

The Color of Devolution: Race, Federalism, and the Politics of Social Control

Joe Soss University of Minnesota
Richard C. Fording University of Kentucky
Sanford F. Schram Bryn Mawr College

In this article, we seek to advance scholarship on the origins and consequences of policy devolution by analyzing state decisions to give local authorities control over welfare policy. The first part of our analysis explores the political forces that systematically influence state decisions to cede policy control to lower-level jurisdictions. In this context, we propose a general Racial Classification Model of how race influences social policy choice. Our findings support this model as well as social control perspectives on welfare provision. Building on these results, we then show how modest but consistent racial effects on policy choices concatenate to produce large disparities in the overall policy regimes that racial groups encounter in the federal system. The empirical findings illuminate the fundamental role that federalism plays in the production of contemporary racial disparities and in the recent turn toward neoliberal and paternalist policies in American poverty governance.

Over the past few decades, poverty governance in the United States has undergone a striking transformation. The social rights ethos of the 1960s has been supplanted by approaches that place greater emphasis on directive, supervisory, and punitive policy tools. Welfare programs have become more restrictive and behaviorally demanding (Mead 2004) as criminal justice policies have driven a stunning increase in incarceration (Western 2006). This paternalist turn has been accompanied by a second development: the reorganization of poverty governance along neoliberal lines. Core state functions have been contracted out to private providers, devolved to lower jurisdictions, and restructured as competitive markets (Nathan and Gais 1999; Ogle 1999). The convergence of these two streams marks a significant moment in American political development: the rise of a mode of poverty governance that is, at once, more muscular in its normative enforcement and diffuse in its organization.

To many, the convergence of these developments appears to be either coincidental or pragmatic. Most accounts of devolution and privatization say little about pa-

ternalism, linking these developments instead to the goals of innovation, efficiency, and responsiveness to local preferences (Osborne and Gaebler 1991). Decentralization, in this view, has little to do with ideology or the regulation of behavior; it has emerged from pragmatic efforts to solve problems and improve performance (Kettl 2005). Leading accounts of paternalism mirror this view, either by saying little about neoliberal reorganization or treating it as nothing more than a pragmatic strategy for achieving locally tailored forms of engagement with the poor (see Mead 2004).

A different picture has been presented by theorists of social control (Lowi 1998; Peck 2002; Piven and Cloward [1971] 1993; Wacquant 2001). “Social control” refers to the means by which collectives secure adherence to ideational and behavioral norms and curtail disruptive forms of deviance (Piven 1981). Effective social controls have long been viewed as essential features of stable, functioning societies (Ross 1901). They may take many forms, but theorists usually make two key distinctions. *Informal* controls are usually found in small groups or communities and operate through mechanisms such as peer pressure,

Joe Soss is Cowles professor for the study of public service and professor of political science, Hubert H. Humphrey Institute of Public Affairs, University of Minnesota, 301 19th Street South, Minneapolis, MN 55455 (jbsoss@umn.edu). Richard C. Fording is professor of political science, University of Kentucky, Lexington, KY 40506-0027 (rford@uky.edu). Sanford F. Schram is visiting professor of social work and social research, Graduate School of Social Work and Social Research, Bryn Mawr College, 300 Airdale Road, Bryn Mawr, PA 19010-1697 (sschram@brynmawr.edu).

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socialization, group rituals, calls for responsibility, and stigmatization of deviance. *Formal* controls are typically associated with institutions of the state and market, which sustain conventional behavior through policies and rules, penalties and rewards, and organizational structures and routines. One may also distinguish between *beneficent* and *coercive* tools of control (Fording 2001), as Pierre Bourdieu (1998) does in discussing the “left hand” and “right hand” of the state. The former are exemplified by forms of social provision such as education, healthcare, social insurance, and public assistance; the latter by criminal justice organizations such as courts, police forces, and prisons.

To theorists in this tradition, recent changes in poverty governance mark important shifts in the operation of social control: toward greater reliance on formal mechanisms, toward greater reliance on the state’s “right hand,” and toward the incorporation of more coercive tools within the social-welfare domain. Far from being coincidental or merely pragmatic, decentralization is portrayed by these theorists as fundamental to paternalism; the two entwine as integrated pieces of an increasingly *localized* and *racialized* form of social control needed to cope with the potential disorders generated by deregulated markets and the retrenchment of social provision.

Theodore Lowi, for example, argues that under U.S. federalism, behavior is regulated most vigorously and effectively by lower levels of government. Thus, devolution is essential to the “beefing up [of] institutions and methods of local social control” needed to deal with the troubles that accompany a loosening of market restraints. The neoliberal and paternalist turns, Lowi contends, are two sides of a single transition to “government policies that use locally enforced social control to address the spillover effects of extreme inequalities. . . . Thanks to its federalism, [the U.S.] meets the needs of social order through devolution” (1998).

Loïc Wacquant (2001, 2002) makes closely related arguments focusing on the rise of mass incarceration and its disproportionate effects on poor black communities. Wacquant argues that criminality and incarceration serve as primary tools for managing disorder among poor African Americans in a neoliberal era of deregulated, globally integrated markets. “Social deregulation, the rise of precarious wage work. . . and the return of an old-style punitive state go hand in hand: the ‘invisible hand’ of the causalised labour market finds its counterpart in the ‘iron fist’ of the state which is being redeployed so as to *check the disorders generated by the diffusion of social insecurity*” (2001, 401). A “post-Keynesian” mode of social control is emerging, Wacquant (2002) argues, and “the reproduction of ethnoracial hierarchy” lies at its center. Indeed,

Wacquant contends that the “penalisation of poverty” functions as a fourth “peculiar institution” for “defining, confining, and controlling African Americans in the United States” (2002, 98), following on the heels of slavery (1619–1865), Jim Crow (1865–1915), and the racially defined ghetto (1915–68). Neoliberal paternalism, in this view, is a coherent regime in which “ghetto and prison meet and mesh” as an integrated system to “discipline the poor and contain. . . . dishonored, lower-class African Americans” (121).

For students of state politics, such arguments raise important questions about how policy devolution intersects today with the politics of race and social control. Over the past decade, numerous state-level studies have found relationships between welfare and incarceration policies (Beckett and Western 2001; Fording 2001) and between the racial composition of welfare caseloads and adoption of paternalist welfare rules (Fellowes and Rowe 2004; Fording 2003; Soss et al. 2001). But neither these findings nor the historical conjunction of devolution and paternalism should be seen as persuasive evidence for the kinds of arguments advanced by Wacquant and Lowi. To date, there is little evidence that welfare policy authority is being localized in a way that can be tied to the distribution of racial groups, the use of paternalist tools, patterns of incarceration, or the causal factors emphasized by leading theories of social control.

In this article, we pursue a stronger test of these predictions by analyzing second-order devolution (from state to local jurisdictions) in the Temporary Assistance for Needy Families (TANF) program. A key piece of the neoliberal turn in U.S. welfare policy (Gainsborough 2003), second-order devolution offers an opportunity to study numerous transfers of policy authority to local jurisdictions under a variety of political, social, and economic conditions. If social control arguments in this area have merit, we should expect second-order devolution to coincide with stronger welfare paternalism, greater carceral investment, the racial composition of populations, and the political and economic factors emphasized by social control theories of welfare.

In pursuing this agenda, we also aim to make a more general contribution to the study of race and social politics. Despite producing many studies that link welfare policy choices to race, students of state politics have yet to supply a coherent answer to the most fundamental question raised by their findings: in an era in which *de jure* racial distinctions are no longer accepted and egalitarian norms are widely embraced (Mendelberg 2001; Schram 2005), how do large racial disparities come to be produced and tolerated under the official sanction of government policy? To answer this question satisfactorily,

scholars must identify (1) a set of microfoundations that can account for relevant policy choices and (2) mechanisms that can explain how such choices generate sizable disparities in the ways racial groups are positioned vis-à-vis the state.

In what follows, we aim to do precisely that. First, we present a general decision model of how racial classifications can be expected to influence choices related to policy design and implementation. The *Racial Classification Model* (RCM) we develop fits well with existing findings and generates clear predictions for our present analysis. Our empirical analysis suggests strong support for both the RCM and for a social control explanation of second-order devolution. Extending this analysis, we then show how modest racial effects on policy choices concatenate in a federal system to produce large disparities in the policy regimes encountered by racial groups. Decisions to devolve policy authority track with paternalist state policy choices to create distinctive types of TANF policy regimes. The stringency of these regimes, in turn, tracks closely with state investments in incarceration. Together, these patterns of welfare devolution, welfare paternalism, and investment in incarceration converge in a way that disproportionately exposes African Americans to the most stringent and localized regimes of state social control.

Devolution and Discipline: Recent History of the Welfare Case

When federal officials devolved key elements of TANF authority to the states in 1996, they extended a process that had been underway for some time (Conlan 1998). In the welfare arena, substantial first-order devolution began during the George H.W. Bush administration, when states were encouraged to apply for waivers under the Aid to Families with Dependent Children (AFDC) program. Over the next decade, states used waivers to experiment with a variety of innovations such as time limits, family caps, and workfare. With the passage of federal reform in 1996, key policy changes accelerated this trend—most notably the shift from a matching grant to a block grant, increased state control over eligibility, and greater flexibility in the provision of services. Although federal officials established program goals and incentives, states were encouraged to structure their TANF programs according to their own priorities.

