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The New Covenant: Welfare Reform and American Exceptionalism

Villemaire Choo

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The New Covenant: Welfare Reform and American Exceptionalism

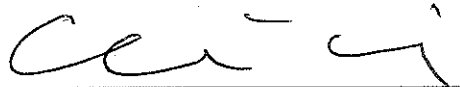
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by

Villemaire Vera Choo

Accepted for

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Claire McKinney, Director



Caroline Hanley



Christopher Howard

Williamsburg, VA

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The New Covenant: Welfare Reform and American Exceptionalism

Villemare Vera Choo

Beauty and myths are the perennial masks of poverty.

The Other America, Michael Harrington

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INTRODUCTION: THE 1996 WELFARE REFORMS

Signed into law in July 1996, the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWORA) completely restructured the design of the American welfare state. Previously, welfare consisted of the program titled Aid to Families with Dependent Children (AFDC). AFDC was structured as an entitlement program that provided cash assistance to families.¹ In the decades leading to the passage of the Personal Responsibility Act, both federal and state governments restructured AFDC to include work requirements for enrolled families. Decades of discourse surrounding dependency encouraged progressively more strict controls on eligibility.² During the Reagan administration of the 1980s, welfare was deliberately targeted by conservatives. Reagan, notoriously anti-welfare, signed the Omnibus Budget Reconciliation Act (1981) and the Family Support Act (1988), two bills that enabled the shift to workfare. Drawing on historic discourses around the dignity of work, Reagan often spoke of the “ennobling” character of work.^{3,4} Additionally, the late 1980s saw increasing wealth and wage inequality.⁵ An economic recession created widespread economic anxiety in the minds of everyday Americans,⁶ in addition to creating a sense of resentment towards those who were

¹ *Social Security Act, U.S Code* 42 (1935), § 301.

² Nancy Fraser and Linda Gordon, “A Genealogy of Dependency: Tracing a Keyword of the U.S. Welfare State,” *Signs* 19, no. 2 (Winter 1994), 309.

³ Ronald Reagan, “Remarks on Signing the Family Support Act of 1988” (speech, Washington, D.C., October 13, 1988), Ronald Reagan Presidential Library, <https://www.reaganlibrary.gov/research/speeches/101388a>.

⁴ Ronald Reagan, “Address Before a Joint Session of Congress on the State of the Union” (speech, Washington, D.C., February 6, 1985), Ronald Reagan Presidential Library, <https://www.reaganlibrary.gov/research/speeches/20685e>.

⁵ Peter Lindert, “Three Centuries of Inequality in Britain and America,” in *Handbook of Income Distribution*, ed. Anthony Atkinson and Francois Bourguignon (Oxford, UK: Elsevier B.V., 2015). 201.

⁶ ABC News/Money Poll, Dec, 1991; Harris Poll, Dec, 1991; ABC News/Money Poll, Jun, 1992; ABC News/Money Poll, Jun, 1992. (Cornell University, Ithaca, NY: Roper Center for Public Opinion Research), accessed April 12, 2019.

“being supported by the government.” Between this resentment and negative rhetoric such as the welfare queen, welfare was heavily scrutinized by the public.⁷

In 1991, running as a “third-way” New Democrat, soon-to-be President Clinton brought welfare reform to the fore of his campaign. The New Democrats were a sect of the Democratic Party that tended more moderate.⁸ Using his credentials as Governor of Arkansas to posit himself as a man of the people, he ran a platform targeting the oft-forgotten middle class. Clinton argued that government had grown large and unresponsive to the needs of Americans; instead, he proposed a solution that would not be “liberal or conservative,” but “new, and both, and different.”⁹ Clinton promised to balance the budget, rebuild the American economy, and get people back to work. As part of his plans to shrink the size of the government and “make work pay,” he promised to “end welfare as we know it.”¹⁰ Clinton would make welfare recipients work for assistance from the government. He proposed two-year lifetime limits on welfare receipt, increased access to job training and child care, and fixes to the Earned Income Tax Credit.¹¹ A long-time fan of welfare reform in his home state of Arkansas, Clinton brought these ideas to the national stage during the campaign.¹²

Following the Republicans’ 1994 midterm victories with their “Contract with America,” Congress passed several versions of the bill that would become the Personal Responsibility and Work Opportunity Reconciliation Act (1996). Clinton vetoed the first two bills, claiming that

⁷ Kent Weaver, *Ending Welfare as We Know It* (Washington, D.C.: Brookings Institution Press, 2000), 174.

⁸ Jon Hale, “The Making of the New Democrats,” *Political Science Quarterly* 110, no. 2 (Summer 1995), 215.

⁹ Bill Clinton, “A New Covenant for Economic Change” (speech, November 20, 1991). Georgetown University.

¹⁰ Bill Clinton, “A New Covenant: Responsibility and Rebuilding the American Community” (speech, October 23, 1991). Georgetown University.

¹¹ Democratic Nominating Convention, “1992 Democratic Party Platform” (June 16, 1992).

¹² “Clinton/Gore on Rewarding Work,” 1992.

In Arkansas, Clinton eliminated taxes for low-income families, instituted a welfare-to-work program (Project Success), expanded and improved child care programs, and reformed the schools system to raise graduation rates.

they were “tough on children, and weak on work.” Finally, in 1996, he signed the bill that would forever change assistance to families and children. In the years immediately following its passage, welfare reform was widely praised as a success. The bill performed its intended function of shrinking the welfare rolls. Enrollment in welfare programs fell 57% in the years immediately following its implementation.¹³ This decrease was taken as a sign that the law was successful in encouraging work and getting people off of welfare; however, leaving the welfare rolls does not always mean that a family is economically secure. This metric does not take into account the reality that, in the years following its passage, although poverty rates improved, deep poverty rates did not.^{14,15} Instead, the new program, Temporary Assistance for Needy Families (TANF), is less effective in closing the poverty gap.¹⁶

The format of the bill created a block grant program for states to create and maintain an anti-poverty policy at the state level. TANF had four stated goals:

- (1) provide assistance to needy families so that children may be cared for in their own homes or in the homes of relatives;
- (2) end the dependence of needy parents on government benefits by promoting job preparation, work, and marriage;
- (3) prevent and reduce the incidence of out-of-wedlock pregnancies and establish annual numerical goals for preventing and reducing the incidence of these pregnancies; and
- (4) encourage the formation and maintenance of two-parent families.¹⁷

¹³ “TRENDS IN AFDC/TANF CASELOADS: 1962-2011,” Department of Health and Human Services, accessed April 10, 2019, <https://aspe.hhs.gov/report/welfare-indicators-and-risk-factors-thirteenth-report-congress/table-tanf-1-trends-afdctanf-caseloads-1962-2011>.

¹⁴ “What is “deep poverty”?”, University of California, Davis, accessed April 12, 2019, <https://poverty.ucdavis.edu/faq/what-deep-poverty>.

Deep poverty is generally defined as 50% of the poverty line. In 2016, 6% of the U.S. population lived in deep poverty.

¹⁵ Robert Moffitt and Stephanie Garlow, “Did Welfare Reform Increase Employment and Reduce Poverty?” *Pathways* (Winter 2018), 20.

¹⁶ Wendell Primus, “Comment by Wendell Primus,” in *The New World of Welfare*, ed. Rebecca Blank and Ron Haskins (Harrisonburg, VA: Brookings Institution, 2001), 132.

¹⁷ U.S. Congress, “Personal Responsibility and Work Opportunity Reconciliation Act of 1996,” Public Law 104-193. August 16th, 1996.

The policy created strict work requirements that were higher than previous bills. Whereas the FSA required that, by 1997, 20% of single-parent families worked 16 hours per week, PRWORA required that 25% of single-parent families receiving aid work 20 hours per week in 1997, rising to 50% by the year 2000. For two-parent families, states had to show that 90% of those families had at least one parent in the workforce by 2000. States that did not meet these requirements would be subject to 5% reductions in funding, with 2% additional reductions by year, with a cap of 21% reduction in funding.¹⁸ The program mandated that anyone who did not meet these standards would be ineligible for the program. While these requirements were intended to move people to work, rather than remain dependent on government assistance, they often resulted in individuals working in low-wage jobs that do not provide enough support on their own.

In the 20-odd years since the passage of PRWORA, the reforms have been criticized for singling out and penalizing poor families.¹⁹ Despite the empirical evidence that work requirements are not beneficial in combating poverty, they are still a popular method of determining eligibility for public assistance programs. For example, in the past year, seven states have passed laws requiring work for Medicaid eligibility. President Trump's 2020 budget contains stricter work requirements for the Supplemental Nutrition Assistance Program (SNAP) and Medicaid eligibility.²⁰ This tendency is both intriguing and concerning, but it is not random: even Roosevelt, champion of the New Deal welfare state, preferred work to direct assistance.²¹

¹⁸ Department of Health and Human Services, "Comparison of Prior Law and PRWORA," in *Welfare: A Documentary History of U.S. Policy and Politics*, ed. Gwendolyn Mink and Rickie Solinger (New York, NY: NYU Press, 2003), 667.

¹⁹ Even at the time of its passage, several Clinton administration officials resigned in protest.

²⁰ Office of Management and Budget, *A Budget for a Better America* (March 2019), 43-44. Accessed April 15, 2019. <https://www.whitehouse.gov/wp-content/uploads/2019/03/budget-fy2020.pdf>.

²¹ Eva Bertram, *The Workfare State: Public Assistance Politics from the New Deal to the New Democrats* (Philadelphia, PA: University of Pennsylvania, 2015), 17.

The disregard for the reality of work leads to a definition of desert based on merit, rather than need, which is troubling and ignores the reality of capitalist structures of exploitation. As Michael Harrington wrote in his influential 1962 book, *The Other America*, the poor are incredibly diverse and vary in experiences.²² However, these experiences are often marked by the “cycle of poverty”: the persistence of poverty because of one’s lack of access to resources. Harrington gives the example of a cycle in which someone falls ill, perhaps because they have an inadequate diet and lack access to quality medical care.²³ Because of their lack of medical care, they are sick for longer and more often than other groups in society, resulting in difficulty holding steady, quality jobs. The resulting job insecurity means that, once again, they face difficulties finding adequate housing, nutrition, and healthcare.²⁴ At every point, the individual faces the risk of falling to an even more precarious position. The case of TANF is similarly troubling because it has specifically and intentionally resulted in families who are in need being exposed to further barriers to fulfilling those needs, while still leaving them in the precarious position of poverty

In this paper, I examine how this delegitimation of human lives on welfare through work requirements came to be, paying particular attention to Bill Clinton’s 1992 campaign rhetoric. Although Clinton is often portrayed as a political opportunist and ideologically inconsistent, a close analysis of his campaign rhetoric and the final language of PWRORA and TANF exposes a great deal of ideological coherency.²⁵ His framing of welfare politics in the campaign has clear throughlines from his role in the 1988 Family Support Act, and leads to the inclusion of the work

²² Michael Harrington, *The Other America* (New York: Macmillan Publishing, 1962), 15.

²³ Harrington, *America*, 15.

²⁴ Harrington, *America*, 15.

²⁵ Robert Durant, “A “New Covenant” Kept: Core Values, Presidential Communications, and the Paradox of the Clinton Presidency,” *Presidential Studies Quarterly* 36, no. 3 (September 2006), 347.

requirements in PWRORA. This ideological consistency is grounded in a particular version of the “American Dream” that Clinton uses to argue in favor of reform.

