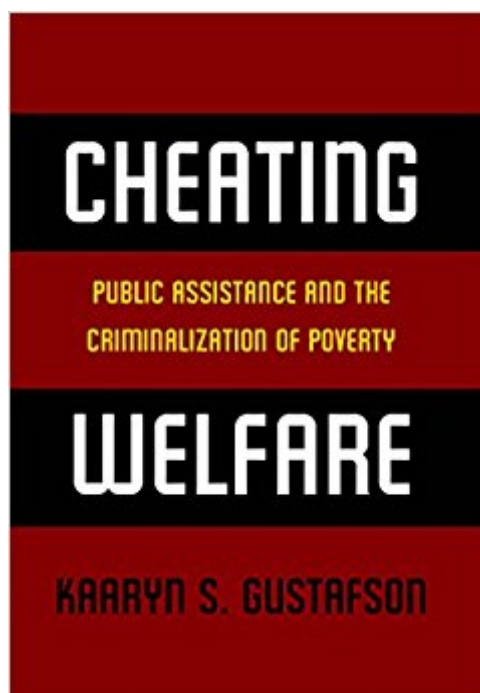


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Cheating Welfare: Public Assistance And The Criminalization Of Poverty



Synopsis

Over the last three decades, welfare policies have been informed by popular beliefs that welfare fraud is rampant. As a result, welfare policies have become more punitive and the boundaries between the welfare system and the criminal justice system have blurred—so much so that in some locales prosecution caseloads for welfare fraud exceed welfare caseloads. In reality, some recipients manipulate the welfare system for their own ends, others are gravely hurt by punitive policies, and still others fall somewhere in between. In *Cheating Welfare*, Kaaryn S. Gustafson endeavors to clear up these gray areas by providing insights into the history, social construction, and lived experience of welfare. She shows why cheating is all but inevitable—not because poor people are immoral, but because ordinary individuals navigating complex systems of rules are likely to become entangled despite their best efforts. Through an examination of the construction of the crime we know as welfare fraud, which she bases on in-depth interviews with welfare recipients in Northern California, Gustafson challenges readers to question their assumptions about welfare policies, welfare recipients, and crime control in the United States.

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Customer Reviews

The book is a readable account of welfare mothers (and a few fathers), emphasizing how these people understand and often violate the rules they are supposed to follow. It would be useful in a course on welfare or perhaps as supplementary reading in a course on poverty. -C. Emory Burton, *Contemporary Sociology* *Cheating Welfare* offers insight into decision-making among

welfare-reliant women (and a few men) in a context that raises, if it does not necessarily answer, crucial questions about how to structure effective relief policies, the naïveté of deterrence theories, the relationship between the welfare state and the prison, and the manner in which poor Americans are increasingly pinioned – trapped in a world in which little remains but bad options, and where rule-breaking may be the only way to get by. – Stephen Pimpare, Critical Social Policy – “A fascinating account of the welfare system seen from the perspective of welfare recipients.” – Austin Sarat, William Nelson Cromwell Professor of Jurisprudence and Political Science at Amherst College The 1990s ushered in an era of neoliberal changes in the US in public policies aimed at the poor. A key to these modifications was a shift in ideological thought that mandated personal responsibility for all. Poverty researchers have always paid attention to the hegemonic discourses that shaped public policy, ranging from regulating the behaviors of the poor, to determining which poor are worthy of assistance, to punishing the poor (e.g., Loïc Waquant, *Punishing the Poor*, 2009; Michael Katz, *The Undeserving Poor*, 1989).

Gustafson (law, Connecticut) continues this tradition by focusing on how US welfare policy has increasingly become criminalized despite the polyvocality of welfare recipients. She examines the similarities and differences of 34 female and male respondents concerning their knowledge, perspectives, and experiences of the rules and sanctions governing welfare. The author begins by offering a comprehensive overview of US poverty embedded within a criminalization of poverty, and draws upon rational choice theory to conceptually frame her arguments. She adeptly demonstrates the need for a new paradigm that embodies the words of the Founding Fathers to “promote the general Welfare” of all US citizens. Students and researchers alike will benefit from her multidisciplinary approach. Summing Up: Recommended. Most levels/libraries. – Choice States and county governments are spending tens of millions more on investigating fraud than they are reaping in repayments. But even in an age of spending cuts, no one questions this regime. Punishment and policing seem to be more important than balanced budgets. Criminalizing poverty, writes Gustafson, has “diverted public attention away from poverty and from the nearly forgotten policy goals of protecting low-income adults and children from the effects of economic instability.” – Annelise Orleck, *Women’s Review of Books* – “Gustafson’s book is a devastating expose on welfare reform’s criminalization of poverty. It puts into sharp relief how welfare policy today reinforces the cultural biases against the poor while actually working to make the poorest of the poor even poorer. Steeped in deep understanding of the history of welfare policy, *Cheating Welfare* poignantly relies on first-hand accounts from clients to specify the ways that the current system works to undermine

their attempts to achieve self-sufficiency. The contemporary integration of welfare policy and criminal law is put under a brilliant light for all to see. This is a most timely and critical book that should be read widely.