In some states, lawmakers responded by shifting primary control of TANF policy down to counties or other local governing bodies (Gainsborough 2003). This development has seemed unremarkable to the many observers

who predicted that second-order devolution would follow seamlessly and almost universally from the initial federal-to-state transfer of policy authority (Nathan and Gais 1999). Such predictions, however, tended to ignore significant countervailing pressures in the states. Over the lifespan of the AFDC program, the clear trend at the state level was toward centralization, with 17 states moving from an emphasis on local control to greater state supervision; no states moved in the opposite direction (Adkisson and Peach 2000). During the TANF era, second-order devolution has turned out to be an important policy choice distinguishing state welfare regimes, not a natural or inevitable outgrowth of reform.

As of 2001, most states had either foregone second-order TANF devolution altogether or pursued only a “slight” form of it (Gainsborough 2003). By contrast, 14 states reversed the trend under AFDC by pursuing significant devolution. In eight states, county officials gained control over welfare spending (through block grants) as well as TANF work requirements, sanctions, time limits, and the use of one-time diversion payments (Gainsborough 2003).¹ In six states, TANF authority was devolved to local/regional governing boards that control programs related to both TANF and the Workforce Investment Act (WIA).² Such boards consist of a mix of public and private officials, with most states requiring that at least half the board’s members come from the local business community (Gainsborough 2003).

Although only 14 states have devolved TANF program control, the impact has been quite substantial because the group includes six of the eight most heavily populated states.³ Advocates of devolution argue that these states have adopted a superior arrangement that allows for more tailored responses to citizens’ preferences and to the problems poor people confront in local communities (Dye 1990; Rivlin 1992). Critics, however, suggest that devolution might have decidedly negative consequences for socially marginal populations (Lowi 1998).

Social control theorists argue that local policy authority “make[s] it possible to shape relief practices in accord with widely different labor practices. . . so as to mesh with local labor requirements” (Piven and Cloward [1971] 1993, 130–31). Echoing this perspective, Gainsborough

¹The eight include California, Colorado, Maryland, Minnesota, New York, North Carolina, Ohio, and Wisconsin.

²Of these six, Florida, Michigan, and Texas have ceded significantly greater amounts of authority to their regional workforce boards than have Arkansas, Tennessee, and Utah (Gainsborough 2003).

³California, Texas, New York, Florida, Ohio, and Michigan. Illinois and Pennsylvania are the fifth and sixth most heavily populated states. <http://www.census.gov/popest/states/tables/NST-EST2004-01.xls>

suggests that the contemporary push for local welfare control “represents a shift in emphasis away from the needs of the poor toward the needs of local employers” (2003, 618). This concern is underscored by historical studies showing that local welfare control has often functioned to produce racial disparities, with the toughest rules implemented in areas with concentrations of people of color (Lieberman 1998). Consistent with this historical pattern, studies of the AFDC and Food Stamp programs in the 1980s suggest that local control can indeed give rise to inequities in funding and service delivery (Grubb 1984; Peterson 1986) and that such tendencies can be curbed by a more centralized system (Adkisson 1998).

Decisions to localize policy authority carry special importance under welfare reform because of their intersection with the turn toward paternalist rules and penalties. In the TANF era, welfare receipt is conditioned by a host of behavioral limits and requirements; behaviors are closely monitored in connection with performance goals; and service providers have authority to impose sanctions when participants fail to comply with expectations (Mead 2004). In this policy context, devolution enhances local control over a variety of disciplinary policy tools, with implications that go far beyond eligibility determination and service delivery (Gainsborough 2003). To date, however, little is known about why some states have pursued second-order devolution while others have not, and virtually nothing is known about how these decisions intersect with paternalist TANF policy choices to define distinctive state welfare regimes.

Against this backdrop, we turn to an analysis of the factors that shape state decisions to devolve TANF authority to local units. To develop our hypotheses, we begin by introducing a general Racial Classification Model of social policy choice capable of specifying predictions for second-order devolution. We then present hypotheses derived from this model as well as social control theory, state ideology and propensity for innovation, and policy task environments.

How Target Race Affects Policy Choice: The Racial Classification Model

In the literature on state welfare policy choice, racial effects have become a standard hypothesis (Fellowes and Rowe 2004; Fording 2003; Soss et al. 2001; Wright 1976). To justify this hypothesis, researchers tend to cite the historical role of race in U.S. welfare state development

(Lieberman 1998) and the link between racial and welfare attitudes in public opinion (Gilens 1999). To date, however, it remains fair to say that researchers have sidestepped the difficult questions of *how* race affects social policy choice and *why* officials might design and implement policy in ways that track with racial composition. The field has specified no microfoundations for the hypothesis that the race of policy targets should influence policy decisions.

To advance explicit theorizing in this area, we propose the Racial Classification Model (RCM) of social policy choice.⁴ The RCM is a cognitive model of policy decision making built on the necessity of social classification and the consequences of group reputation. It elaborates on Schneider and Ingram’s (1997) theory of target populations by specifying how and when racial classifications should affect target-group constructions and, hence, officials’ choices regarding policy design and implementation. It consists of three premises.

(1) To be effective in designing policies and applying policy tools to specific target groups, policy actors must rely on salient social classifications and group reputations; without such classifications, they would be unable to bring coherence to a complex social world or determine appropriate action.

This premise asserts two key assumptions about policy choice. First, although policymakers and implementers have diverse motives (Weaver 2000, 30–31), we assume they desire to be effective in applying policies to specific target populations (Schneider and Ingram 1997). Second, as they try to answer the question, “what kind of policy will be most effective?” officials are guided by their answers to more basic questions such as “what kind of group is this policy designed to influence?” and “what sorts of policy tools are likely to produce the desired responses among members of such a group?” In contemplating such questions, officials rely on *social classifications* to identify the “kinds” of people being addressed and *group reputations* to intuit how such people are likely to respond to a particular intervention.

In making this assumption, the RCM follows a basic principle of contemporary research on social cognition and stereotyping (Hogg and Abrams 1998). As George

⁴The RCM is meant to apply to social classifications defined by ethnicity as well as race. We use the term “race” in this section solely to avoid repeated use of the more awkward phrase “race and/or ethnicity.” Indeed, while we limit ourselves here to the case of race and ethnicity, the RCM implies a general model that could easily be extended to other instances of social classification, stratification, and policy choice.

Lakoff writes, “There is nothing more basic than categorization to our thought, perception, action, and speech. . . . Without the ability to categorize, we could not function at all, either in the physical world or in our social and intellectual lives” (1987, 5–6). This assumption is also consistent with bounded-rationality approaches to decision making, which emphasize how reliance on social kinds and reputations allow for cognitive economy (Jones 2001; Simon 1997). Thus, the first premise of the RCM asserts only that policymakers share a general property of human cognition and, moreover, seek to create policy designs that will be effective for specific target groups.

(2) When racial minorities are salient in a policy context, race will be more likely to provide a salient basis for social classification of targets and, hence, to signify target differences perceived as relevant to the accomplishment of policy goals.

This premise entails two assumptions about race. First, however much race may be related to shared physical traits or cultural toolkits, it is fundamentally a form of social classification: it arises from social practices of categorization and is deployed as a means of organizing the social world (Jenkins 1997). Thus, the RCM suggests that racialized policy choices arise from the impact of one form of social classification on another—i.e., policymakers’ use of racial kinds to intuit the kinds of policy targets they aim to influence. Based on the prevalence of African Americans in a program, for example, a legislator may make important assumptions about participants’ levels of human capital, tendencies toward social dysfunction, barriers to self-sufficiency, or vulnerability to labor market discrimination. An official charged with implementing policy may do the same when taking action on the case of a black versus a white individual. In this manner, racial group reputations can guide assumptions about target characteristics at either the collective or individual level, and at any stage of the policy process.

Second, we assume that the salience of race varies across policy domains, time periods, and political jurisdictions. All else equal, we expect race to become more salient in a policy context as racial minorities come to figure more prominently in policy-relevant political events, media discourses, and target-group images (Gilens 1999). Research suggests, for example, that the presence of black policy targets enhances the impact of negative black stereotypes on policy preferences (Hurwitz and Pefley 1997) and reduces perceptions of target deservingness (Fording 2003). Similarly, the salience of race in welfare politics has historically depended on the extent to which racial minorities have been prevalent on the welfare

rolls and prominent in poverty discourse (Gilens 1999; Quadagno 1994). Thus, we assume that racial classifications become more salient as guides for policy choice in periods, locales, and policy domains where racial minorities are more central to policy discourse and/or prevalent among targets.

(3) The likelihood of racially patterned policy outcomes will be positively associated with the degree of policy-relevant contrast in policy actors’ perceptions of racial groups. The degree of contrast, in turn, will be a function of (a) the prevailing cultural stereotypes of racial groups, (b) the extent to which policy actors hold relevant group stereotypes, and (c) the presence or absence of stereotype-consistent cues.

We assume that humans make meaning through categorical contrasts (McGarty 1999). Thus, for racial groups to guide officials’ perceptions of target groups, their reputations must suggest meaningful differences in characteristics relevant to the achievement of policy goals. When the perceived difference between groups is negligible, racial categories should provide officials with little traction for making policy choices. As the perceived contrast grows larger, we should expect the utility of racial information to rise. Racial contrasts offer a clearer basis for inferring target group traits, and racially patterned policy choices become more likely.

