with the disability they have ("employees with visual impairments" rather than, "the blind"). Don't magnify the disabling condition ("wheelchair user" rather than "confined to a wheelchair"). For further suggestions see the Publication Manual of the American Psychological Association or Guide to Non-Sexist Language and Visuals, University of Wisconsin-Extension.

Book Reviews

Books for review should be sent to:

Jennifer Zelnick
Touro College Graduate School of Social Work
43 W. 23rd Street, 8th Fl.
New York, NY 10010.

Founding Editors

Norman Goroff and Ralph Segalman

Western Michigan University
JOURNAL OF SOCIOLOGY AND SOCIAL WELFARE
School of Social Work
Kalamazoo, MI 49008-5354

Non-Profit Org.
U.S. Postage Paid
Kalamazoo, MI
Permit #87