—Sanford Schram, author of *Welfare Discipline: Discourse, Governance and Globalization*

"Cheating Welfare is simultaneously compassionate and scholarly. Gustafson provides a rare insider perspective on how citizens understand and use welfare. The stories that she relates are a testament to the resilience and strength of people caring for others as best they can in the face of great adversity. Her discussion of necessary, sometimes inadvertent, non-compliance as a form of resistance brings a more complex understanding to theories of rule abidance. This compelling book is a must-read for students, policymakers, and scholars who wish to have informed opinions based on how policies actually shape the behavior of and outcomes for low-income citizens in the context of their complex lived reality.

—Corey Shdaimah, author of *Negotiating Justice*

Three categories of welfare recipients emerged from these interviews, the Informed, the Misinformed, and the Preoccupied/Disengaged. Gustafson's main contribution to our understanding of welfare is to show how these categories differ from our assumptions regarding recipients. Through liberal use of interviewee quotes, matched with relevant background on their lives, Gustafson proves that the welfare recipients differ in significant ways from each other and also from the monolithic stereotype. In doing so, Gustafson shows that by listening to the voices of the poor we can better understand the shortfalls of policies designed to help the poor.

—Ezra Rosser, Yale Human Rights & Development

I am drunk on the virtues of *Cheating Welfare*, and think that all serious law and society scholars should read it. Even to one who is steeped in the historical and contemporary record of poor people's treatment by the government of the United States, Gustafson's work is surprising and very instructive.

—Felicia Kornbluh, *Law and Society Review*

Kaaryn S. Gustafson is Professor of Law at the University of California, Irvine.

If you are poor in the United States of America today you are a marked man or woman. The legal system is out to get you make no mistake you are considered a common criminal if you are poor in the United States in 2014. The legal system has set FOUR very effective traps to ensnare poor people. Trap One goes under the guise of Welfare Reform. Trap Two goes under the guise of The War On Drugs. Trap Three uses the stigma of prior eviction or income source to insure poor people's stay woefully sub-standard grossly expensive slumlord housing. Trap Four Criminalizes the actions that arise out of living on the streets due to being Homeless. It is the exceedingly rare black

or brown minority person that is able to avoid all four traps. I was able to succeed BUT, I was a poor black guy on disability in a run down section 8 apartment. I did not have kids I couldn't afford. I wasn't a dope addict or drunk. I did not have a criminal record. I was intelligent, well mannered and well spoken. Most of all my household budget management skills were far above average. It did not hurt that I was content to live well within my limited means at the time. There are many great books that speak in detail about how Trap Two's War On Drugs targets mainly the poor for its unique form of slavery in prison and social banishment in prisons of poverty upon release. There are great books that speak to the issues of trap threes targeting of poor people by criminalizing homelessness. This book speaks effectively to the first trap that now makes collecting Welfare a maze of rules and regulations designed to confuse, punish and demean those who are forced to apply for the meager benefits provided. Welfare used to provide for those who live in abject poverty. Now Welfare is a tool used to subsidize huge corporations that make gigantic profits by paying most of its employees slave labor near minimum wages. I have no love for those who live to truly cheat the Welfare system. I think true welfare cheats should be bannished from all forms of public assistance for life. But this book Cheating Welfare is about far more than your standard welfare cheat criminals trying to get by illegally but using the systems. Cheating Welfare reveals how the shift in policies brought by welfare reform created a maze of rules and regulations so complex and difficult to navigate that it in effect criminalizes welfare. Welfare's old mission to help the poor has been replaced by a new mission to punish those poor folk who attempt to access the program. From food stamps to TANF Cheating Welfare reveals how the Welfare system has become an extension of the criminal justice system thus opening another avenue in the ongoing increasingly obvious campaign to criminalize poverty. In the United States is becoming the land of the free only if you can afford to play by the capitalist rules. Trust me there is NOTHING wrong with capitalism, I'd much rather it to communism or socialism. However capitalism must also be compassionate to its poor. I am not smart enough to solve the problems of poverty but I am sure criminalization of poverty is wrong, amoral and un-American. Jobs should pay a living wage so that welfare is no longer the tool to subsidize corporations that pay slave wages. Cheating Welfare is a book that exposes how welfare reform has become a tool to criminalize poverty and for that alone I consider it a rated five star must read for anyone with a conscience.

What a superb and eye-opening view of how the suspicious nature of the haves has taken a program to help the poor and disadvantaged and turned it into a nightmare where everyone is suspected of cheating and treated that way. It seems that "we" would prefer to destroy

families/potential families, make the raising of children third choice and make sure that parents get only minimum wage jobs.

Good information.

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