The key question, then, is this: what influences the degree of policy-relevant contrast between racial groups? The RCM emphasizes three factors. First, because social groups carry different reputations in the broader culture, perceived contrasts will depend on which groups are salient in a policy domain. Consider, for example, reputations for preferring to be “self-supporting” versus preferring to “live off welfare.” On this dimension, the gap between stereotypes of Asian- and Euro-Americans is fairly small, while the gap between stereotypes of African- and Euro-Americans is quite large (Bobo and Massagli 2001). Accordingly, in the context of welfare-to-work programs, the ratio of Euro- to Asian-American recipients will be less likely to affect policy choices than the ratio of Euro- to African-American recipients.⁵

Second, the size of the gap between racial-group reputations should also vary across public officials, depending

⁵ A corollary point is that racial-group reputations will serve as useful guides for heuristic reasoning only to the extent that they suggest differences in *policy-relevant* traits or tendencies. For example, stereotypes regarding food preferences would have little relevance in the criminal justice domain, while stereotypes regarding aggressiveness would matter greatly.

on the stereotypes they have internalized or rejected. Systematic differences in racial stereotyping exist, not only across individuals, but also across groups defined by age, education, class, region, political ideology, and, of course, race itself (e.g., Bobo and Massagli 2001). Hence, the impact of racial classifications on policy choice should increase as the composition of decision makers shifts toward individuals or groups who embrace policy-relevant racial stereotypes to a greater degree.

Third and finally, stereotype activation should also depend on proximate contextual cues. Experimental research suggests that when immediate cues reinforce or appear to confirm group stereotypes, racially patterned responses become more likely. Thus, Eberhardt et al. (2006) find that black defendants are more likely to receive the death penalty if they are perceived as having a “stereotypically black appearance,” and Pager (2003) finds that attribution of a criminal record disadvantages black job applicants to a greater degree than their white counterparts. And just as stereotype-consistent cues tend to enhance the impact of stereotypes, stereotype-inconsistent cues have the potential to dampen or forestall such effects (Valentino, Hutchings, and White 2002). Accordingly, racial-group contrasts should be perceived as larger when officials encounter group- or individual-level signs of stereotype-consistent behaviors or characteristics.

Together, these premises of the RCM offer a parsimonious and testable model of how race should influence officials’ policy choices. Racial factors can affect policy actions in a variety of ways that fall outside the purview of a microlevel cognitive model such as the RCM. For example, in cases where the RCM would not lead one to expect racial disparities, such outcomes may nevertheless occur if officials respond to political pressures from organized interests that exhibit some form of racial bias in their own right. Thus, the RCM should be seen as specifying conditions that are *sufficient* to produce racial disparities in policy actions. It should not be mistaken for a statement of necessary conditions or treated as a comprehensive account of how race matters in the policy process. Indeed, in cases where the RCM predicts no racial effects, it will help to clarify that disparities are unlikely to have arisen from stereotype effects alone and that researchers should be alert to other dimensions of racial politics.

Because of its minimalist assumptions, the RCM can also be distinguished from other microlevel models of the relationship between race and policy choice. First, because the RCM is built entirely on the decision maker’s cognitions, it makes no assumptions about the decision makers’ racial status. In this regard, the RCM can be distinguished from accounts based on ingroup favoritism (Brewer 1999), animus toward outgroups (Allport 1954),

group threat (Key 1949), and group position (Bobo and Tuan 2006). Likewise, the RCM can be distinguished from models that emphasize the conversion of descriptive representation into substantive representation (Selden 1997; Swain 1995). To the extent that minority policy actors share majority stereotypes, the RCM predicts they will make policy choices that resemble the decisions of white officials who hold these perceptions. Minority representation in legislatures and bureaucracies may dampen, strengthen, or have no effect on racially patterned outcomes, depending on how minority perceptions of racial groups compare to majority perceptions.

Finally, a key feature of the RCM is that it requires no attribution of discriminatory intent or racist antipathy to public officials. The RCM does not deny the relevance of such motives, and we assume they are operative in at least some instances. The RCM claims only that such motives are not *necessary* for the racial characteristics of target groups to influence policy choices.

State Devolution of TANF Authority: Some Hypotheses

With the RCM in hand, we are now in a position to state some expectations regarding second-order devolution under welfare reform, beginning with hypotheses related to race.

Race/Ethnicity: The RCM suggests that, in the welfare-to-work context, policy choices should reflect racial-group reputations for work effort and personal responsibility. Relative to white Americans, racial minorities—and especially black Americans—remain strongly associated with low work effort and motivation, socially irresponsible behavior, and preferences for welfare reliance (Gilens 1999; Schuman et al. 1997). Given these differences, the RCM predicts that as the minority percentage of welfare clients increases, public officials will become more likely to perceive themselves as making policy for “tough cases” who present greater motivational and behavioral barriers to the achievement of policy goals. This thesis, without elaboration, can account for the major empirical pattern currently found in the literature on race and state welfare policy. In states where racial minorities are more prevalent in the TANF caseload, lawmakers are more likely to pass a variety of stringent and behaviorally targeted welfare rules (Avery and Peffley 2005; Fellowes and Rowe 2004; Soss et al. 2001).

Extending this logic to the case of second-order devolution, we can predict that the “type of welfare recipient” perceived as prevailing in a local jurisdiction will depend

on racial composition. Thus, in states where the racial make-up of populations does not vary much across local jurisdictions, the characteristics and needs of welfare recipients should be perceived as fairly homogeneous across the state. By contrast, when minority racial groups are distributed more unevenly across local jurisdictions, state officials should perceive more local variance in target-group characteristics and needs—and, hence, should see a greater need to pursue different approaches in different locales. (Or alternatively, local officials themselves may become more likely to believe that they serve different clienteles and, hence, need greater freedom to deploy policy tools in ways that differ from other local jurisdictions.) Perceptions that client needs and program challenges vary across locales should suggest the desirability of policy devolution for reasons that appear, to the actors themselves, purely pragmatic and appropriate.

At the same time, the RCM predicts that racial classifications should be more or less salient to public officials depending on the size of the minority population in the state as a whole. Thus, if the state has a very small minority population, the distribution of minorities across localities should have little effect because (regardless of how they are distributed across the state) racial groupings are unlikely to serve as a salient frame for classifying “types of targets.” As the relative size of minority populations rises, local differences in racial composition should provide a more salient proxy for target variation. As a result, we arrive at the following interactive hypothesis. The probability of second-order devolution should be higher in states that exhibit greater variance in the minority share of county populations. The magnitude of this racial-dispersion effect should decline as the minority share of the total state population decreases. Conversely, the predicted positive relationship should intensify as the minority share of the total state population rises.⁶

We can also derive an additional racial hypothesis from the RCM’s assertion that it is the *gap* between group reputations that conveys usable information about target differences. Because stereotypes regarding work motivation and personal responsibility are more negative for blacks than for Hispanics (Fox 2004), black-white contrasts should suggest greater target differences than Hispanic-white contrasts. Accordingly, we hypothesize

that the interactive relationships specified above will be significantly stronger for blacks than for Hispanics.

Social Control. Social control theory suggests four hypotheses regarding the predictors of second-order devolution. Piven and Cloward ([1971] 1993) argue that, because welfare programs function as mechanisms for the regulation of local labor markets, their function is enhanced when local control allows for the calibration of work enforcement to local labor market conditions. The need for such work regulation should be greatest when employers confront labor scarcity—either because unemployment is low or because welfare programs have removed significant numbers of potential workers from the labor pool. Based on this reasoning, we hypothesize that devolution of TANF authority will be more likely in (a) states where employers confront tighter labor supplies, as indicated by a lower unemployment rate in 1996, and (b) states with higher per capita welfare participation, as indicated by AFDC caseloads in 1996.

While the economic side of social control theory suggests that low-income groups have an interest in centralized policy control, the political side of this theory suggests that welfare arrangements will tend to be responsive to actual or potential lower-class political power (Fording 2001; Piven and Cloward 1993). Following this logic, as well as recent supportive evidence (Avery and Peffley 2005), we advance a third hypothesis: second-order devolution will be more likely in states that exhibit a higher degree of class bias in voter turnout.

Fourth, broad orientations toward the use of formal control mechanisms arise from a wide variety of factors, including differences in state cultures (Mead 2004) and histories of social disruption (Fording 2001). Thus, in addition to the preceding factors, we include a proxy measure for interstate variation along this dimension. Specifically, we use a measure of state investment in corrections spending, which is often taken as an indicator of a state’s orientation toward exercising control over marginal populations (Jacobs and Helms 1996; Rose and Clear 1998). In so doing, we do not suggest that corrections spending has a causal effect on welfare policy. Rather, we assume that, after controlling for other factors in our model, corrections spending offers a proxy for state preferences for formal social control mechanisms. Outside social control theory, there are few reasons to expect a relationship between corrections spending and TANF devolution decisions. By contrast, social control theory suggests that we should expect convergence across state decisions to adopt stringent paternalist welfare rules, devolve welfare authority, and invest more heavily in carceral control. Accordingly, we hypothesize that TANF devolution will be more likely in states that spend a higher percentage of their

⁶The black and Hispanic percentages of state populations are highly correlated with the black and Hispanic percentages of state TANF rolls ($r > .90$). We rely on the former rather than the latter to facilitate the measurement of racial dispersion across local jurisdictions. Our county-average measure of state racial composition produces results that are statistically indistinguishable from models using a statewide measure.

direct expenditures on corrections. In the second half of our article, we explore the relationships among carceral investment, welfare devolution, welfare paternalism, and race in greater detail.