In order to trace the historical and political context of the American Dream and its ultimate culmination in PRWORA’s work requirements, I will structure this essay as follows. First, I examine the American social contract tradition and its relationship to American exceptionalism. I argue that the American social contract, as it appears within the popular imagination and founding documents is deeply misconstrued. Using Charles Mills’ *The Racial Contract*, I analyze the American social contract, which promises a new political society that protects individuals’ pursuit of life, liberty and property, as a racial contract instead. The presence of slavery at the inception of the United States not only forces the question of the legitimacy of American liberty, but means that we need to reconsider the entire project of the contract. By reading it as a racial contract, we can understand how the founding fathers struggled to reconcile slavery and liberty through the institution and legitimation of white supremacy. This reading allows for the re-conceptualization of the meaning of American exceptionalism and the American Dream.

Next, I turn to the ways that Clinton utilizes the social contract in his rhetoric. While the jump from the founding of the United States to 1992 seems jarring, it is necessary to explain how Clinton creates parallel contracts in his campaign. Like America’s political founding, Clinton creates a new social contract that conceals a racial contract. Clinton calls for a revolution to re-establish a government that is accountable to the American people. He argues that the government in its current form has failed to uphold its end of the old social contract, resulting in the death of the American Dream and the diminishment of American exceptionalism around the world. In re-establishing this government, Clinton redefines who will be a contractor using the

language of responsibility and opportunity. He creates a “New Covenant” that explicitly excludes welfare recipients because their dependence on the state leads them to ignore opportunities for advancement. Finally, in the last part of the paper, I reframe the American Dream as a form of ideology that interpellates the ideal American subject through work requirements. Work requirements restore American exceptionalism by creating productive subjects from welfare subjects. By “rehabilitating” these subjects, the Personal Responsibility Act serves to reify American exceptionalism, both at home and abroad. At the same time, failing to meet these requirements justifies exclusion from the contract, revealing the necessity of racial capitalism to American exceptionalism.

PART ONE: THE FIRST AMERICAN COVENANT

THE AMERICAN SOCIAL CONTRACT TRADITION

The social contract tradition is a set of ideal theories interested in conceptualizing and justifying how humans form political society. Social contract theory posits that humans, living in a state of nature, realize that it is towards their mutual benefit and aid to join together to form a mutual society. For instance, the conception of this ‘state of nature’ varies according to the author. In Thomas Hobbes’ account of the state of nature, humans are purely self-interested individuals, who exercise power for “the preservation of [their] own nature.”²⁶ In contrast, in John Locke’s account, humans in the state of nature are still subject to the law of nature, and are not naturally malevolent individuals. Instead, the law of nature “willeth the peace and preservation of all mankind.”²⁷ One positive aspect of the social contract is that it allows for the conception of an ideal government based on the qualities ascribed to the state of nature. In Locke’s theory, humans enter into society for the assurance of property rights.²⁸ In the state of nature, there are no formal rules governing ownership and property disputes, resulting in a lack of security.

The social contract tradition is also useful for thinking about moral and political obligation. According to David Hume, there are certain circumstances that enable the emergence of the social contract: the equal abilities of the contractors, moderate scarcity, the contractors’ freedom, and the mutual benefit of the contractors.²⁹ If any of these conditions are not satisfied, it is unlikely that the contract will emerge, because it would serve no purpose for the contractors.

²⁶ Thomas Hobbes, *Leviathan*, 79. <https://socialsciences.mcmaster.ca/econ/ugcm/3113/hobbes/Leviathan.pdf>.

²⁷ John Locke, *Second Treatise on Government* (Indianapolis, IN: Hackett, 1980), 9.

²⁸ Locke, *Second Treatise*, 65.

²⁹ Martha Nussbaum, *Frontiers of Justice* (Cambridge, MA: Harvard, 2006), 27.

In some systems, like Locke's, there are pre-existing conceptions of morality and social norms that predate the formal establishment of the political system because the family functions as a kind of society distinct from and prior to the political society.³⁰ Other authors, such as Hobbes with his hyper-individualist concept of humans, see the foundation of government as the beginning of society. In either case, the constitution of government changes the obligations that subjects have to each other.

In Locke's theory, the government is constituted to ensure that individuals' property rights are protected and to mediate disputes over property. According to Locke's theory of the social contract, people in the state of nature voluntarily "join and unite into a community for their comfortable, safe, and peaceable living one amongst another, in a secure enjoyment of their properties."³¹ In the state of nature, there "wants an established, settled, known, law."³² Government allows for the establishing of laws to help the common good. Towards this end, people willingly give up their power to execute justice on their own, and instead allow for the executive to impartially carry out justice. Because the government is constituted for this specific reason, its failure mandates its dissolution.

Locke argues that the government can be dissolved in several ways. The first is through foreign conquest: if the society has been dissolved, "it is certain the government of that society cannot remain."³³ Secondly, if the legislature fails to express the will of the people, but instead creates new laws that are not "authorized by the fundamental appointment of the society," it has subverted the government and created a new one in its place.³⁴ In fact, if the right of the people

³⁰ Locke, 45.

³¹ Locke, 52.

³² Locke, 65.

³³ Locke, 107.

³⁴ Locke, 108.

to create their own laws is altered in any way, whether via the legislature or by the prince, the government is considered to have been dissolved.

Locke maintains that society always has the prerogative to “preserve itself, which can only be done by a settled legislative, and a fair and impartial execution of the laws made by it.”³⁵ This right is so fundamental to society that when it loses this, the government is considered dissolved. If the government should somehow lose the power to execute the laws created by the legislature, it has been dissolved. Locke writes that this is because without enforcement mechanisms, it is “as if there were no laws.”³⁶ Furthermore, if the legislature or executive “act contrary” to the trust of the people, the government is dissolved.³⁷ He argues that this happens when the legislature tries to take the property of its subjects, or make itself master over them. Because the government is formed to protect the people’s property, it can never be in their interests for the legislature to seize it. If this should happen, the legislature has put themselves into a state of war with the people. Additionally, if the legislature should try to take “absolute power over the lives, liberties, and estates” of the people, they have broken the contract, and the people are free to set up a new government. Alternatively, if the prince attempts to establish tyranny over the people by declaring his “arbitrary will” over society, he has acted contrary to his trust, and the people are free to establish a new government.

According to Locke, revolutions are not an easy thing to do. Small inconveniences are not enough to convince the people to rebel against their government. Even “great mistakes” will “be born by the people.”³⁸ However, a “long train of abuses, prevarications and artifices” would

³⁵ Locke, 110.

³⁶ Locke, 110.

³⁷ Locke, 110.

³⁸ Locke, 113.

be enough to convince the people that the government is not serving their interests anymore.³⁹ In this case, the people can sense that they are headed for tyranny, and are justified in preventing that possibility. Locke argues that in the case of the abuse of trust, the real rebels are those that return the people to the state of war: the legislators themselves. Because the legislators have removed authority from the legislature by making laws that do not serve the common good of the people, the legislature creates a state of force without authority. Importantly, because authority is derived from the people, the people are the judge of whether the government has failed their trust. According to Locke, “he who deposes him, must, by having deposed him, have still a power to discard him, when he failed in his trust.”⁴⁰ Lastly, Locke argues that the power that the people have given up can never be returned to them, even when government is dissolved; instead, they have the right to create a new legislature that is more amenable to them.

A Lockean conception of the social contract is evident in the early American political tradition.⁴¹ In the Declaration of Independence, Jefferson writes that governments are formed to secure rights to “Life, Liberty and the pursuit of Happiness.”⁴² If the government should fail to protect these rights, “it is the Right of the People to alter or to abolish it.” However, this right does not exist after only one instance of failure; rather it is, as Locke argues, after a “long train of abuses, prevarications and artifices, all tending the same way.”⁴³ This “long train of abuses and usurpations” compels the people to dissolve the government, rather than live under tyranny.⁴⁴ Jefferson adopts this Lockean understanding and as such, the Declaration contains a lengthy list of the failures of the present government to protect the freedoms of the colonists. The actions of

³⁹ Locke, 113.

⁴⁰ Locke, 122.

⁴¹ Maurice Cronston, “Locke and Liberty,” *The Wilson Quarterly* 10, no. 5 (Winter 1986), 82.

⁴² Jefferson, Thomas. “Declaration of Independence,” 1776. <http://www.ushistory.org/declaration/document/>.

⁴³ Locke, 113.

⁴⁴ Jefferson, “Declaration.”

Parliament are characterized as tyranny, justifying the colonists' desire to abolish the relation. Importantly, upon its abolition, the people have the right to institute a new form of government. While maintaining the government's mandate to mediate between citizens, they will "organize its powers in such form, as to them shall seem most likely to effect their Safety and Happiness."⁴⁵ This statement again reflects the belief that the government is intended to serve the desires of the people. Finally, the Declaration concludes by breaking the relationship of the colonies with Great Britain. By the "Authority of the good People of these Colonies," Congress declares the colonies "Free and Independent States... Absolved from all Allegiance to the British Crown."⁴⁶ The Declaration of Independence dissolves the contract between the colonies and Great Britain and leaves the states independent.

While the Declaration is an example of the circumstances under which a government may be abolished, the United States Constitution demonstrates the formal creation of the new American government. The preamble to the Constitution sets forth the terms and goals of this new agreement. As in the account of the classic social contract where the common people come together to enter into a new government, the contractors are identified as "We the People."⁴⁷ The purpose of the contract is laid out clearly in what follows, that is, the creation of government for the common good of the people. It formally creates a political body for the purpose of forming a "more perfect Union" between the independent states.⁴⁸ The government is supposed to ensure the "Blessings of Liberty to ourselves and our posterity."⁴⁹ The Constitution continues the

⁴⁵ Jefferson, "Declaration."

⁴⁶ Jefferson, "Declaration."

⁴⁷ James Madison, "United States Constitution," September 17, 1787. <https://constitutionus.com/>.

⁴⁸ Madison, "Constitution."

⁴⁹ Madison, "Constitution."

American commitment to the idea of the social contract in action. It is a symbol of self-determination and self-governance, concepts that inform American exceptionalism.

AMERICAN EXCEPTIONALISM

The foundation of American exceptionalism is the emphasis on democracy and liberty that is located in its original social contract. This emphasis stems from the ways America was understood to be the product of the first democratic revolution in the Era of Enlightenment, thus producing the first nation founded on equality, liberty, and pursuit of the common good.⁵⁰

American exceptionalism is the belief that there is something special about America that distinguishes it from every other nation. This concept can be defined in various ways, but it encompasses a set of beliefs about how the history and founding of America results in America's success and preeminence around the world. One theory of the origin of America as distinct and special traces this exceptional quality to America's origins in Puritan religious beliefs.⁵¹ John Winthrop, Puritan leader and first governor of the Massachusetts Bay Colony, provides the image that is often cited to define American exceptionalism in his speech, "A Modell of Christian Charity:"

For we must consider that we shall be as a city upon a hill. The eyes of all people are upon us. So that if we shall deal falsely with our God in this work we have undertaken, and so cause Him to withdraw His present help from us, we shall be made a story and a by-word through the world.⁵²

In this Puritan construction, America was chosen to serve as a model for the world; it will be the "city upon a hill."⁵³ This image references Matthew 5:14 and emphasizes the novelty of the

⁵⁰ Alexis de Tocqueville, *Democracy in America*, ed. Eduardo Nolla (Indianapolis, IN: Liberty Fund, 2012), 46.