Ideology and Innovative Problem Solving. A third set of hypotheses is suggested by the possibility that devolution has an ideological cast. In the United States, devolution is often thought of as a conservative policy innovation (Conlan 1998). Advocates have often presented it as a forward-looking approach to handling chronic social problems, such as welfare dependency (Adkisson and Peach 2000). Accordingly, we hypothesize that devolution will be more likely (a) in states with a history of welfare innovation, as indicated by earlier requests for “waivers” under the AFDC program, (b) in states that confronted a larger “dependency problem” in 1996, as indicated by the per capita AFDC caseload,⁷ and (c) in states that had more conservative public officials in 1996, as measured by Berry and colleagues’ (1998) indicator of state-government ideology.

An additional hypothesis, also related to ideology, suggests that second-order devolution is a response to the diversity of local political preferences. This hypothesis emphasizes the role of within-state heterogeneity, but unlike our hypotheses derived from the RCM, it identifies devolution as a response to differences in citizens’ political orientations across jurisdictions.⁸ This leads us to pursue three hypotheses. First, second-order devolution should be more likely in states with a higher percentage of conservative citizens. Second, devolution should be more likely in states where the level of conservatism displays greater variation across counties, indicating ideological heterogeneity. Third, the level and variability of conservatism may interact, such that political conservatism is most likely to generate devolution in states with greater ideological differences across jurisdictions. To construct our measure of state ideological heterogeneity, for each state we calculate the county-level coefficient of variation for the percentage of votes cast for Robert Dole in the 1996 presidential election. Our measure of state conservatism is based on the average percentage of votes cast for Dole across state counties.⁹

⁷This hypothesis, of course, points in the same direction as the caseload prediction we derive from social control theory. Our data do not allow for an empirical distinction between the two different accounts for this variable.

⁸While the ideological heterogeneity hypothesis suggests that devolution arises because citizens in different locales prefer different policy outcomes, the RCM suggests that devolution may occur even if all jurisdictions agree on a single preferred outcome—so long as they perceive their target groups as having different characteristics relevant to the achievement of this outcome.

⁹We use presidential election returns to measure ideological orientations due to the fact that alternative measures of ideology are not

Task Environment. Our final set of hypotheses concerns structural features of the environments in which state policymakers decide how to govern their TANF programs. All else equal, centralized governance should prove to be an easier task when residential populations are more concentrated geographically. Accordingly, we hypothesize that states with more dispersed populations (i.e., a lower population per square mile of land area) will be more likely to devolve authority to local counties or regional boards. As a second key feature of the task environment, we include a measure of per capita tax revenue in our model, with the expectation that it could relate to second-order devolution in one of two ways. On one side, a weak revenue base could provide incentives for state officials to send responsibility to the local level and limit expenditures through block grants. On the other side, a strong revenue base may promote the development of greater administrative capacity at both state and local levels. To the extent that this occurs, states with stronger revenue streams may find it easier to devolve to *capable* local organizations. Thus, we test a two-tailed hypothesis for per capita tax revenue.

Empirical Analysis of Second-Order Devolution

The far left column of Table 1 shows results for a binary logit analysis of state choices to pursue second-order devolution, based on a dichotomous dependent variable coded 1 for the 14 states that engaged in significant devolution between 1996 and 2001 and 0 for all other states.¹⁰ The results indicate that our hypotheses have significant explanatory power. Despite a small sample,¹¹ the joint effects of these variables easily achieve statistical significance ($p < .001$) and account for more than two-thirds of state variation. Turning to the coefficients, we find mixed results for the image of second-order devolution as a conservative policy innovation. There is no evidence here that devolution decisions track with government ideology. By

available below the state level. Results do not change significantly when a statewide measure is substituted for our county-average measure.

¹⁰Variable definitions, sources, and descriptive statistics for all of the variables used in our analyses are provided in an online appendix.

¹¹The sample for this analysis includes the 48 contiguous U.S. states minus Nebraska. Nebraska is typically excluded from state-level analyses because of its nonpartisan legislature. Although we do not report results for a party-control measure here (results were insignificant in all analyses), we exclude Nebraska to maintain comparability to other findings in the literature.

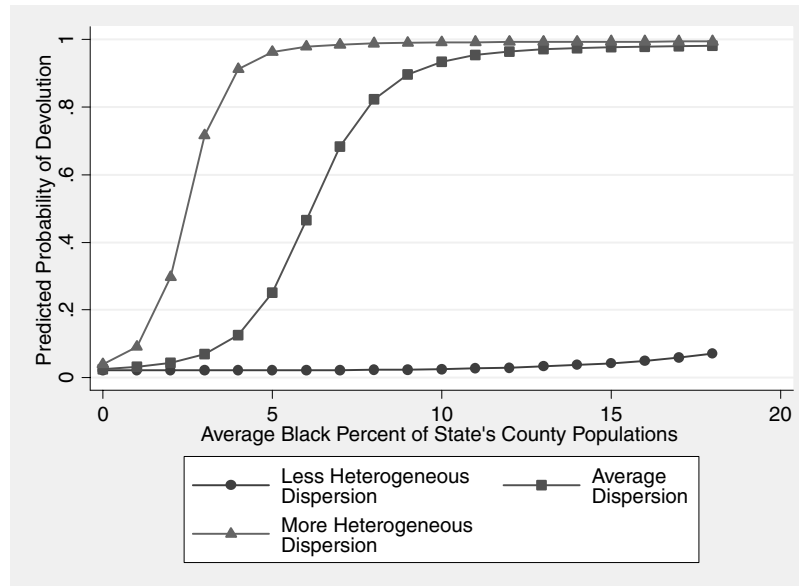
TABLE 1 State-Level Predictors of Second-Order Devolution (Binary Logit Models)

<i>Independent Variables</i>	Model 1 b (z-score)	Substantive Effects^a	Model 2 b (z-score)	Model 3 b (z-score)	Model 4 b (z-score)	Model 5 b (z-score)	Model 6 b (z-score)
<i>Social Control</i>							
Class Bias in Voter Turnout	0.131** (2.02)	0.4407	0.038 (1.20)	0.029 (1.11)	0.169** (2.03)	0.115* (1.71)	0.122* (1.75)
Unemployment Rate	-4.883** (-2.05)	-0.7612	-2.227** (-2.16)	-1.740** (-2.22)	-4.918* (-1.81)	-5.372* (-1.71)	-5.310** (-2.00)
Corrections Spending	5.641** (2.22)	0.6024	2.482** (2.25)	1.710** (2.08)	6.967** (2.12)	6.408** (2.04)	6.305** (2.14)
Caseload-to-Pop. Ratio	2.651** (2.02)	0.5785	1.629** (2.10)	0.970* (1.64)	3.142** (2.02)	2.766* (1.69)	3.053* (1.91)
<i>Ideology and Innovation</i>							
Government Ideology	-0.003 (-0.10)	-0.0147	-0.024 (-0.98)	0.005 (0.24)	-0.034 (-0.72)	-0.009 (-0.27)	-0.002 (-0.04)
Welfare Policy Innovation	-0.346** (-2.15)	-0.4004	-0.046 (-0.55)	-0.092 (-1.24)	-0.384** (-2.19)	-0.324* (-1.91)	-0.376** (-2.16)
<i>Task Environment</i>							
Population per Square Mile	-11.917** (-1.98)	-4.780	-3.135 (-1.06)	-3.372 (-1.03)	-10.968* (-1.79)	-10.428* (-1.72)	-15.197* (-1.91)
Per Capita Tax Revenue	0.008* (2.18)	0.4397	0.003 (1.50)	0.002 (1.03)	0.010* (2.18)	0.008* (2.07)	0.008* (1.96)
<i>Racial Classification</i>							
Black Percent	1.229*** (2.34)	(see Fig. 1)	-	-	1.558** (2.25)	1.164* (1.91)	1.466** (2.28)
Black Dispersion	16.344*** (2.47)	(see Fig. 1)	-	-	20.181** (2.32)	16.862** (2.18)	18.408*** (2.38)
Black Percent*Dispersion	1.704** (2.31)	-	-	-	1.858** (2.24)	1.840** (2.11)	1.946** (2.24)
Hispanic Percent	-	-	0.028 (0.28)	-	-	-	-
Hispanic Dispersion	-	-	1.665 (0.89)	-	-	-	-
Hispanic Percent*Dispersion	-	-	1.275* (1.91)	-	-	-	-
<i>Ideological Heterogeneity</i>							
Dole Percent	-	-	-	0.188 (0.44)	-	-	-
Dole Vote Dispersion	-	-	-	63.779 (0.62)	-	-	-
Dole Percent*Dispersion	-	-	-	-1.196 (-0.50)	-	-	-
Aid CV	-	-	-	-	-72.458 (-1.10)	-	-
South	-	-	-	-	-	4.028 (0.94)	-
Counties	-	-	-	-	-	-	-0.022 (-1.05)
Constant	-2.190 (-0.16)	-	-8.351 (-0.90)	-10.523 (-0.56)	14.317 (0.74)	-0.587 (-0.04)	4.388 (0.29)
<i>Overall Model</i>							
Number of Observations	47	-	47	47	47	47	47
LR χ^2_{11df}	38.7***	-	26.3***	22.9**	40.1***	39.9***	39.8***
PRE	.68	-	.46	.40	.70	.70	.69

*p < .05; **p < .025; and ***p < .01.

^aEntries indicate change in the predicted probability of second-order devolution given a centered standard deviation increase in the variable, holding racial variables at their median values and all other variables at their mean values.

FIGURE 1 The Effect of Black Percent of State Population at Different Levels of Black Dispersion



Note: Predicted probabilities are based on Model 1 of Table 1, with levels of black dispersion (i.e., the coefficient variation) set at the 25th percentile, the median, and the 75th percentile. Consistent with the RCM, when the average black percent of county populations is set at its minimum, the level of black dispersion has no statistically discernible effect on state decisions to devolve TANF authority.

contrast, TANF devolution has been significantly more likely in states with a history of early innovation under AFDC waivers. We find stronger results for the structural features of a state's task environment. As expected, states with lower population densities are significantly more likely to devolve TANF control.¹² Likewise, as tax revenues rise, presumably enhancing local capacities, states become more likely to devolve TANF authority.

Consistent with the idea that local TANF devolution is entwined with paternalist social control (Lowi 1998), the coefficients for all four of the variables inspired by social control theory emerge as statistically significant in this analysis. Moreover, based on changes in predicted probabilities presented in column 2 of Table 1, the magnitude of effects for these variables appears to be larger, on average, than the effects of other variables in the model. States with higher welfare caseloads in 1996 were significantly

¹²As an alternative measure of a state's underlying propensity to devolve policy authority, we employed a general "centralization index" developed by G. Ross Stephens (1994). When substituted for population per square mile in Model 1, this variable produces a statistically insignificant coefficient. When treated as a rival explanation for the RCM and substituted for the racial variables in Model 1, the centralization index emerges as statistically significant but the substitution produces a significant decline in the performance of the overall model.

more likely to devolve TANF authority to the local level, as were states with tighter labor markets. On the political side, second-order devolution emerges as significantly more likely in states that have a stronger upper-class bias in voter turnout. And consistent with the idea that decisions to devolve will be tied to states' general social control orientations, we find that states that invest more heavily in corrections are significantly more likely to devolve TANF control.

The results for our racial variables offer consistent support for the RCM. We find significant coefficients in the expected direction for the black percent of the state population, the variability of black populations across counties (as measured by the coefficient of variation), and their interaction.¹³ Figure 1 presents a graphic portrait of these relationships. The three curves show how the predicted probability of devolution changes along with the black percent of population in a hypothetical "average"

¹³For ease of interpretation, we have transformed the variables Black Percent and Black Dispersion so that they each have a mean of zero. Thus, due to the multiplicative term in the model, the coefficients for these variables represent the effect of each when the other is fixed at its mean value. In Figure 1, by contrast, we rely on the untransformed versions of each variable to display the conditional relationship between Black Percent and second-order devolution.

state (i.e., a state with average values on all other variables included in our model) depending on how blacks are distributed across state counties (dispersion is set at the 25th percentile, the median, and the 75th percentile, respectively). Consistent with our predictions, we observe no statistically discernible difference in the probability of devolution across the three levels of dispersion when the black percent of the state population is at its minimum. Moving rightward on Figure 1, however, clear differences emerge. As expected, the black percent of the population has a negligible effect on the probability of devolution when black populations are relatively evenly distributed across counties. When the dispersion of black residents is more uneven, the predicted probability of devolution rises steadily as the black percent of population increases. The effect is dramatic even at just the median level of dispersion. It increases further when dispersion is set at the 75th percentile.

Models 2 and 3 extend this analysis by replacing our measures of black population with variables that reflect alternative explanations for devolution. In Model 2, we substitute parallel measures for state Hispanic populations. Consistent with the predictions of the RCM, the substitution of Hispanics for blacks weakens the results substantially. The “Pseudo-R²” (PRE) drops precipitously, from .68 to .46. Moreover, we do not find significant coefficients for Hispanic prevalence or dispersion, only a small effect for their interaction.¹⁴ Model 3, which substitutes state ideological variation for racial/ethnic differences, offers a similar story. Again, we find a much smaller PRE and weaker results for covariates in the model. We find no significant results for our measures of average support for Robert Dole in 1996, variation in support for Dole across counties, or their interaction. It is also worth noting that, among covariates, the effects associated with the social control variables prove to be most robust across these specifications.¹⁵

¹⁴The sequential comparison of black and Hispanic population effects cannot be extended to a simultaneous analysis due to high levels of collinearity among the racial/ethnic variables. The sequential models in Table 1 do not suffer from high levels of multicollinearity (as indicated by Variance Inflation Factors). Thus, the changes to coefficients for control variables observed as one moves from Model 1 to Model 2 are likely a result of omitted variable bias—a pattern that further suggests the distinctive influence of black populations.

¹⁵In addition to sequential comparisons, we estimated a single model including our measures of both black population and support for Robert Dole in 1996. The results corroborate the findings shown here: none of the vote-based measures generate significant coefficients; all of the coefficients for our black populations variables remain significant; and relative to Model 1, the fit of the overall model does not significantly improve with addition of the vote-based measures.

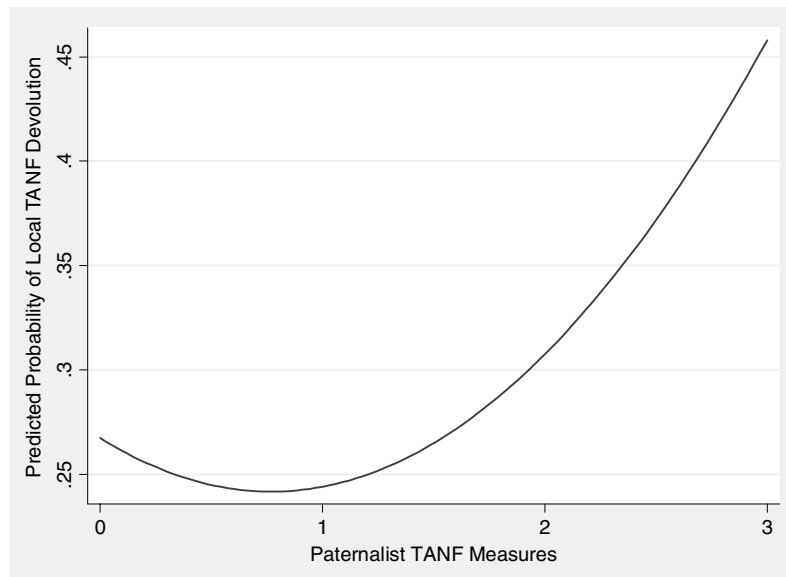
Models 4–6 extend our analysis by providing three additional specification tests designed to check the robustness of results reported for our primary model (Model 1 in Table 1). Model 4 examines whether devolution is a response, not to racial heterogeneity, but rather to policy-preference heterogeneity. This specification check extends our earlier test of ideological heterogeneity by searching for effects related to policy-specific preferences. To measure this construct, we used data from the National Election Studies Pooled Senate File to calculate the average coefficient of variation for state residents’ preferences for spending on aid to the unemployed, the homeless, and blacks. We find no significant effects for this variable, and its addition to the model produces no discernible changes in our earlier results. Model 5 explores the possibility of southern distinctiveness, particularly the possibility that our findings for race may only be capturing a “southern effect.” Here again, our major findings remain unchanged; the results related to the RCM prove robust; and the new variable produces a statistically insignificant coefficient. Finally, Model 6 examines whether second-order devolution becomes more likely when state officials have to manage demands from a larger number of lower-level jurisdictions. We find no significant effects associated with the number of counties in each state, and the addition of this variable produces no significant changes in our earlier results.

In sum, we find strong empirical support for hypotheses derived from both social control theory and the RCM. The variables suggested by social control theory have significant effects in the expected direction across all models presented here. And as expected, the predicted racial effects appear for African Americans. We find meager effects for Hispanics and null effects for the alternative hypotheses explored in Models 4–6.

Cumulative Effects of Policy Choice

The relationship between race and social provision has, for most of U.S. history, been a two-way street. Racial inequalities have shaped social policies, and social policies have structured racial inequalities (Schram 2005). From this perspective, the results presented above do more than just reveal the continuing power of race in U.S. politics; they raise the specter of policy-based racial inequity. Policy choices, after all, are more than just outcomes in the political process. They are active forces in the ordering of political relations with the power to define civic status and group position in relation to government (Mettler and Soss 2004).

FIGURE 2 Predicted Probability of Second-Order TANF Devolution by State Adoption of Paternalist Behavioral Measures for TANF Recipients



Note: The plotted relationship is statistically significant and represents the best fitting curve to a scatterplot of predicted probabilities from Table 1, Model 1.

In the present case, if states with more black residents choose distinctive TANF rules, the ultimate (even if unintended) effect may be to create a system in which African Americans participate in distinctive institutions. Indeed, if policy choices follow a consistently racialized pattern, small differences may concatenate to produce dramatic disparities—leaving African Americans exposed to tougher rules implemented with more local discretion.

In this section, we analyze how decisions to devolve intersect with paternalist policy choices to generate racially patterned policy regimes. The results point to a deep interplay of race, devolution, and social control. To begin, Figure 2 shows how the mean predicted probability of TANF devolution (from Table 1, Model 1) tracks with the adoption of three paternalist TANF rules: family caps denying aid to children conceived during a period of TANF participation, time limits on aid that are stricter than the federal lifetime limit of 60 months,¹⁶ and sanctions that apply to the full family benefit in the event of rule noncompliance. Figure 2 shows a nonlinear relationship, with states that have adopted all three of these

paternalist policies being significantly more likely than all others to devolve TANF authority down to the local level.