⁵¹ Deborah Madsen, *American Exceptionalism* (Edinburgh: University of Edinburgh Press, 1998), 1.

⁵² John Winthrop, "A Model of Christian Charity," (speech, 1630). The Winthrop Society. https://www.winthropsociety.com/doc_charity.php.

⁵³ Winthrop.

American enterprise. It stresses the uniqueness of America and its place as, if not a leader in the world, a righteous model of the potential of God's work on earth. Its visibility is a challenge to "sustain a high level of spiritual, political and moral commitment."⁵⁴ But this challenge also entails risk: the failure of colonists would reflect poorly in the global arena. As articulated by Winthrop, American exceptionalism is the duty to be remarkable as an example.

Beyond its religious valence, American exceptionalism is intimately tied to conceptions of social mobility. One sense of exceptionalism is "uniqueness in relation to most other nations."⁵⁵ Alexis de Tocqueville is particularly crucial to conceiving of and reinforcing this aspect early on. Because of its youth, he argues that America is the only country where one can watch the natural progression of the state and the influence of its early conception in its further development.⁵⁶ In comparison to European countries, American has known no aristocratic system; rather, it is forged out of "middle-class and democratic freedom."⁵⁷ Tocqueville identifies land ownership as the basis for hierarchical systems of class and governance. Unlike Europe, in the United States, laws of inheritance follow the rule of "equal shares," instead of primogeniture (inheritance by the first-born son). With primogeniture, land becomes tied to the family, such that the "family spirit, in a way, is embodied in the land."⁵⁸ Tocqueville argues that the American system creates a disconnection between the family and the land that encourages descendants to sell their land, enabling them to seek new economic ventures and opportunities. As such, wealth transfer between generations in the United States tends to require the ambition of the next generation to make their fortunes.⁵⁹ Without a landed gentry, American society is

⁵⁴ Madsen, *American Exceptionalism*, 2.

⁵⁵ James Ceaser, "Origins and Character of American Exceptionalism," *American Political Thought* 1, no. 1 (Spring 2012), 7.

⁵⁶ Tocqueville, *Democracy*, 32.

⁵⁷ Tocqueville, *Democracy*, 34.

⁵⁸ Tocqueville, *Democracy*, 81.

⁵⁹ Tocqueville, *Democracy*, 86.

thus characterized by a high degree of social mobility; fortunes can be won and lost in a single generation and every individual can make their own success. This does not mean that everyone is necessarily equal, but rather, that there are no institutional barriers to economic mobility. He finds that “wealth circulates with incredible rapidity.”⁶⁰ This circulation of wealth supports American democracy, because it prevents a small group of people from forming an upper class and establishing themselves over the people. This is supported by the New England colonies’ dedication to freedom.

The idea of social mobility as part of American exceptionalism persists into the 20th century. The turn of the century saw the widespread popularity of narratives about social mobility and the self-made man.⁶¹ Stephen Decker identifies this as a paradox: while real opportunities for class mobility were declining, self-made success stories are becoming increasingly popular.⁶² For example, Horatio Alger’s influential rags-to-riches short stories are estimated to have sold up to 400 million copies.⁶³ Decker argues that the popularity of these stories were due to their utility in bringing in women and minorities into a role traditionally reserved for white men.⁶⁴ Despite the real lack of upward mobility, Americans continued to valorize the ability of individuals and the free market to determine success. Even beyond Alger, pop culture is littered with symbols of self-made success: Jay Gatsby, Bill Gates, *American Idol*, Hank Rearden, *The Sopranos*, Oprah Winfrey, Jay-Z, Ben Carson, Mark Zuckerberg, the list goes on. These examples of times where ordinary Americans have “made it” sustain the American Dream’s continued existence.

⁶⁰ Tocqueville, *Democracy*, 85.

⁶¹ Jeffrey Decker, *Made in America: Self-Styled Success from Horatio Alger to Oprah Winfrey* (Minneapolis, MN: University of Minnesota Press, 1997), xx.

⁶² Decker, *Made in America*, xxv.

⁶³ w.t. lhamon, jr. “horatio alger and american modernism: the one-dimensional social formula,” *American Studies* 17, no. 2, 15.

⁶⁴ Decker, *Made in America*, xxvii.

THE RACIAL CONTRACT

No matter how foundational John Locke's work was for the creation of America's social contract, it remains an ideal theory. Ideal social contract theory imagines normative structures divorced from history in order to guide and judge existing political arrangements. Thus, while the social contract is based on the mutual benefit of free and equal persons, as Charles Mills points out in *The Racial Contract*, the reality of the America that was established requires the explicit maintenance and expansion of chattel slavery. The Racial Contract is a recognition of the fact that white supremacy is a global system that has structured political and socioeconomic systems for the past several hundred years.⁶⁵ It specifically focuses on the disjunction between the fact that the contractarian tradition (with the notable exception of Jean-Jacques Rousseau's *Discourse on Inequality*) focuses on ideal relationships *between* free and equal individuals. In reality, the Racial Contract is established *over* persons who are not themselves party to the terms of the contract.⁶⁶ These individuals are not able to participate in the contract, although it still applies to them. The Racial Contract creates "restrictions on which bodies are 'politic.'"⁶⁷ Because of the norms that have been established regarding whiteness, this class of persons are outside the contract because they are "judged incapable of forming or fully entering into a body politic."⁶⁸ At the same time, the Racial Contract maintains that the definition of whiteness is defined by nonwhiteness. Whiteness is not only defined by phenotypic "color," but is actually shown to be a system of power relations.

The Racial Contract is a "set of formal or informal agreements" that enables the differentiation of whiteness, and correspondingly, nonwhiteness. These agreements ascribe an

⁶⁵ Charles Mills, *The Racial Contract* (Ithaca, NY: Cornell University Press, 1997), loc 104.

⁶⁶ Mills, *Racial Contract*. Loc 130.

⁶⁷ Mills, *Racial Contract*. Loc 830.

⁶⁸ Mills, *Racial Contract*. Loc 830.

inferior moral status to those categorized as nonwhite. Not only does it create the distinction between white and nonwhite, but it also ascribes personhood to only the white people, while the nonwhite become characterized as subpersons. Mills describes these subpersons as “humanoid entities, who because of racial phenotype/genealogy/culture, are not fully human.”⁶⁹ Their status as inferior beings means that they do not have the same rights as full persons. The person-subperson distinction also results in two differing moral codes regarding behavior towards, and of, these groups. Because of their differing moral standing, it is permissible to treat them in ways one would not a full person.

Furthermore, in the logic of the Racial Contract, this mistreatment is permissible because the contract exists to protect the white polity. This protection of whiteness is why the formal repeal of the contract is so threatening, even though the Racial Contract will merely be rewritten in an informal fashion. Every time there is an edition of the Racial Contract, there is resistance from its contractors. However, because the Racial Contract has come to underwrite the social contract, it is still able to maintain its operation. For example, although the Fair Housing Act (1968) and the Equal Credit Opportunity Act (1974) formally outlawed discrimination in housing and mortgages, respectively, audit studies have shown that Black families are continually “steered” away from white neighborhoods.⁷⁰ Given that most Americans’ largest asset is home equity, systematically steering Blacks into lower-income neighborhoods and encouraging high-risk loans informally perpetuates the racial structures constructed by historic housing policy. This informal operation protects white persons, as illustrated by the financial crisis of 2008, where whites were 30% less likely to have lost wealth than blacks.

⁶⁹ Mills, *Racial Contract*. Loc 851.

⁷⁰ Douglas Massey, “The Legacy of the 1968 Fair Housing Act,” *Sociological Forum* 30, no. S1 (June 2015), 582.

The other key aspect of the Racial Contract is that it is an “exploitation contract.”⁷¹ Shifting from the social contract’s emphasis on protecting appropriation, the Racial Contract is focused on “economic exploitation.”⁷² In classical accounts of the social contract, the motivation for the contract is to ensure the protection of property that allows for the systematic appropriation of the world around us. However, Mills argues that the Racial Contract brings this economic aspect to the forefront of the contract by establishing a moral hierarchy of persons that legitimates the exploitation of “subpersons.” These subpersons are considered to be deficient because, among other things, they do not appropriate the land in a satisfactory manner. The exploitation of bodies as capital is what enabled European colonization and white global dominance. From slavery and the exploitation of labor to colonization and the extraction of resources and labor, the Racial Contract has underwritten and legitimized oppression of subpersons for the sake of economic gain.

Hence a commentator like Tocqueville can characterize America as a “democracy more perfect than any of which antiquity had dared to dream,” while at the same time dismissing slavery as a “basic fact.”^{73,74} Despite America’s nominal commitment to liberty, this ideal was confined, in reality, to white men—specifically, white male landholders. The logic of the Racial Contract allows for the continued exclusion of an entire population from the ideals America claims to uphold. The contradiction in this idea is evident in the omnipresent enslavement of Blacks in the colonies. Many colonists feared that Parliament had plans to enslave them, so they appropriated the rhetoric of liberty and slavery to reject the tyranny of Parliament. The Declaration reflects this belief that tyrannical actions on the part of the government legitimized

⁷¹ Mills, *Racial Contract*. Loc 526.

⁷² Mills, *Racial Contract*. Loc 530.

⁷³ Tocqueville, *Democracy*, 39.

⁷⁴ Tocqueville, *Democracy*, 35.

revolutionary actions. At the same time, the appropriation of this rhetoric meant that it was made illegitimate in the case of actual enslaved persons. As Samuel Johnson wrote, "How is it that we hear the loudest yelps for liberty among the drivers of Negroes?"⁷⁵ In the face of these arguments, the enslaved attempted to appeal to the same principles of liberty, even arguing that the colonists should feel a common understanding, as people fighting for their own liberty. One free mulatto asked, "Shall a man's color be the decisive criterion by whereby to judge of his natural right?"⁷⁶ While it seems antithetical to the American social contract, this break in the application of liberty can be understood using the Racial Contract.

The reality of slavery reflects the creation of the subperson of the Racial Contract. In early America, the social contract was not between all the people, but only the people who matter—white male landholders. The presence of the Racial Contract in American political tradition is inescapable. In Article I, Section 2, of the United States Constitution, the founders define states' population by the "whole Number of free Persons, including those bound to Service for a Term of Years, and excluding Indians not taxed, [plus] three fifths of all other Persons."⁷⁷ The explicit definition of enslaved individuals as three-fifths of a person is the legal codification of a category of subpersons. It reveals that while the enslaved people are not considered proper "people," they are still valued for political purposes. Even though they are not accorded political (or human) rights, the fact of their presence can still be taken advantage of for political gain in the form of congressional representation. Furthermore, they serve an economic purpose, as the source of physical labor. The success of the colonies—Southern colonies in

⁷⁵ Samuel Johnson, *Major Problems in the Era of the American Revolution, 1760-1791*, ed. Richard D. Brown (New York: Houghton Mifflin Company, 2000), 256.

⁷⁶ "Lemuel Haynes, A New England Mulatto, Attacks Slavery, 1776," in *William and Mary Quarterly* (1983), 93-105.

⁷⁷ Madison, "Constitution."

particular, although the North is not free of blame—relied on the exploitation of Black bodies and labor. This mistreatment, in turn, relied on their lesser moral standing as subpersons.