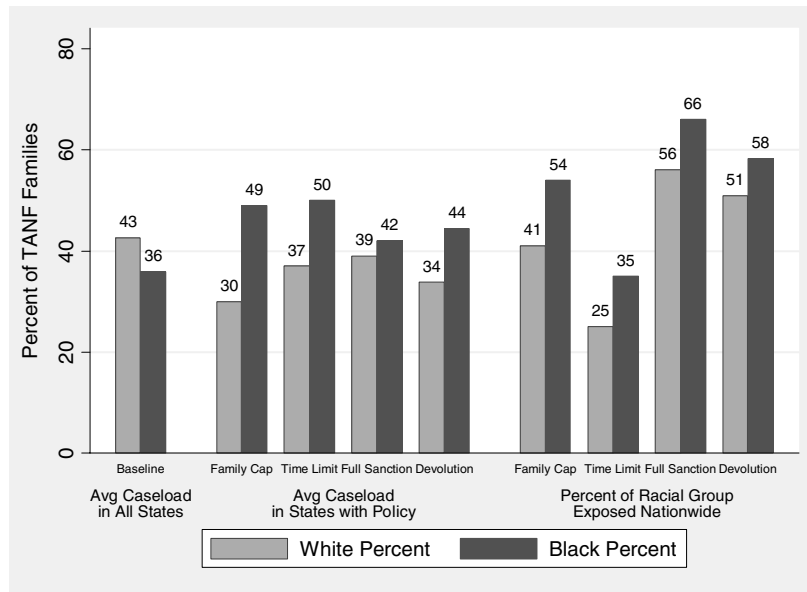
Drawing race into the mix, Figure 3 compares the state TANF environments encountered by black and white families in the United States in 2001. Are black families more prevalent than white families in states that pursue family caps, stringent time limits, full-family sanctions, and second-order devolution? The bars on the left side of Figure 3, which show the average percent black and white in state TANF caseloads, point to consistent and statistically significant disparities across groups. Across all states, the average white percentage of TANF families exceeds the black percentage (43% vs. 36%). Yet in the states that have adopted these four program elements, black families prevail in TANF caseloads, with gaps ranging from 3 to 19 points.

The right side of Figure 3 shifts our focus to national distributions. Of all black and white TANF families in the United States, what percent participates under each program element? In each case, we find that the racialized state-level pattern shown on the left translates into a racialized national pattern on the right. Nationwide, black TANF families are significantly more likely than white TANF families to participate under these rules, with gaps ranging from 7 to 13 points.

Figure 4 extends this analysis by showing how policy choices concatenate to produce policy regimes. The

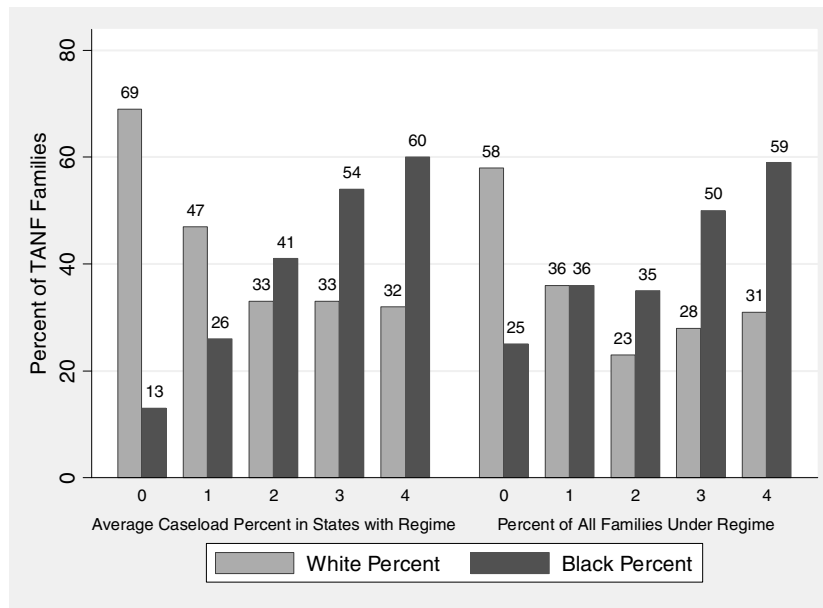
¹⁶Our time limit measure takes account of any policy that represents a more stringent augmentation of the 60-month limit. Such items include passage of a shorter lifetime limit, addition of participation limits within specified periods, and rules requiring a waiting period for benefits after a specified amount of TANF participation.

FIGURE 3 Exposure to Specific TANF Program Features by Race of Family, 2001



Note: Calculations are based on TANF caseload data from the U.S. Department of Health and Human Services for October 2000 to September 2001; state TANF policies are also for 2001 and are drawn from the Urban Institute Welfare Rules Database and Gainsborough 2003. All relationships shown here are statistically significant.

FIGURE 4 Cumulative Exposure to TANF Program Features by Race of Family, 2001



Note: Calculations are based on TANF caseload data from the U.S. Department of Health and Human Services for October 2000 to September 2001; state TANF policies are also for 2001 and are drawn from the Urban Institute Welfare Rules Database and Gainsborough 2003. Policy regimes are defined by the presence of 0–4 of the program elements shown in Figure 3. All relationships shown here are statistically significant.

horizontal axis indicates how many of these four TANF elements a given state employs: 7 have none; 14 have one; 15 have two; 7 have three; and 4 states employ all four. The left side of the figure presents, for each regime type, the average percent black and white in state TANF caseloads. Here, we see that modest but consistent differences in policy choices combine to produce an intensely racialized pattern. White families average 69% of the caseload in states that have neither devolved TANF control nor adopted any of the three restrictive rules, while black families account for only 13% of these states' caseloads. As one moves to the right, toward the most stringent and devolved regimes, the white percent falls as the black percent rises. In regimes that combine the most restrictive rules with local program authority, whites average only 32% of the caseload while blacks average 60%.

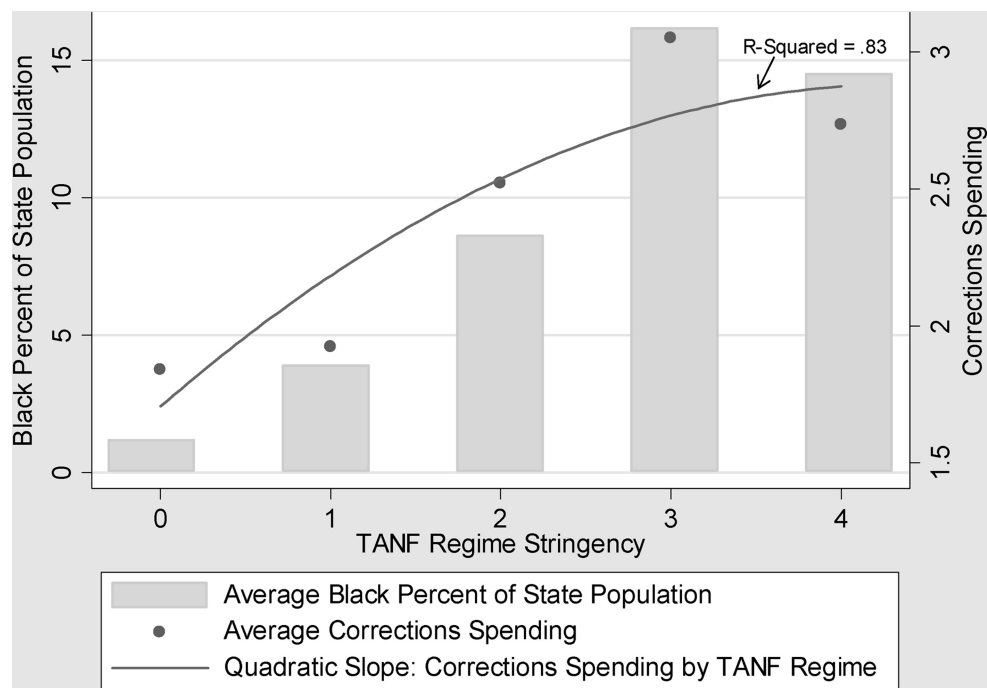
On the right side of Figure 4, we again turn from state to national patterns. Here, we ask: of all U.S. families participating under each type of TANF regime type, what percent are white and what percent are black? Once again, the results are striking. Of all U.S. families participating under the most lenient regime type, 58% are white while only 25% are black. This 33-point white-over-black

gap evaporates immediately as one looks rightward. Black families become more prevalent in a stair-step pattern, with the black-over-white gap rising from 0 points to 12, then 22, and finally 28. Of all TANF families in the most stringent and localized regime type, blacks make up 59% while whites make up 31%. Here, we see a key dynamic related to racial inequality in the contemporary United States: large disparities emerge, not in the visible form of a single decision, but from the less visible accumulation of minor differences.

With these results in hand, we may take a final step in analyzing the conjuncture of race, policy, and social control. According to social control theorists, localized welfare paternalism should track, not only with the distribution of African Americans, but also with state investments in incarceration. Thus, African Americans should be disproportionately subject to policy regimes that emphasize a combination of carceral control and locally managed welfare paternalism.