PART TWO: 1992 AND THE NEW COVENANT

The social contract comes back in full force in the 1992 presidential campaign. On the campaign trail, Clinton constructs a new social contract that parallels the American founding. He envisions himself leading a new revolution to restore the relationship of government to the people. Like Jefferson in the American Revolution, Clinton clearly delineates the circumstances that require the dissolution of the previous contract: namely, the failure of the Republican administrations to fulfill government's obligations to the American people. However, like the original American social contract, this new contract also functions as a Racial Contract.

THE REVOLUTION OF 1992

In order to restore the legitimacy of American exceptionalism, Clinton calls for the "Revolution of 1992."⁷⁸ He says, "You are living in revolutionary times." Following Clinton's own rhetoric, the 1992 Democratic Party Platform begins with a preamble that recalls the American Revolution. Citing Thomas Jefferson, the platform invokes a revolutionary spirit.⁷⁹ This revolution is intended to return government to the people. It argues that under "Republican mismanagement," government is no longer "an instrument" to ensure the success of the economy.⁸⁰ Instead, government has enriched a few through borrowing, while neglecting the rest of America. The preamble stresses the importance of the accountability of government to the people. Part of the revolution is focused on "taking power away" from bureaucracy and "putting it back in the hands of ordinary people."⁸¹ This requires new ideas about how government should operate.

⁷⁸ Bill Clinton, "Announcement of Candidacy" (speech, Little Rock, Arkansas, October 3, 1991).

⁷⁹ "1992 Democratic Party Platform."

⁸⁰ "1992 Democratic Party Platform."

⁸¹ Clinton, "New Covenant," November 20, 1991.

In his announcement speech, Clinton attributes the recent failings of the American economy to “an administration that... has turned its back on the middle class.”⁸² According to Clinton, the Republican administrations of recent years have favored the wealthy over the working class. By “[exalting] private gain over public obligations,” the Reagan-Bush era has left the middle class behind.⁸³ Clinton accuses leadership of “doing nothing to turn America around.” He connects the falling wages of everyday people with the fiscal policies advocated for by the Republicans. While the middle class is working harder for less, leaders in Washington have been helping themselves by voting for pay raises.⁸⁴ At the same time, conservative fiscal policies have placed increasing strain on middle-class families.⁸⁵ These same policies tripled the national debt. The 1980s saw the growth of inequality stemming from supply-side economics, leading to the economic recession of the early 1990s.⁸⁶ Supply-side economics argues that tax breaks would allow for increased investment, in turn leading to more demand, and encourage creating jobs to fulfill that demand. But this did not bear out in reality. Instead, the 1980s saw the rapid growth of income inequality.⁸⁷ The fiscal policies of the Republicans did not lead to overall economic growth, but only grew the top 1%.⁸⁸ Meanwhile, wages for the middle class fell.⁸⁹ Clinton often returns to the phrase, “people are working longer hours, and earning less,” in order to capture the middle-class sense of disillusionment with the current economic strategy. Not only is this economic reality posited as the failure of business to invest in workers, but it becomes tied

⁸² Clinton, “Announcement,” October 3, 1991.

⁸³ Clinton, “Announcement,” October 3, 1991.

⁸⁴ Bill Clinton, “The Economy” (speech, Detroit, Michigan, August 21, 1992).

⁸⁵ Bill Clinton, “Labor” (speech, Washington, D.C., September 3, 1992).

⁸⁶ Robert Plotnick, “Changes to Poverty, Income Inequality and the Standard of Living During the Reagan Years,” *Journal of Sociology and Social Welfare* 19, no. 1 (March 1992), 41.

⁸⁷ Thomas Piketty and Emmanuel Saez, “Income Inequality in the United States, 1913-1998” *Quarterly Journal of Economics* 118, no. 1 (2003). 22.

⁸⁸ Piketty and Saez, “Income Inequality.” 31.

⁸⁹ Economic Policy Institute, “Wage Stagnation in Nine Charts.” January 6, 2015. <https://www.epi.org/files/2013/wage-stagnation-in-nine-charts.pdf>.

to the political standing of America in the global economy. This is evident in Clinton's continual contextualization of America in global rankings. He emphasizes that American wages have fallen from first to thirteenth.⁹⁰ Republicans' "failed [economic] theory" has brought "an America that is the mockery of the world."⁹¹

The litany of perceived economic failures of the Reagan-Bush years becomes the basis for Clinton's declaration of the erosion of the American Dream. In fact, Clinton continually returns to concerns of the failed American Dream. He centers his campaign around restoring the American Dream and thereby, restoring the middle class. Speaking at Georgetown, he says, "our people fear that [the American Dream] is dying here at home."⁹² Falling wages are just one way that the American Dream is in jeopardy. Other factors contributing to this failure are drugs, crime, low high school graduation rates, and so on. Clinton is explicit in tying together the economic and political fortunes of America, defining the dream as "political freedom, market economics, [and] national independence."⁹³ These are ideals that have been valorized in the American mythos. Tocqueville points to the same values in his praise of America's exceptional status.⁹⁴ The original social contract is understood to enable political and economic freedom. Whereas previously, the American people were able to rely on political leadership to ensure the continued sociopolitical wellbeing of the country, the present disillusionment with the government has frustrated the working class.

Furthermore, Clinton's new American Dream ideology reaffirms American exceptionalism. The construction of America as a land of opportunity that appears to be affirmed

⁹⁰ Bill Clinton, "Taking Responsibility" (speech, New Orleans, Louisiana, July 29, 1992).

Bill Clinton, "Education" (speech, Rockville, Maryland, September 2, 1992).

Bill Clinton, "Remarks" (speech, St. Louis, Missouri, July 22, 1992).

⁹¹ Clinton, "Remarks," July 22, 1992.

⁹² Clinton, "New Covenant," October 23, 1991.

⁹³ Clinton, "New Covenant," October 23, 1991.

⁹⁴ Tocqueville, *Democracy*, 49.

by its citizens' economic well-being validates its dominance on the world political stage. However, this ideal is under threat in 1990. Anxiety regarding America's standing worldwide is evident throughout Clinton's speeches. A recurring theme is the growth of the Japanese economy. He claims that higher-skilled jobs have been outsourced to Japan, which contributes to America's economic stagnation.⁹⁵ This concern is reflected in public opinion, as well: 47% of respondents said that Japan had the strongest economy, as compared to 34% for the United States.⁹⁶ The most evident anxiety over this perceived loss of prestige is in his repeated references to Japanese Prime Minister Miyazawa, who "feels sympathy" for the United States, inspired by the slow economic growth of the US economy in the past year.⁹⁷ Not only was there slow economic growth, but the material reality is that for most people, wages had fallen and jobs had relocated. Clinton specifically attributes poor performance to Republican economic policies—it is emphatically not the existential threat of the American Dream's failure, which would destabilize the United States on both a micro- and macro-level.

Clinton's new formulation of the American Dream is especially relevant because of the campaign's coincidence with the dissolution of the Soviet Union. Clinton argues that the recent years saw the spread of American ideals of democracy and capitalism across the world, and yet these ideals are failing Americans at home. Like previous accounts of American exceptionalism, he associates the American Dream with the preeminence of America abroad. Clinton makes it clear that he envisions America at the head of the global political order. The connection between domestic economic prosperity and larger international standing is quite evident for Clinton: "I know that we are losing America's leadership in the world because we're losing the American

⁹⁵ Bill Clinton, "Remarks at the United Auto Workers Convention" (speech, San Diego, California, June 15, 1992).

⁹⁶ NBC News/WSJ poll, December 1992.

⁹⁷ Bill Clinton, "A Vision for America: A New Covenant" (speech, New York City, NY, July 16, 1992).

Dream right here at home.”⁹⁸ The fourth point in the Democratic party platform, “National Security,” defines “global economic leadership” as “central” to national security.⁹⁹ Whereas previously, the strength of a nation was defined in military terms, the key is now economic productivity and prosperity.

Additionally, there is a sense that America is the legitimate leader of global affairs due to its commitment to these values of democracy and free enterprise. Despite claiming that America should not “try to remake the world in its image,” he continually characterizes the democratic reforms in the USSR as being inspired by American ideals about democracy and the American Dream.¹⁰⁰ The dissolution of the Soviet Union is seen as the success of the American Dream because it is the institution of democracy and the failure of communism (the ultimate anti-American, anti-democratic, anti-capitalist idea). Democracy, according to Clinton, is more safe, stable, and productive.¹⁰¹ Democracies do not go to war with each other, or engage in terrorism.¹⁰² Instead, democracies make reliable trading partners.¹⁰³ Clinton identifies the specific role of the President as keeping America safe and “promoting democracy around the world.”¹⁰⁴ He even proposes a “democracy corps” to send American volunteers to help countries transition from communism and build strong democratic institutions.¹⁰⁵

This idea is also reflected in Clinton’s commitment to “Make America great again.”¹⁰⁶ This refrain reflects the importance of restoring the values from America’s mythical founding. He asserts that America has gotten away from the values of individual liberty and economic

⁹⁸ Bill Clinton, “Remarks,” (speech, Los Angeles, CA, August 13, 1992).

⁹⁹ “1992 Democratic Party Platform.”

¹⁰⁰ Bill Clinton, “A New Covenant for American Security” (speech, Washington, D.C., December 12, 1991).

¹⁰¹ Clinton, “American Security,” December 12, 1991.

¹⁰² Clinton, August 13, 1992.

¹⁰³ Clinton, August 13, 1992.

¹⁰⁴ Clinton, August 13, 1992; Clinton, October 3, 1991.

¹⁰⁵ Clinton, December 12, 1991.

¹⁰⁶ Clinton, “Announcement,” October 3, 1991.

freedom that have made it exceptional. In order to succeed in the global economy, America needs to restore its values in order to genuinely display them abroad. His campaign is a way to restore the American Dream and its association with American exceptionalism to reaffirm this standing. America needs new Democratic leadership to fight to restore American ideals. By restoring this dream, America will be able to “build a community of hope that will inspire the world.”¹⁰⁷ This rhetoric harks back to the “city upon a hill” rhetoric utilized by Winthrop, and made popular by Reagan, reflecting the “natural” place of America as an inspiration.

The need to return to American values reflects the Republicans’ neglect of those very values. Like the revolutionaries of 1776, Clinton prepared a barrage of complaints that he presents to the American people. He justifies his call for dissolving the contract through a new revolution by arguing that the previous administrations have failed their obligations to Americans. Not only are Americans facing economic recession, but America’s political standing is also in jeopardy. He proposed that the social contract is broken and needs to be renegotiated. Additionally, Clinton himself provided the terms of the new contract and government’s new obligations.

THE NEW COVENANT

In his campaign announcement speech in October 1991, Clinton uses the term “New Covenant” to frame his vision for his administration. The central concern of this speech is the recent death of the American Dream, stemming from poor leadership in government. Clinton declares his “commitment to a larger cause: preserving the American Dream, restoring the hopes of the forgotten middle class, reclaiming the future for our children.”¹⁰⁸ The underlying

¹⁰⁷ Bill Clinton, “Meet Me in St. Louis” (speech, St. Louis, MO, October 3, 1992).

¹⁰⁸ Clinton, October 3, 1991.

reasoning behind the New Covenant is an insistence that the American Dream is still real and requires a new implementation for this era. As stated by Clinton in an address to the AARP, “I learned from my grandparents the basic contract of American life: that if you work hard, and play by the rules, you will be rewarded.”¹⁰⁹ This ideal is exemplified in Clinton’s narrative of his own life, as a man from a working class family from Hope, AR, who grows up to meet President Kennedy and become governor of Arkansas.¹¹⁰ His candidacy is proof that the dream can still be borne out, but the failure of the Republicans and more broadly, unresponsive and irresponsible government, have prevented it from happening.

Clinton envisions the “New Covenant” as a new social contract. In his “New Covenant” speech, he says, “More than two hundred years ago, the Founders outlined our first social compact between government and the people, not just between lords and kings.”¹¹¹ The New Covenant is explicitly connected to American history and values. He emphasizes the nature of the New Covenant as being a “solemn agreement between the people and their government.”¹¹² Clinton is mainly interested in the relationships that people have with each other towards the end of creating and fostering community. He links rights and responsibilities, as well as opportunities and obligations in part of the social contract. According to Clinton, the social contract “defines what we owe to one another, to our communities, and to our country, as well as what we are entitled to for ourselves.”¹¹³ This is reflected in the four keywords that are identified in the platform.¹¹⁴ Clinton emphasizes the interplay of these areas, and the importance of a renewal of the contract in order to restore all of them. He argues that the American people owe each other a

¹⁰⁹ Bill Clinton, “Work, Family, Future” (speech, San Antonio, Texas, June 4, 1992).

¹¹⁰ Clinton Campaign, “Journey,” <http://www.livingroomcandidate.org/commercials/1992/journey#4140>.

¹¹¹ Clinton, October 23, 1991.

¹¹² Clinton, October 23, 1991.

¹¹³ Bill Clinton, “Values” (speech, South Bend, IN, September 11, 1992).

¹¹⁴ “Responsibility, Opportunity, Community, National Security.”

mutual sense of community and care. This sense of community would enable the mutual safety and growth of all members of society, as well as guarantee national security.

The “New Covenant” is used rather sporadically early in the campaign before disappearing altogether in mid-1992. Unlike names for other policy packages, such as the New Deal or Great Society, the New Covenant does not have staying power, possibly because Clinton tends to use it as a catchall for his political ideals.¹¹⁵ Nevertheless, it is still adopted by the Democratic Party in the 1992 party platform. The New Covenant will: “repair the damaged bond between the American people and their government... expand opportunity, insist upon greater individual responsibility in return, restore community, and ensure national security in a profoundly new era.”¹¹⁶ Clinton also uses four keywords that are later adopted by the Democratic party and heavily emphasized in both the 1992 and 1996 party platforms: “Opportunity,” “Responsibility,” “Community,” and “National Security.”¹¹⁷ The “New Covenant” is at the center of his insistence upon opportunity and responsibility. According to Clinton, the New Covenant is a new social contract. In the New Covenant, the government has a responsibility to the people to “create more opportunity,” whether that is through lowering taxes, creating jobs, or providing healthcare. In return, the people have a responsibility to “make the most of [the opportunity].”¹¹⁸ The covenant is a necessary part of the Revolution of 1992.

The New Covenant is predicated upon the failure of the previous administrations to do their best for the American people. While this criticism is primarily directed at the Reagan and Bush administrations, the Democrats are not blameless. He portrays liberal Democrats’ love for

¹¹⁵ Durant, “New Covenant Kept,” 347.

¹¹⁶ “1992 Democratic Party Platform.”

¹¹⁷ “1992 Democratic Party Platform.”

“1996 Democratic Party Platform.”

¹¹⁸ Clinton, October 3, 1991.

expansive government programs as inflating the size of government and the national debt.¹¹⁹ Clinton describes party politics as “every man for himself on the one hand and the right to something for nothing on the other.”¹²⁰ He accuses liberal Democrats of expanding federal programs that encourage dependency, rather than supporting individuals as they move to work. For this reason, his candidacy is focused on making big, positive change. America’s new leadership must be “committed to change.”¹²¹ In the style of the New Democrats, this means not being limited by “old ideologies” or partisan affiliations. According to Clinton, the change America needs “isn’t liberal or conservative. It’s both and it’s different.”¹²² He paints himself as someone who isn’t concerned with partisan alignment, but rather, with the real conditions of everyday Americans.¹²³ The covenant is described as all-new ideas of governance in order to restore the past for a better future.

A combination of change and restoration of the American Dream is what underlies the New Covenant. It “simply asks us all to be Americans again--old fashioned Americans for a new time.”¹²⁴ Clinton recalls an idealized past where American exceptionalism was intact in order to convey the importance of “American values” in the contractual relationship. It is a “solemn agreement between the people and their government, based not simply on what each of us can take, but on what all of us must give to our nation.”¹²⁵ The covenant proposes a partnership to rebuild America, economically and socially. It is rooted in the idea that the government and people have a reciprocal relationship. Clinton defines the covenant by saying, “We need a new

¹¹⁹ Clinton, October 23, 1991.

¹²⁰ Clinton, October 23, 1991.

¹²¹ Clinton, October 3, 1991.

¹²² Clinton, October 3, 1991.

¹²³ Bill Clinton, “Second Clinton-Bush-Perot Presidential Debate,” October 15, 1992.

<https://www.debates.org/voter-education/debate-transcripts/october-15-1992-second-half-debate-transcript/>.

¹²⁴ Clinton, July 16, 1992.

¹²⁵ Clinton, July 16, 1992.

covenant to rebuild America. [...] Government's responsibility is to create more opportunity. The people's responsibility is to make the most of it.”¹²⁶ This reciprocity is why, despite middle-class Americans working harder than ever, they are still failing economically compared to previous generations—this is not through any fault of their own, but instead, it is the failure of the government to sufficiently provide opportunities and leadership. In the Clinton administration, government will provide “opportunity for all.”¹²⁷ This means a variety of things, from economic opportunity, to environmental protections for the opportunity for future generations. Opportunity is connected to the possibility of social mobility in the American exceptionalism tradition. However, the key is that if government creates these opportunities, the American people must assume personal responsibility for themselves and their community. Clinton frames the New Covenant as “this generation’s responsibility,” with “more opportunity for all, more responsibility from everyone, and a greater sense of common purpose.”

Restoring the American Dream by creating opportunity means that individual involvement is key in the New Covenant. The emphasis on personal responsibility means that “people move off welfare rolls and onto work rolls... we should demand that everybody who can work, go to work and become a productive member of society.”¹²⁸ At the very beginning of his campaign, Clinton introduces a framework for understanding welfare that continues throughout his campaign and the passage of PWRORA: those who receive welfare are not responsible citizens, placing them outside of the contract between government and the people. In a speech in September of 1992, Clinton states that “every person who’s on welfare... is another person who’s not out there in a job making America the strongest power in the world, and helping all

¹²⁶ Clinton, October 3, 1991.

¹²⁷ Clinton, October 3, 1991.

¹²⁸ Clinton, October 3, 1991.

the rest of us to see to our parents in their old age; our children in their youth; and to our own lives in their full flower.”¹²⁹ Clinton draws an explicit connection between the position of welfare recipients and American standing abroad. In arguing for the importance of community, he also reveals that the welfare subject threatens the life of those in the American community by their non-contribution. These statements solidify the idea that because of their failure to take responsibility and contribute to America, welfare recipients are outside of the contract. Not only is American exceptionalism about the American Dream, but maintaining national security and American community. Moreover, their lack of contribution is seen as an existential threat that comes back around to threaten the undoing of the productive citizens.¹³⁰

As seen in the Democratic Party Platform, the social contract is explicitly about making government work for the people. The new social contract requires putting more faith in the people to take responsibility for their actions, but more importantly, their economic outcomes. It explicitly states, “We will offer people on welfare a new social contract.”¹³¹ The contract that is instituted in this case is one in which the government invests in services and temporary assistance to help the poor, and in return, they must find a job and become a “productive” member of society within two years. In this way, both parties would benefit from economic growth and security—the poor become self-reliant and the state grows its GDP. Even in 1990, before the campaign, Clinton demonstrated a commitment to the rhetoric of social contract in connection to welfare. He suggested that, literally, “everyone on welfare should sign a contract committing to pursue independence in return for benefits.”¹³² The proposal of a literal contract underscores how Clinton conceives of the social contract. He sees this as key to transforming the

¹²⁹ Bill Clinton, “A Second Chance” (speech, Jonesboro, GA, September 9, 1992).

¹³⁰ We return to this in Part 3.

¹³¹ “1992 Democratic Party Platform.”

¹³² Bill Clinton, “Hearing on the Family Support Act (1988)” (speech, Little Rock, Arkansas, April 30, 1990).

way that welfare recipients relate to government.¹³³ The signing of a physical contract reflects firstly, how welfare recipients are construed as irresponsible—while other people do not require a physical reminder, they do. Secondly, the contract symbolizes the new relationship by setting concrete terms of obligation. The contract would tell people on welfare, “We don’t think you have a right to anything other than assistance in return for your best efforts.”¹³⁴ The welfare contract forcefully dissociates the obligation of government to a portion of its citizens.

A key feature of Clinton’s ideology is that responsibility is not only applicable to the individual but to institutional actors as well. Therefore, Clinton’s proposed solution for economic recovery requires involving government in the reciprocal relationship of opportunity and responsibility. This reciprocity is also part of Clinton’s indictment of the Reagan-Bush administration. He accuses the Republicans of “having washed their hands of responsibility” in handling economic and social policy.¹³⁵ By leaving the solutions down to the states, Republicans in Washington have effectively abandoned their responsibility to provide opportunity for Americans. This is a failure on multiple levels, because it is also the government’s institutional responsibility to make personal responsibility a priority for Americans. Clinton often draws on the memory of John F. Kennedy to explain the government’s role in emphasizing importance of responsibility for being an American citizen. Clinton says that “we will still not solve the problems of today or move into the next century with confidence unless we do what President Kennedy did and ask every American citizen to assume personal responsibility for the future of our country.”¹³⁶ This highlights the government’s role in emphasizing a shared obligation to ensure the country’s future.

¹³³ Clinton, April 30, 1990.

¹³⁴ Clinton, April 30, 1990.

¹³⁵ Clinton, October 3, 1991.

¹³⁶ Clinton, October 3, 1991.

Along with making the most of opportunity, personal responsibility is identified with “hard work.” Hard work comes up repeatedly, partially because it is so tied to the American Dream. As early as the 19th century, the idea that hard work would result in economic success was evident in popular consciousness. As mentioned above, Tocqueville found that anyone with the personal ambition could be upwardly mobile, a hallmark of American exceptionalism. Myths around “self-made” individuals, such as Andrew Carnegie and Steve Jobs, validate the idea that hard work results in the success. Clinton even explicitly connects hard work and the American Dream in his DNC acceptance speech. Work provides dignity, independence, and self-esteem.¹³⁷ Ostensibly, these values are automatically negated by being on welfare. In fact, Clinton continually characterizes welfare as “limiting.” Welfare is presented as something that prevents people from working, supposedly because it is easier to collect a check from home, rather than enter the workforce. Speakers at the DNC also relate anecdotes of the wealth restrictions for welfare eligibility: for example, recipients cannot save more than \$1000. One notable anecdote focuses on a young woman who saves \$10000 so that she can attend college.¹³⁸ When the IRS discovers that she has saved these funds, her family is no longer eligible for aid, and must pay the government back the ‘stolen’ money. This story is seen as tragic because the woman was essentially forced into staying dependent on welfare instead of attaining a college education, which would ostensibly allow her access to the middle class. Additionally, saving is key to achieving the American Dream because it is required by upward mobility.¹³⁹ By emphasizing these negative aspects of welfare policy, Clinton places welfare as the antithesis to the American Dream, which argues that through hard work and self-sufficiency, anyone can achieve economic

¹³⁷ Clinton, July 16, 1992.