Figure 5 supports these predictions. The horizontal axis replicates the measure of TANF regime stringency used in Figure 4. The bars correspond to the left-vertical axis, indicating the average black percent of population

FIGURE 5 Black TANF Caseload and State Corrections Spending by TANF Regime Type



Note: TANF regime stringency data are based on 2001 state TANF policies as measured by the Urban Institute and Gainsborough 2003 (see Figure 3); corrections spending data are from *Sourcebook of Criminal Justice Statistics 1999* (2000: 5–9, Table 1.5).

for states with each TANF regime type.¹⁷ The dots plotted here show the average level of state corrections spending (as a percent of total direct expenditures). Such spending appears to track closely with both the black percent of state population and TANF regime types. This apparent relationship is confirmed by the curved line in the figure—a simple quadratic slope generated by regressing corrections spending on TANF regime stringency and its square. The relationship between average state corrections spending and TANF regime stringency is very strong: the R-squared for the quadratic slope is .83.

Taken together, the results in this figure suggest a strong state-level pattern of racialized social control. Looking across the American states, one finds a tightly configured relationship consisting of rising black population rates, more stringent and locally controlled TANF regimes, and higher levels of investment in incarceration.

Discussion and Conclusion

In this article, we have asked why some states devolve TANF authority to local units while others do not, and we have examined how this policy choice intersects with others to produce distinctive TANF regimes for different racial groups. These questions strike as crucial for understanding both the operation of American federalism and the recent turn toward welfare paternalism. Reviewing the findings, we are struck by the ways that poverty governance today fits within a longer trajectory of localism, race, and social control in U.S. welfare provision.

During the era of state Mothers' Pensions, which began almost a century ago, reformers used local control to focus aid on white mothers and immigrants deemed capable of assimilation (Reese 2005). "Groups today regarded as minorities received only a tiny proportion of mothers' aid. . . . Sometimes minorities were excluded from programs; at other times programs were not established in locations with large minority populations" (Gordon 1994, 48).

When the federal government created a national system of social insurance in 1935, southern interests worked to protect the racially exploitative sharecropping system from the threat of federally controlled public aid (Lieberman 1998). In the decades that followed, state administrators offered black families only limited access to relief, calibrated to local planting and harvesting seasons; state

lawmakers shored up these local practices by creating program rules that could be used to purge recipients "in areas where seasonal employment was almost exclusively performed by nonwhite families" (Piven and Cloward 1993, 134).

The symbiotic relationship between local variation and racial disparity was turned on its head in the 1960s. African Americans gained access to the vote, became more central to the Democratic Party coalition, and used disruptive tactics to pursue full civic incorporation. These developments combined with elite initiatives to dramatically increase the federal role in welfare policy (Quadagno 1994). Across the states, welfare expansion was the order of the day, and it tracked closely with patterns of black insurgency and electoral power (Fording 2001; Schram and Turbett 1983). The years that followed were marked by AFDC expansion, an influx of minority recipients, and centralization of welfare policy authority (Adkisson and Peach 2000).

Federal welfare reform in 1996 marked a sharp reversal of this mode of poverty governance and a return to the lower-level control that had defined poor relief for most of U.S. history. Fortunately, local welfare control is not free to operate today in the overtly racist ways it did in the past. Yet our findings suggest some troubling continuities. First-order devolution has facilitated the creation of dramatic racial disparities in the state welfare regimes black and white Americans encounter. Second-order devolution has been central to this development, in ways that appear to carry forward its long relationship with social control and racial politics. Second-order TANF devolution tracks the distribution of black populations; it is highly responsive to the predictors emphasized by social control theory; it is concentrated in the states that embrace the most paternalist TANF rules; and it is closely related to state investments in incarceration.

In the process of illuminating these empirical relationships, we have also sought in this article to make three more general contributions to scholarship on race, federalism, and welfare.

First and foremost, we have developed and tested a general cognitive model of racial classification and social policy choice. The RCM provides the field with clear propositions concerning when and how target race should influence policy decision making. Elsewhere, we have successfully applied the model to welfare policy implementation, using it to predict individual case managers' disciplinary decisions (Schram et al. 2007). In this article, we have shown how it can explain the legislative choices that produce state welfare policies. Consistent with the RCM, state choices to pursue second-order devolution depend on the prevalence and dispersion of black populations

¹⁷The pattern of bars in Figure 5 offers additional corroboration of the relationship between percent black and "neoliberal paternalism" in the TANF program shown in Figure 4.

and, equally important, do not exhibit the same relationship to Hispanic populations (who have reputations less distant from whites in this policy area).

Second, we have sought to explain how large racial disparities get created and tolerated under the aegis of government policy in an era that is far removed from the days of Jim Crow and southern racial caste. Part of our answer to this question lies in the subtle processes identified by the RCM, which require no consciously racist intentions to discriminate. A second part of our answer, however, lies with federalism and the potential for policy choices to track the distribution of social groups across jurisdictions (Riker 1964). Students of education policy have been familiar with this logic for some time: *de jure* equality can easily coexist with large *de facto* inequalities if members of social groups reside in discrete policy jurisdictions (Hochschild and Scovronick 2004). Our analysis underscores the broad scope of this dynamic and shows how its effects may escalate through the concatenation of policy choices. Black and white TANF recipients are equal before the law but distributed unequally across the states. Their presence consistently influences state TANF policy choices, and these effects accumulate to produce dramatic inequalities in the policy regimes that black and white recipients encounter.

Third, our analysis makes conceptual and empirical contributions to the study of neoliberal paternalism. Loïc Wacquant's (2001) influential account draws on a broad interpretive reading of evidence regarding recent developments in American society and public policy. In his account, incarceration and welfare paternalism work together as a system of racialized social control. As political scientists, what we find most lacking in this narrative is a conception of how state structures matter and how policy choice processes operate. For Wacquant, racial regulation under neoliberal paternalism is a defining national feature of contemporary American society. At an empirical level, this article offers some of the strongest evidence to date that race, neoliberalism, and welfare paternalism are linked. At a conceptual level, however, our analysis underscores that *a federal structure of independent political jurisdictions* is central to both the operation and the racialization of this system.

It would be a mistake, we think, to read the RCM or our findings as suggesting that there is something inherently inegalitarian about devolution. Devolution settlements can take many forms (Peck 2002). Depending on how they are structured, they can facilitate egalitarian policy agendas (Rogers 2004) and empower citizens to participate directly in the policies that affect their lives (Fung 2004). Indeed, our findings do not contradict conventional arguments for lower-level policy control: in some

circumstances, devolution can generate gains in government efficiency, innovation and learning, and attention to local needs (Peterson 1995; Volden 2006).

As a policy action, devolution is open-ended; it has the potential to set a variety of different political dynamics in motion. Under welfare reform today, however, our analysis suggests that the political dynamics have a great deal to do with race and social control. There is, in a sense, a color to welfare devolution. In the wake of federal welfare reform, racial differences have shaped policy choices, and policy choices, in turn, have shaped racial differences. First-order devolution to the states has facilitated the construction of different welfare regimes for different racial groups. Second-order devolution to local authorities has proceeded along racial lines—in ways that intersect with racial patterns of welfare paternalism and carceral investment. Thus, while “devolution in general” may have open-ended political implications, *devolution of welfare control* seems to be a different story. Over the past century, welfare localism has consistently facilitated racialized practices of social control. Today, devolution is emerging as a central feature of a new, more muscular approach to poverty governance in the United States. And, unfortunately, it appears that it has not lost its color.

References

- Addisson, Richard V. 1998. “Multi-Level Administrative Structure and the Distribution of Social Service Expenditures.” *Social Science Journal* 35(3): 303–18.
- Addisson, Richard V., and James T. Peach. 2000. “Devolution and Recentralization of Welfare Administration: Implications for New Federalism.” *Policy Studies Review* 17(1): 160–78.
- Allport, Gordon W. 1954. *The Nature of Prejudice*. New York: Doubleday Books.
- Avery, James M., and Mark Peffley. 2005. “Voter Registration Requirements, Voter Turnout, and Welfare Eligibility Policy: Class Bias Matters.” *State Politics & Policy Quarterly* 5(1): 47–67.
- Beckett, Katherine, and Bruce Western. 2001. “Governing Social Marginality: Welfare, Incarceration, and the Transformation of State Policy.” *Punishment & Society* 3(1): 43–59.
- Berry, William D., Evan Ringquist, Richard Fording, and Russell Hanson. 1998. “Measuring Citizen and Government Ideology in the American States, 1960–93.” *American Journal of Political Science* 42(1): 327–48.
- Bobo, Lawrence D., and Michael Massagli. 2001. “Stereotyping and Urban Inequality.” In *Urban Inequality: Evidence from Four Cities*, ed. Alice O'Connor, Charles Tilly, and Lawrence Bobo. New York: Russell Sage Foundation, 89–162.
- Bobo, Lawrence D., and Mia Tuan. 2006. *Prejudice in Politics: Group Position, Public Opinion and the Wisconsin Treaty Rights Dispute*. Cambridge, MA: Harvard University Press.