¹³⁸ Clinton, July 16, 1992.

¹³⁹ Laura Peck and Sarah Allen Gershon, “Welfare Reform and the American Dream,” in *The Promise of Welfare Reform*, ed. Keith Kilty and Elizabeth Segal (New York, NY: Haworth Press, 2006), 103.

success. Therefore, whether it is through moral decay or limitations on savings, welfare is seen as incompatible with the American Dream.

Responsibility also manifests in the space of the family. A recurring image is that of the deadbeat parent. Clinton makes clear that parents who abandon their children are ignoring their responsibilities. In the 1996 platform, the Democrats will propose even stronger penalties for absent parents, such as taking away their driver's license or garnishing wages; in 1992, they simply propose a tougher child support system.¹⁴⁰ Regardless of the specific proposal, Democrats maintain that supporting one's child is an important responsibility. Clinton says that it is the parents' responsibility to raise a child, not the government's. When welfare serves as a replacement for child support, it shifts responsibility from the parent to government.¹⁴¹ The desire for stronger rules of financial contribution from missing parents demonstrates a lack of desire on the part of the state to serve as "replacement child support," instead preferring to emphasize the parents' own responsibility whenever possible.¹⁴²

Clinton often applies the tropes of opportunity and responsibility to himself. At the 1992 Democratic Nominating Convention, criticizing Bush's failure to make real changes in government, as well as his inability to take responsibility for the American economy, he emphasizes the refrain "I will" multiple times, demonstrating his commitment to take responsibility for enacting policy.¹⁴³ But even more than in drawing a contrast with Republicans, personal responsibility appears in his narrativization of his childhood. He consistently portrays himself as an ambitious young man who endeavored to take advantage of all the opportunities

¹⁴⁰ "1992 Democratic Party Platform." And "1996 Democratic Party Platform."

¹⁴¹ Clinton, July 16, 1992.

¹⁴² Bill Clinton and Al Gore, *Putting People First: How We Can All Change America* (New York: Times Books, 1992).

¹⁴³ Clinton, July 16, 1992.

presented to him. After his father's death, he tells of how his mom went to nursing school in order to be able to provide for her children. She worked hard to get an education that enabled her to be a productive member of society and provide for her kids. Even though their family was poor, they did not blame others for it; rather, they "took responsibility for themselves." Clinton said that experience taught him that government has an obligation to "help people who were doing the best they could."¹⁴⁴ This reflects the reciprocity required of the contract—government has a responsibility to help those who help themselves (by taking responsibility for taking opportunity).

Clinton sees welfare reform as a synthesis of the idea that government should help the people and the idea that people should help themselves.¹⁴⁵ In this sense, the new social contract between welfare recipients and the government is that, in exchange for them agreeing to pursue independence, the government will help them out on the way. As long as they work, the government will provide assistance to them and their families as they move to self-sufficiency. Targeted at the "culture of dependency," these reforms emphasize the temporal aspect of public assistance. Because of the new lifetime limits, the contract is a two-year agreement to invest for some return, that is, economic contribution from the recipient. Thus, welfare can become a "stepping stone to work," instead of a "way of life."^{146,147}

Contrary to Clinton and the Democrats' characterization of the New Covenant as a new social contract, I argue that it should be seen as a renewal and reassertion of the Racial Contract. Like the Racial Contract that founded the United States, the New Covenant establishes the

¹⁴⁴ Clinton, October 3, 1991.

¹⁴⁵ Clinton, April 30, 1990.

¹⁴⁶ Daniel Moynihan, "Beyond Welfare," in *Welfare: A Documentary History of U.S. Policy and Politics*, ed. Gwendolyn Mink and Rickie Solinger (New York, NY: NYU Press, 2003), 499.

¹⁴⁷ Clinton, July 16, 1992.

welfare recipient as a new class of subpersons to be exploited. This is because its insistence on adherence to norms means that the New Covenant is designed to exclude certain individuals. Instead of being borne out of mutual benefit, the New Covenant is predicated on the fulfillment of certain norms in order to meaningfully participate in society, and in a larger sense, to be considered a valid human life. Furthermore, in contrast to the social contract, which is intended to protect the right to appropriate the natural world, the Racial Contract legitimates the exclusion of those who fail to satisfactorily appropriate resources, like the welfare subject, who is unable to accumulate wealth or be “productive.” The New Covenant posits those on welfare as somehow morally or economically deficient subpersons. This draws on the years of racialized discourse about welfare dependency, as well as characterizations of the poor as lazy, irresponsible, and freeloading. These racialized tropes have permeated discourse, such that studies have shown that racial attitudes are the most important predictor of white respondents’ views on welfare and reform.¹⁴⁸ In this context, using personal responsibility to define the New Covenant creates a racialized class of subpersons who are justifiably outside the covenant.

Another benefit of thinking of the New Covenant as a Racial Contract is that the Racial Contract “explains and exposes the inequities of the actual nonideal polity and [helps] see through the theories and moral justifications offered in defense of them.”¹⁴⁹ Whereas thinking of the New Covenant as a social contract naturalizes the exclusion of those on welfare because they have not fulfilled their obligations, the Racial Contract allows us to understand why and how the covenant has been structured this way. The New Covenant is a Racial Contract that only values those who can be a productive part of the economy, while constructing the others as subpersons.

¹⁴⁸ Martin Gilens, “Race Coding and White Opposition to Welfare,” *The American Political Science Review* 90, no. 3 (September 1996), 593.

¹⁴⁹ Mills, *Racial Contract*, 152.

The maintenance of subpersons as a class upholds the white polity by supplying the labor market with low-wage labor. The New Covenant ensures that this supply is so by conditioning receipt of aid on work. By centering welfare reform as key to the new racial contract, the New Covenant creates a racialized class of individuals that support the American system of racial capitalism. I argue that the New Covenant serves to promote those seen as productive citizens, while effectively legitimating the death of those who have been left out of the contract.

PART THREE: IDEOLOGY AND WORK

Part one and two detailed the trajectory of the American social contract. Part one traced the roots of this contract to the American revolution, and argued that the social contract is more accurately described as a racial contract. As a framework, the Racial Contract is useful in exposing the mythical status of American exceptionalism. Despite its unreality, the return to an imaginary American Dream informs Clinton's rhetoric, and justifies the establishment of a new social (racial) contract. Part three turns to the material existence of this new contract; specifically, how it manifests in the work requirements of the PRWORA. His campaign rhetoric of the New Covenant and its role in restoring the American Dream constructs an ideal subject, which is then (ideally) materialized by the terms of the new contract.

WORK REQUIREMENTS IN WELFARE REFORM AND DISCOURSE

The institution of work requirements in the 1996 bill was the culmination of a long effort to put welfare recipients to work. The 1967 Social Security amendments required states to refer "appropriate" individuals to the Work Incentive Program in order to be considered for benefits.¹⁵⁰ Later, the 1981 Omnibus Reconciliation Act included the option for states to require work for eligibility.¹⁵¹ The Omnibus Act tied benefits to wages such that benefits were determined by the last month's wages, emphasizing the importance of work. The bill also allowed states to provide jobs instead of cash assistance. The Family Support Act (FSA) of 1988 included more work requirements, although they were less burdensome than the ones instituted by the Personal Responsibility Act. A single parent had to work 16 hours a week in order to be eligible for benefits.¹⁵² The FSA also included provisions for states to implement increased child

¹⁵⁰ Lurie, 833.

¹⁵¹ *Omnibus Budget Reconciliation Act of 1981*, Public Law 97-35. August 13, 1981.

¹⁵² *Family Support Act of 1988*, Public Law 100-485. October 13, 1988.

support laws, which were intended to alleviate the way that AFDC essentially functioned as “child support.” However, despite the work requirements, there were more people on welfare than before.¹⁵³ At the same time, public resentment of welfare and its recipients continued to grow. There was also continued and increased racialization of welfare, particularly through the image of the welfare queen and the young teen mother. Ronald Reagan popularized the image of the welfare queen during his first two presidential campaigns. The welfare queen was an exaggerated, threatening stereotype of a black welfare mother who defrauded the government in order to receive welfare benefits.¹⁵⁴ This strawman was intentionally utilized to demonize African-Americans, who were associated with welfare.¹⁵⁵ These stereotypes negatively influenced public opinion about welfare. According to a 1993 report, fewer than one in five respondents believed that most current recipients deserved to receive assistance.¹⁵⁶ Recent studies have shown that people have more favorable opinions toward “public assistance” than “welfare.”

¹⁵³ Welfare caseload grew from 10.6 million total recipients in 1980 to 13.6 million recipients in 1992. Department of Human Health and Services, “Trends in AFDC/TANF Caseloads,” accessed April 15, 2019. <https://aspe.hhs.gov/report/welfare-indicators-and-risk-factors-thirteenth-report-congress/table-tanf-1-trends-afdctanf-caseloads-1962-2011>.

¹⁵⁴ Taylor was an extreme case of welfare fraud, using over 25 different names to receive benefits. Beyond fraud, she also dabbled in child trafficking, theft, and possibly murder. The choice of Taylor as a model reveals the racialized linkage between race, crime, poverty, and welfare.

Josh Levin, “The Welfare Queen,” *Slate*. December 12, 2013. http://www.slate.com/articles/news_and_politics/history/2013/12/linda_taylor_welfare_queen_ronald_reagan_made_her_a_notorious_american_villain.html.

¹⁵⁵ Reagan’s campaign manager advised him to use racially coded language on the campaign trail, since you couldn’t say “nigger, nigger, nigger,” anymore.

Rick Perlstein, “Exclusive: Lee Atwater’s Infamous 1981 Interview on the Southern Strategy,” *The Nation*, November 13, 2012. <https://www.thenation.com/article/exclusive-lee-atwaters-infamous-1981-interview-southern-strategy/>.

¹⁵⁶ Geoffrey Garin, Guy Molyneux, and Linda Divall. “Public Attitudes Towards Welfare Reform,” in *Welfare: A Documentary History of U.S. Policy and Politics*, ed. Gwendolyn Mink and Rickie Solinger (New York, NY: NYU Press, 2003), 566.

Over a year before he announced his campaign, Clinton appeared before Congress to testify in favor of an “exciting” piece of legislation, the Family Support Act.¹⁵⁷ His testimony here prefigures a lot of the language and ideology that is later used in his campaign. In the hearing, he testified to the power of welfare reform to help people become “full citizens.”¹⁵⁸ Clinton insists that welfare is not intended to be a system of income maintenance (at least, not anymore); rather, it is supposed to aid individuals in transitioning to work. The reforms are intended to change the values of those that it serves by encouraging work and family values. He frames welfare in market terms as an “investment,” intended to create citizens who can fully participate in the economy. Currently, the system is “all consumption, no investment and no pay back.”¹⁵⁹ Because the Racial Contract creates a system of relations which requires “pay back” (exploited labor), failure to produce labor means that the individual has gone to “waste.”¹⁶⁰ Clinton again ties the poor to foreign affairs. He questions how America is going to “lead the world” when it is unable to effectively “develop [its] most important resource, [its] people.”¹⁶¹ This previews Clinton’s later push for increased job training programs and concern about national security. He has a firm belief that welfare should aid in intervention and prevention to encourage personal “economic independence and self-sufficiency” that will be more beneficial for America in the long term.¹⁶² Clinton continually refers to people on welfare as resources to be developed for economic growth, reflecting the relationship between welfare policy and American exceptionalism.

¹⁵⁷ Clinton, April 30, 1990.

¹⁵⁸ Clinton, April 30, 1990.

¹⁵⁹ Clinton, April 30, 1990.

¹⁶⁰ Clinton, April 30, 1990.

¹⁶¹ Clinton, April 30, 1990.

¹⁶² Clinton, April 30, 1990.

According to PRWORA, participants are required to engage in “work activities,” meaning: subsidized and unsubsidized employment, work experience, on-the-job training, job search and job readiness assistance, community service programs, education, or providing childcare to someone participating in a community service program.¹⁶³ The legislation mandated that these work requirements were to increase every year at the federal level. Beginning with 20 hours in 1997, the requirements increased to 30 hours a week from 2000 onwards.¹⁶⁴ At the same time, the minimum level of beneficiaries’ participation in work activities by recipients for each state increased from 25% to 50%. The bill also mandates that only people with children under 12 months of age are not subject to these requirements, whereas previously, it had been 3 years under FSA. It is important to consider that these are only federal minimum guidelines and states are free to impose additional requirements on top of these, as long as they do not lower the minimums. For example, Illinois has a work requirement of 35 hours a week, instead of 30.¹⁶⁵ The increased authority given to the states has resulted in the creation of 50 new welfare programs.

AMERICAN DREAM AS AN INTERPELLATING IDEOLOGY

As the foregoing sections have demonstrated, the emphasis on work requirements reflects the desire to uphold the ideology of American exceptionalism and the American Dream. A closer look at the meaning and effects of ideology demonstrate why work requirements for welfare are more important than a conservative talking point or a mechanism of reducing welfare rolls. Given that at the core of the American Dream is the idea that hard work leads to success, and that

¹⁶³ Personal Responsibility and Work Opportunity Reconciliation Act (1996).

¹⁶⁴ Personal Responsibility and Work Opportunity Reconciliation Act (1996).

¹⁶⁵ Heather Hahn, David Kassabian, and Sheila Zedlewski, “TANF Work Requirements and State Strategies to Fulfill Them.” March 2012. https://www.acf.hhs.gov/sites/default/files/opre/work_requirements_0.pdf.

America is a land of opportunity, where anyone can make it to the top, as long as they try hard enough, the construction of welfare dependency as hostile to hard work and success becomes intelligible. Of course, for Clinton, after years of corporate irresponsibility, the American Dream “is in trouble.”¹⁶⁶ At the same time that he stresses the economic troubles stemming from corporate malfeasance, Clinton puts a lot of effort into denying the inevitability of the death of the American Dream. This denial manifests in the institution of work requirements in welfare policy, while ironically affording business more opportunities.¹⁶⁷

Louis Althusser defines ideology as an illusion. Ideology does not represent reality, only the “residues” of reality. It is “an imaginary assemblage, a pure dream, empty and vain, constituted by the ‘diurnal residues’ of the only full, positive reality.”¹⁶⁸ Althusser goes on to argue that ideology is an “‘imaginary’ representation of individuals’ relation to their real conditions of existence.”¹⁶⁹ Ideology does not represent material reality, but rather individuals’ *imaginary* relation to their reality. The imaginary status of ideology is necessary for sustaining capitalism because it fulfills the function of maintaining the capitalist relations of production. Without ideology, the subjects would recognize their real condition (exploitation), which would destabilize social and economic relations. Thus, the relations of production requires ideology to ground its subjects in an imaginary understanding of their existence. Additionally, ideology always has a material existence in material practices. For example, in religion, this is through

¹⁶⁶ Clinton, April 16, 1992.

¹⁶⁷ While Clinton slightly raised marginal income taxes on the top 1% (from 28% to 39.6%), he also signed the Gramm-Leach-Bliley Act, which has been criticized for leading into the financial crisis of 2007. This legislation repeals some of the barriers established by the Glass-Steagall Act and 1993 Banking Act, which was intended to prevent monopolies and the possibility of financial mishandlings.

¹⁶⁸ Louis Althusser, *On the Reproduction of Capitalism: Ideology and Ideological State Apparatuses* (London: Verso Books, 2014), 175.

¹⁶⁹ Althusser, 181.

acts of faith or ritual. Althusser argues that these practices, in a dialectical fashion, ascribe beliefs to the subject, even if they do not realize what is happening.

Through material practices, ideology also serves to facilitate recognition of individuals. When we engage in ideological rituals, and are recognized as who we think we are, we receive a guarantee that “we are indeed concrete, individual, unmistakable and, naturally, irreplaceable subjects.”¹⁷⁰ According to Althusser, ideology also serves the express purposes of “hailing or interpellating concrete individuals as concrete subjects.”¹⁷¹ In Althusser’s thought, we are *always-already* subjects, meaning that we are born into systems with ideologies that mediate our interactions. Ideology serves to create subjects and ensure their mutual recognition through material rituals that they enact with each other. Ideology ensures that the subjects will continue to act in an ideal way: “if the subjection of the subjects to the Subject is well respected, everything will go well for the subjects: they will receive their reward.”¹⁷² The subjects accept the way life is, and continue in their behavior, reproducing the relations of production, without the need for coercive state power.

The American Dream is an example of an ideology that interpellates its subjects, maintaining the relations of production. As ideology, its material existence is born, in a foundational sense, in the founding documents of the United States. The valorization of the struggle between the colonies and England for freedom and self-determination plays out over and over throughout popular consciousness. Documents such as the Constitution and the Bill of Rights reaffirm a dedication to the liberal emphasis on personal freedoms and constituting the government to protect those freedoms. The construction of the United States as a land of

¹⁷⁰ Althusser, 189.

¹⁷¹ Althusser, 190.

¹⁷² Althusser, 197.

opportunity arises out of these ideals—the freedoms afforded by America provide endless opportunity. In this ideology, individuals all have an opportunity to better their economic situation through their own hard work. The American Dream disregards structural political and economic barriers, instead placing the emphasis on the individual and their actions. The reality of the American Dream reveals its limits, and further, its status as ideology.

Like all ideology, the American Dream is enacted through material practices. The act of “working hard” sustains the American Dream by validating the idea that hard work is meaningful. For example, at companies with “unlimited vacation days,” such as Netflix, workers report feeling the need to show that they have earned their vacation time. Ironically, employees take fewer days off, out of a fear that they are “not working hard enough.”¹⁷³ The emphasis on desert and “earning it” returns in Americans’ consumerist tendencies. Americans often turn to material markers of status to show that they have “made it”: cars, phones, purses, private schools, homes. Homeownership is another classic practice of the American Dream that ensures the continuance of ideology: by working hard, saving, taking out a mortgage, any American can own a home.¹⁷⁴ These practices enact ideology by creating a set of actions that characterizes the American Dream. At the same time, ideology ensures that the relations of production are reproduced by creating a normative ideal that can (supposedly) be reached by material actions. Thus, the American Dream provides the absolute guarantee that everything really is so (America really is the land of freedom and opportunity), and, if the subjection of the subjects... is well respected (Americans continue to work hard), everything will go well for the subjects: they will ‘receive their reward’ (economic success and stability).¹⁷⁵

¹⁷³ Josh Millet, “Is unlimited vacation a perk or a pain? Here’s how to tell.” *CNBC: Make It*. Published September 26, 2017. Accessed April 12, 2019.

¹⁷⁴ Homeownership also interpellates a new subject that enacts new rituals of class, race, and so on.

¹⁷⁵ Althusser, 197.

The importance of hard work is reflected in Clinton's emphasis that the middle class are working longer hours for less pay than their parents' generation. However, even this operates within the ideology of the American Dream: Americans *must* work hard (although they should ideally be fairly compensated). Reproducing the relations of production means that the possibility of alternatives is erased because there is no outside to capitalism, and so regardless of falling wages, the middle class must continue in their work. At the same time, the emphasis on the middle class ignores the real failure of American exceptionalism: those who are in low-wage jobs and are subject to increased deprivation because of exploitative labor practices.

Clinton's commitment to the American Dream in the idealized social contract manifests in the material practice of work requirements. The ideology must be brought to bear through policy. Enforcing work requirements is a very convenient move because it enables multiple things to happen at once. Firstly, it supplies the labor market, particularly with low-waged workers. Clinton is concerned about the predicted labor shortage, which he names as a reason why it is important to move people into the workforce.¹⁷⁶ In the name of responsibility (productivity), welfare recipients have to pursue "work activities" at a minimum of 20 hours per week, which will increase every year. This is, ostensibly, an attempt to end "welfare dependency" by moving people off of welfare and into the workforce, but when considering the reality that many families still struggle to make ends meet, it simply only moved people off of welfare.¹⁷⁷ The failure of the policy reveals its place in the American mythos—the American Dream is no longer defined by freedom and opportunity, but is now about productivity and maintaining American exceptionalism. Secondly, at the micro-level, work requirements

¹⁷⁶ Clinton, April 30, 1990.

¹⁷⁷ Jane Collins and Victoria Mayer, *Both Hands Tied: Welfare Reform and the Race to the Bottom of the Low-Wage Labor Market* (Chicago, IL: University of Chicago, 2010). 4.

interpellate productive subjects. Not only is the American Dream defined by productivity, but it demands its subjects be as well. Work requirements are necessary to materially demonstrate that the individual is a productive citizen. Despite the rhetoric of welfare to work, the text of the bill itself does not require individuals to take jobs that would enable them to be self-sufficient. This is evinced in the inclusion of community service as “work activities.” The inclusion of non-paid work contradicts the notion that these reforms are intended to move people off of welfare in a meaningful sense, that is, by enabling them to live independently. Rather, it is the image of productivity that is key in the maintenance of this ideology.

In “Modell of Christian Charity,” Winthrop argues that if one member of the community sins, they are all doomed because they have failed their mission and the world is watching for their success.¹⁷⁸ This idea is central to American exceptionalism. Community is also the third keyword of the New Covenant, reflecting Clinton’s desire to rebuild a sense of mutual obligation. He attributes the breakdown in American society to the lack of community after years of divisive politics. In order to fulfill the New Covenant, America would have to restore its common bonds. Community is an important part of the contract because it demonstrates the individual’s social existence and contribution. In the same vein as maximum feasible participation,¹⁷⁹ including community service as eligible for “work” requirements reflects the importance of being recognized as part of a community, as well as the contractual nature of the New Covenant. The supposed goal of community service is to teach work skills, such as personal discipline. In reality, community service placements often result in downward mobility.¹⁸⁰ Thus,

¹⁷⁸ Madsen, *American Exceptionalism*, 20.

¹⁷⁹ A policy introduced in the 1960s by the EOA (1964). Maximum feasible participation mandated that communities should be involved in planning and executing initiatives targeted at them, to the greatest extent realistically possible.

¹⁸⁰ Collins and Mayer, *Both Hands Tied*, 123.

community service allows for a performance of productivity that is not about bettering the individual, but maintaining the image of the American Dream and equality of opportunity. The reality is that community service is not a wage-earning activity, but serves as a replacement activity that “earns” the recipient cash assistance.¹⁸¹ By providing dead-end “jobs,” PRWORA allows for the supposed creation of an opportunity that, in reality, will not lead to economic success.