- Bourdieu, Pierre. 1998. *Practical Reason: On the Theory of Action*. Stanford: Stanford University Press.
- Brewer, Marilynn. 1999. "Perpetrators of Prejudice: The Psychology of Prejudice: Ingroup Love and Outgroup Hate?" *Journal of Social Issues* 55(3): 429–44.
- Conlan, Timothy J. 1998. *From New Federalism to Devolution: Twenty-Five Years of Intergovernmental Reform*. Washington, DC: Brookings Institution Press.
- Dye, Thomas R. 1990. *American Federalism: Competition among Governments*. Lexington, MA: Lexington Books.
- Eberhardt, Jennifer L., P. G. Davies, V. J. Purdie-Vaughns, and S. L. Johnson. 2006. "Looking Deathworthy: Perceived Stereotypicality of Black Defendants Predicts Capital-Sentencing Outcomes." *Psychological Science* 17(5): 383–86.
- Fellowes, Matthew, and Gretchen Rowe. 2004. "Politics and the New American Welfare States." *American Journal of Political Science* 48(2): 362–73.
- Fording, Richard. 2001. "The Political Response to Black Insurgency: A Critical Test of Competing Theories of the State." *American Political Science Review* 95(1): 115–31.
- Fording, Richard C. 2003. "'Laboratories of Democracy' or Symbolic Politics? The Racial Origins of Welfare Reform." In *Race and the Politics of Welfare Reform*, ed. S. F. Schram, J. Soss, and R. C. Fording. Ann Arbor: University of Michigan Press, 72–100.
- Fox, Cybelle. 2004. "The Changing Color of Welfare? How Whites' Attitudes Toward Latinos Influence Support for Welfare." *American Journal of Sociology* 110(3): 580–625.
- Fung, Archon. 2004. *Empowered Participation: Reinventing Urban Democracy*. Princeton, NJ: Princeton University Press.
- Gainsborough, Juliet F. 2003. "To Devolve or Not to Devolve? Welfare Reform in the States." *Policy Studies Journal* 31(4): 603–23.
- Gilens, Martin. 1999. *Why Americans Hate Welfare: Race, Media, and the Politics of Antipoverty Policy*. Chicago: University of Chicago Press.
- Gordon, Linda. 1994. *Pitied but Not Entitled: Single Mothers and the History of Welfare*. New York: Free Press.
- Grubb, W. Norton. 1984. "The Price of Local Discretion: Inequalities for Children's Programs in Texas." *Journal of Policy Analysis and Management* 3(3): 359–72.
- Hochschild, Jennifer L., and Nathan Scovronick. 2003. *The American Dream and the Public Schools*. New York: Oxford University Press.
- Hogg, Michael A., and Dominic Abrams. 1998. "Editorial: Group Processes and Intergroup Relations." *Group Processes and Intergroup Relations* 1(1): 5–6.
- Hurwitz, Jon, and Mark Peffley. 1997. "Public Perceptions of Race and Crime: The Role of Racial Stereotypes." *American Journal of Political Science* 41(2): 375–401.
- Jacobs, David, and Ronald E. Helms. 1996. "Toward a Political Model of Incarceration: A Time-Series Examination of Multiple Explanations for Prison Admission Rates." *American Journal of Sociology* 102(2): 323–57.
- Jenkins, Richard. 1997. *Rethinking Ethnicity: Arguments and Explorations*. London: Sage.
- Jones, Bryan D. 2001. *Politics and the Architecture of Choice*. Chicago: University of Chicago Press.
- Kettl, Donald F. 2005. *The Global Public Management Revolution: A Report on the Transformation of Governance*. Washington, DC: Brookings Institution.
- Key, V. O., Jr. 1949. *Southern Politics in State and Nation*. New York: Knopf.
- Lakoff, George. 1987. *Women, Fire, and Dangerous Things*. Chicago: University of Chicago Press.
- Lieberman, Robert. 1998. *Shifting the Color Line: Race and the American Welfare State*. Cambridge, MA: Harvard University Press.
- Lowi, Theodore J. 1998. "Think Globally, Lose Locally." *Boston Review* <http://www.bostonreview.net/BR23.2/lowi.html>.
- McGarty, Craig. 1999. *Categorization in Social Psychology*. London: Sage.
- Mead, Lawrence M. 2004. *Government Matters: Welfare Reform in Wisconsin*. Princeton, NJ: Princeton University Press.
- Mendelberg, Tali. 2001. *The Race Card: Campaign Strategy, Implicit Messages, and the Norm of Equality*. Princeton, NJ: Princeton University Press.
- Mettler, Suzanne, and Joe Soss. 2004. "The Consequences of Public Policy for Democratic Citizenship: Bridging Policy Studies and Mass Politics." *Perspectives on Politics* 2(1): 55–73.
- Nathan, Richard P., and Thomas L. Gais. 1999. *Implementing the Personal Responsibility Act of 1996: A First Look*. Rockefeller Institute of Government. Albany: State University of New York.
- Ogle, Robin S. 1999. "Prison Privatization: An Environmental Catch-22." *Justice Quarterly* 16(3): 579–600.
- Osborne, David, and Ted Gaebler. 1991. *Reinventing Government: How the Entrepreneurial Spirit Is Transforming the Public Sector*. Reading, MA: Addison Wesley.
- Pager, Devah. 2003. "The Mark of a Criminal Record." *American Journal of Sociology* 108(5): 937–75.
- Peck, Jamie. 2002. "Political Economies of Scale: Fast Policy, Interscalar Relations, and Neoliberal Workfare." *Economic Geography* 78(3): 331–60.
- Peterson, Carol Dawn. 1986. *Intra-State Inequalities in the Financing and Delivery of Noneducational Social Services to Children*. Ph.D. dissertation. University of Texas.
- Peterson, Paul E. 1995. *The Price of Federalism*. Washington, DC: Brookings Institution.
- Piven, Frances Fox. 1981. "Deviant Behavior and the Remaking of the World." *Social Problems* 28(5): 489–508.
- Piven, Frances Fox, and Richard A. Cloward. [1971] 1993. *Regulating the Poor: The Functions of Public Welfare*. New York: Vintage Books.
- Quadagno, Jill. 1994. *The Color of Welfare: How Racism Undermined the War on Poverty*. Oxford: Oxford University Press.
- Reese, Ellen. 2005. *Backlash against Single Mothers with Children: Past and Present*. Berkeley: University of California Press.
- Riker, William. 1964. *Federalism: Origin, Operation, Maintenance*. Boston: Little-Brown.
- Rivlin, Alice M. 1992. *Reviving the American Dream: The Economy, the States, and the Federal Government*. Washington, DC: Brookings Institution.

- Rogers, Joel. 2004. "Devolve This!" *The Nation*. August 30.
- Rose, Dina R., and Todd R. Clear. 1998. "Incarceration, Social Capital and Crime: Implications for Social Disorganization Theory." *Criminology* 36(3): 441–79.
- Ross, Edward A. 1901. *Social Control: A Survey of the Foundations of Order*. New York: Macmillan.
- Schneider, Anne, and Helen Ingram. 1997. *Policy Design for Democracy*. Lawrence: University Press of Kansas.
- Schram, Sanford F. 2005. "Contextualizing Racial Disparities in American Welfare Reform: Toward a New Poverty Research." *Perspectives on Politics* 3(2): 253–68.
- Schram, Sanford F., Joe Soss, Richard C. Fording, and Linda Houser. 2007. "Deciding to Discipline: A Multi-Method Study of Race, Choice and Punishment on the Frontlines of Welfare Reform." Ann Arbor: National Poverty Center, Working Paper #07-33.
- Schram, Sanford F., and J. Patrick Turbett. 1983. "Civil Disorder and the Welfare Explosion: A Two-Step Process," *American Sociological Review* 48(3):408–14.
- Schuman, Howard, Charlotte Steeh, Lawrence Bobo, and Maria Krysan. 1997. *Racial Attitudes in America: Trends and Interpretations*. Rev. ed. Cambridge, MA: Harvard University Press.
- Selden, Sally C. 1997. *The Promise of Representative Bureaucracy*. Armonk, NY: M. E. Sharpe.
- Simon, Herbert. 1997. *Models of Bounded Rationality*, Volume 3. Cambridge, MA: MIT Press.
- Soss, Joe, Sanford F. Schram, Thomas Vartanian, and Erin O'Brien. 2001. "Setting the Terms of Relief: Explaining State Policy Choices in the Devolution Revolution." *American Journal of Political Science* 45(2): 378–95.
- Stephens, G. Ross. 1994. "State Centralization and the Erosion of Local Autonomy." *Journal of Politics* 36(1): 44–76.
- Swain, Carol. 1995. *Black Faces, Black Interest*. Cambridge, MA: Harvard University Press.
- Valentino, Nicholas A., Vincent Hutchings, and Ismail K. White. 2002. "Cues That Matter: How Political Ads Prime Racial Attitudes During Campaigns." *American Political Science Review* 96(1): 75–90.
- Volden, Craig. 2006. "States as Policy Laboratories: Emulating Success in the Children's Health Insurance Program." *American Journal of Political Science* 50(2): 294–312.
- Wacquant, Loïc. 2001. "The Penalisation of Poverty and the Rise of Neo-Liberalism." *European Journal on Criminal Policy and Research* 9(4): 401–12.
- Wacquant, Loïc. 2002. "Four Strategies to Curb Carceral Costs: On Managing Mass Imprisonment in the United States." *Studies in Political Economy* 69 (Autumn): 19–30.
- Weaver, Kent. 2000. *Ending Welfare As We Knew It*. Washington, DC: Brookings Institution.
- Western, Bruce. 2006. *Punishment and Inequality in America*. New York: Russell Sage Foundation.
- Wright, Gerald C. 1976. "Racism and Welfare Policy in America." *Social Science Quarterly* 57(1): 718–30.