Work requirements serve the convenient double purpose of legitimating removing the poor from the welfare rolls (because of their personal failure to work) while also safeguarding those that do conform to the norm. Because they are not working, but are dependent on the taxpayer, welfare recipients are portrayed as being taxing (in multiple senses) on the American people. In an era of falling wages, Clinton argues that the American people are struggling while these individuals are not contributing. According to Clinton, it is all investment and no payback, which cannot continue if America is to prosper.

PRECARITY

The intentionality of the allocation of precarity allows for the continued success of the Racial Contract. In the logic of Racial Contract, the removal of those who violate or threaten social norms outside the contract legitimates their increased susceptibility to material harm. Because welfare subjects threaten the American Dream ideology, their burden on the taxpayer becomes translated into the threat of death. As Judith Butler writes in *Psychic Life of Power*:

Might one not also read the paranoia that structures public discourse [as] the desire to vanquish the dead other that, through a reversal, comes to mark that other as the threat of death, casting the other as the (unlikely) persecutor of the socially normal and normalized?¹⁸²

¹⁸¹ Collins and Mayer, *Both Hands Tied*, 18.

¹⁸² Judith Butler, *Psychic Life of Power: Theories in Subjection* (Stanford, CA: Stanford University, 1997), 27.

This reversal reflects the fact that the norms that structure whiteness and the middle class are in danger because of the racialized poor's non-contribution. At the nexus of the emphasis on opportunity and responsibility is the forgotten, hard-working, middle-class American.

Conversely, on the extreme ends are those receiving "something for nothing": the poor and big business.¹⁸³ The middle class have been hard-working Americans since the beginning, and yet, they are the ones who are threatened by the death of the American Dream, which is why it is so important to save the Dream. As the people who are really people, who fulfill social norms and bear out the American Dream, the middle class spans the divide between the objects of Clinton's critique. The middle class comes to be defined as "hard-working Americans," regardless of their adherence to traditional markers of class. The construction of a class of individuals who are not "hard-working Americans," but are nonetheless receiving "something for nothing" jeopardizes the identity of the middle class. The failure to be rewarded for hard work risks unmasking the American Dream ideology for what it is: a dream.

At this point, it is useful to turn to Butler's conception of precarity to understand how the welfare subject's threat to the American Dream ideology enables the design of the new Racial Contract. In her book, *Frames of War*, Butler defines precariousness as a necessary, inescapable condition of social life.¹⁸⁴ Precariousness acknowledges the fact that life is fragile, and as a result of social existence, is dependent on the other. Despite the fact that we may not know the others, we live in a network of reciprocal care. Life requires "various social and economic conditions to be met in order to be sustained as a life."¹⁸⁵ All life is precarious because it is subject to meeting these "social and economic conditions."¹⁸⁶ These conditions help structure social norms that

¹⁸³ Clinton and Gore, *Putting People First*.

¹⁸⁴ Judith Butler, *Frames of War: When is Life Grievable?* (London: Verso, 2009). 24.

¹⁸⁵ Butler, *Frames*, 14.

¹⁸⁶ Butler, *Frames*, 14.

mediate what we consider “a life.” Moreover, these norms produce particular kinds of subjects. From birth, there are various social norms that act upon the individual to produce a subject. As Althusser argues, we are ‘always already’ subjects, meaning that the individual is always subjected to the influence of norms and ideology. Even at birth, we are born into certain ideologies—familial roles, gender roles, and so on—that will continue to constitute us as subjects. These norms do not emanate from one source; rather, they circulate in the social realm and are reconfirmed through our actions.

Precarity is defined as a state of “maximized precariousness,” in which populations are subject to increased risk of injury or death as a result of their lack of social or economic networks of support.¹⁸⁷ Although all life is precarious, populations subject to precarity are more at risk of not being able to meet their needs in a way that satisfies the social conditions of life. At the same time, precarity is politically induced because precariousness is differentially (and intentionally) allocated. Because the task of the political order is to address the needs that ensure life, precariousness is maximized for some populations and minimized for others. Maximizing life, in some instances, requires the creation of an alternative group to “let die”—in the Racial Contract, this means the wellbeing of the contractors is predicated on the exploitation and domination of the subpersons.

Precarity is especially problematic in that not only are these populations increasingly exposed to harm, but they are also deprived of the resources that would enable them to leave their precarious position. For example, low-income populations are also likely to be ‘burdened’ with problems of underemployment, leaving them unable to escape their initial location of precarity. Underemployment promotes “poverty and economic insecurity” because these jobs do

¹⁸⁷ Butler, *Frames*, 25.

not pay a living wage.¹⁸⁸ Additionally, low-wage jobs are often unstable or short-term. A personal emergency, such as illness, may result in full unemployment. In this way, precarity reinforces itself by marginalizing these individuals to un- and underemployment. Additionally, Butler writes that often, these populations have no choice but to return to the same state for protection, effectively exposing themselves to a new form of violence. Individuals who turn to the welfare system for assistance expose themselves to violence from the state. Because the PRWORA requirements and eligibility dictate who is and is not a life worth sustaining, if individuals should be judged unworthy, they will not have any official sources of support, but instead be further precaritized. This return does not alleviate their precarity, but perpetuates it.

The violence experienced by precarious populations is not limited to purely physical violence. Those groups whose lives are defined as ‘unlivable’ are ‘made to bear the burden’ of being exposed to increased risk of violence or death. In this sense, precarity is defined by those populations who are increasingly exposed to ‘indirect death.’ Like ‘indirect death,’ violence is not only direct harm or injury, but exposure to an increased risk of harm. By designating certain lives as ‘unlivable,’ norms justify exposure to increased chance of harm. Frames also work to justify the harm done to certain populations by designating them as ‘ungrievable.’ These frames constrain the population ‘in a situation of forcible exposure.’¹⁸⁹ Thus, frames and violence are inherently connected. Additionally, not only are genocide and war forms of ‘violence,’ but the social and economic systems, as well as the frames that force populations to marginal and precarious positions. The frame of responsibility, like the racist tropes of the welfare recipient that came before it, operates as a form of violence. The persistent and deliberate demonization of

¹⁸⁸ Sandra Morgan et al. “Living Economic Restructuring at the Bottom: Welfare Restructuring and Low-wage Work,” in *The Promise of Welfare Reform*, ed. Keith Kilty and Elizabeth Segal (New York, NY: Haworth Press, 2006), 82.

¹⁸⁹ Butler, *Frames*, 29.

welfare in political discourse not only creates exploited subpersons, but define their lives as ungrievable.

PRECARITY, THE RACIAL CONTRACT, AND WORK REQUIREMENTS

The inclusion of work requirements enables a re-evaluation of Clinton's New Covenant under the framework of failed interpellation and precarity as the mechanisms of the Racial Contract. The change in the ideology of the American Dream as undergirding American exceptionalism attributes blame for the failure of both to the welfare subject. Because the welfare subject is threatening within the context of the new American Dream, they have to be either reformed or eliminated. The threat arises because they are the epitome of the American Dream's failures. Although wages are falling for the middle class, they are still able to maintain the ideology of the American Dream by being productive (and "independent") citizens. But welfare recipients are represented as not engaging in any work at all, and are then interpreted as the ultimate antithesis to American values. As ungrievable individuals who are already marked for death because of their precarious position, they become the threat of death for the others, and in a larger sense, the death of American exceptionalism. Because they are unable to fulfill the norms, they are cast as the source of America's social ills.

In order to prevent the death of American exceptionalism, there has to be an intentionally designed system that identifies those who will be left out of the system of American racial capitalism. In the logic of the Racial Contract, the terms of the New Covenant identify who will be included, and furthermore, considered to be a person. Because welfare recipients are not fulfilling the social norms of hard work and responsibility, they are not considered persons, but subpersons. Further, as part of their existence as subpersons, the Racial Contract requires extracting their labor, but the welfare subject fails to effectively provide labor. Because these

individuals fail to be economically productive and self-sufficient, their exposure to illness, malnutrition and food insecurity, homelessness, and ultimately, premature death, are justified and naturalized. Additionally, they are actually construed as a threat because they do not fulfill the contract, therefore imposing additional burdens on them is completely justifiable and necessary. By including work activities as part of the requirements to receive assistance, PRWORA allocates precarity to welfare recipients. In this way, people who were already jeopardized by the economic order are again failed by the systems of “aid” that are supposed to be helping them.

Despite their continued presence, welfare subjects are removed from the public imagination because they are made invisible through the shrinking of the welfare budget and particularly, the victory over expanding welfare rolls. By measuring the success of welfare reform using the metric of bare caseloads, the threat is further dehumanized and reduced to simply numbers and percentages. This utilitarian method of evaluating the policy reflects the historic exploited status of the subpersons: we are not to be concerned about their wellbeing, because they are only important so long as they are productive. This metric neglects to ask what happens to the welfare leavers. Even though studies have shown that average income of single-parent families did not rise significantly upon entering the workforce, they are, at least, “working.”¹⁹⁰ Ethnographic studies have shown that a lot of women leaving welfare face difficulties with paying bills on time, making up for spousal income, child care, health and illness.¹⁹¹ Women often have to pass on better jobs because they would put a strain on their home life.¹⁹² The bare reduction of caseload signals the victory of the American Dream. It says, “We

¹⁹⁰ Peck and Gershon, “American Dream,” 102.

¹⁹¹ Morgan et al., “Living Economic Restructuring,” 87.

¹⁹² Morgan et al., “Living Economic Restructuring,” 86.

have reformed them into productive citizens!” without caring to examine the reality—what has been accomplished is exposing individuals to increased deprivation and risk of harm.

CONCLUSION: MUTUAL OBLIGATIONS

The American welfare state has always struggled with questions of desert. From the origins of anti-poverty policy in early America, welfare reform has been driven by ideas about who deserves help. Often, these ideas are defined and propagated by political figures. As in Reagan's image of the welfare queen, candidate Clinton utilized rhetoric that laid the groundwork for President Clinton to pass a landmark welfare reform bill. This bill completely restructured the American welfare state by giving more autonomy to the states through a block-grant, as well as making it harder for people to continue receiving benefits. The rhetoric of the New Covenant contained a populist message centered on the restoration of the American Dream and the middle class. This New Covenant required a renovation of the American social contract. However, as I have argued, this social contract was always structured as a Racial Contract. Just as the founding fathers left out enslaved persons from the contract, so did Clinton leave out welfare recipients, as bodies who are simultaneously unproductive and yet the source of low-wage labor. Reading the New Covenant as a Racial Contract and Clinton's American Dream as the ideological support for the continuation of racial capitalism allows us to understand how it is that welfare reform was considered a success, even though it resulted in families being subject to increased deprivation. The construction of those who do not fulfill norms of productivity as outside of the contract allows for their justified exclusion.

Furthermore, not only does it justify their exclusion, by defining a new social contract, and in effect, a new American Dream, Clinton necessitates their removal. The four points of his campaign (opportunity, responsibility, community, and national security) all center on the restoration of the American Dream as a support to American exceptionalism. By casting the welfare recipients as unproductive and an unworthwhile investment, Clinton constructs them as

an existential threat to the American polity. Because they juxtapose the image of the American Dream with its reality, they expose a flaw in American exceptionalism. In an era of increased globalization, change, and economic anxiety, the country cannot afford to be perceived as falling in global rankings. The solution to this fracture in the American exceptionalism ideology is to construct a precarious situation in which welfare recipients are forced to either become productive citizens, or to be written out of the narrative entirely. Either way, the poor are exposed to increased risk of harm—whether it be from precarious working positions, or loss of support.

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