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Compassion and Coalitions: A Review of Reshaping the Work Family Debate: Why Men and Class Matter by Joan Williams

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BOOK REVIEW

COMPASSION AND COALITIONS: A REVIEW OF *RESHAPING THE WORK-FAMILY DEBATE: WHY MEN AND CLASS MATTER* BY JOAN WILLIAMS

REVIEWED BY CAROLYN SHAPIRO*

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I. INTRODUCTION

*Reshaping the Work-Family Debate: Why Men and Class Matter*¹ by Joan Williams is illuminating, intellectually challenging, and insightful. It is not, however, a typical law professor book. Neither academic inquiry nor policy analysis (although it contains elements of both), *Reshaping the Work-Family Debate* is more of a manifesto. Williams seeks measurable and meaningful change in the family and work lives of Americans, even if that change is imperfect or incomplete, and she sees theoretical or ideologi-

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1. JOAN WILLIAMS, *RESHAPING THE WORK-FAMILY DEBATE: WHY MEN AND CLASS MATTER* (2011).

cal rigidity as one obstacle to such change. Thus, for example, she judges harshly those feminists who opposed maternity leave policies as inconsistent with the principle that “women be treated the same as men,”² a view that “predominated for decades among feminist groups inside the Beltway.”³ Williams recounts a particularly infuriating 2006 conversation with a “prominent feminist” who

confided to me . . . that women’s groups in Washington could have gotten maternity leave a decade before the passage of the Family and Medical Leave Act in 1993. Historical study documents that California congressman Howard Berman wanted to do for the country what he had done for California: pass a four-month maternity leave. When he approached inside-the-Beltway feminists, they refused to support the measure. Instead they fought on for ten more years, insisting that the right to maternity leave be folded into the rights of workers to take leaves for their own health reasons. During that conversation in 2006, all I could think of were the women who, in that decade, had gone without maternity leave. That included me.⁴

Whether or not mandatory maternity leave really could have been enacted in the 1980s (I am skeptical), Williams’ bigger point animates her entire project. Real women have real babies and sometimes lose their real jobs. Real people have real lives and suffer real hardship. Trying to address that hardship, or as Williams puts it elsewhere, “[s]eeking to make a concrete change in the world,” requires appealing to all kinds of different people,⁵ without insisting that key aspects of their lives, their values, and their folkways, are unacceptable. Politics are messy, and ideological purity is not helpful to coalition building. Better to identify common interests and values and find ways to build on them.

Williams believes that such coalition-building is essential to addressing the hardships she decries. Although she has a lengthy list of policy proposals, including paid short-term leaves, affordable, high-quality child care, elimination of joint tax returns, and true universal health coverage,⁶ she spends very little time in this book making the case for them because she believes that in our current political climate, enactment of such policies is

2. *Id.* at 118.

3. *Id.*

4. *Id.*

5. Joan C. Williams, *Overeducated Achievatrons Unite!*, 34 SEATTLE U. L. REV. 845, 855 (2011); see also Laura T. Kessler, *Feminism for Everyone*, 34 SEATTLE U. L. REV. 679, 683 (2011) (describing Williams’ “methodological innovation in her simultaneous vision of radical transformations and incremental change” and its accompanying combination of theory and pragmatism); Katharine B. Silbaugh, *Deliverable Male*, 34 SEATTLE U. L. REV. 733, 741 (2011) (noting that it is “no surprise” that Williams’ “practical politics” are sometimes “in tension with theoretical coherence, as successful practical politics frequently are”).

6. Williams, *supra* note 1, at 35-40.

impossible. So she wants to change that climate. Indeed, Williams does not pull any punches about her ambitions: “Writ large,” she says on the very first page of the Introduction, “this book is about reframing American politics.”⁷

As the subtitle of the book suggests, that reframing requires feminists to engage men in the project to address work-family conflict. It also requires progressives to build coalitions with the white working class. These two basic arguments, which form the underlying structure of the book, operate somewhat differently from each other. Williams’ arguments about men and feminism rest on her pathbreaking work on the theoretical and cultural underpinnings of the gender divide in family and work life, in particular her 2000 book, *Unbending Gender: Why Family and Work Conflict and What To Do About It*.⁸ Thus the half (or so) of the book that is about men and feminism has a robust theoretical underpinning and indeed one of her chapters, *Reconstructive Feminism*, is largely a discussion of feminist theory, albeit one that has significant practical implications for work-family balance. The half (or so) of the book that is about class, on the other hand, rests on a more empirical, less theoretical foundation. Relying on an exhaustive analysis of “every major ethnography of the white working class in the late-twentieth-century United States”⁹ and her own trenchant observations of the American political landscape, Williams argues that progressives must come to better understand and respect white working class Americans in order to rebuild the New Deal Coalition. Although she illustrates dramatically that work-family conflict is not a “champagne problem” experienced only by the upper middle class,¹⁰ and she discusses the meaning and role of work and family in the lives of the working class, her discussion here goes far beyond her primary policy focus. Indeed, the last two chapters of her book should be read – no, studied – by all Democratic candidates.

In Part II of this review, I describe and evaluate Williams’ arguments about men and feminism, and argue that she might do better to consistently couch the arguments in the more nuanced language (that she in fact sometimes uses) of masculinity and femininity, rather than men and women. The implications of this distinction are not unimportant for her pragmatic project, as I will explain. In Part III, I describe and evaluate Williams’ discus-

7. *Id.* at 1.

8. JOAN WILLIAMS, *UNBENDING GENDER: WHY FAMILY AND WORK CONFLICT AND WHAT TO DO ABOUT IT* (2000).

9. Lisa R. Pruitt, *The Geography of the Class Culture Wars*, 34 SEATTLE U. L. REV. 767, 770 (2011).

10. WILLIAMS, *supra* note 1, at 14.

sions of work-family conflict for the working class and her analysis of the political and cultural relationship between upper middle class progressives and the white working class. Finally, in Part IV, I bring the two strands together to argue that the issues with which Williams is especially concerned – work and family – may be particularly rich issues for forging the coalitions that she seeks in large part because of their centrality to people’s lives. Part IV also discusses some gaps in Williams’ analysis, such as her lack of focus on single parents. These gaps are ripe for future work by Williams and by the many activists and academics she inspires.

II. MEN AND WOMEN, OR MASCULINITY AND FEMININITY, IN THE WORKPLACE AND AT HOME

Because Williams’ discussion of men and women in the workplace rests on her earlier, more theoretical work, it is helpful to summarize some of the insights from her brilliant book, *Unbending Gender*. In that book (and in other work), Williams explores the illuminating concept of domesticity as a successor to patriarchy as a lived ideology. Patriarchy provides that women are inferior and should be subordinate to men.¹¹ Patriarchy is neither descriptively accurate nor normatively acceptable to most Americans. Domesticity, on the other hand, is much subtler and allows for the illusion of individual choice. It also incorporates values that are – unlike the values of female subordination and inferiority – at least somewhat normatively appealing to modern sensibilities.

Domesticity has two main tenets. First, it holds that employers are entitled to ideal workers. An ideal worker is one who is fully available to the employer; that is, an ideal worker is an employee who has no regular family obligations that might interfere with his or her availability to the employer.¹² One consequence of this tenet is that men are both entitled *and required* to be ideal workers,¹³ a point to which Williams returns in some detail in her new work. The second major tenet of domesticity is that “mothers should have ‘all the time and love in the world to give’” to their children.¹⁴

The tenets of domesticity are inextricably tied to a belief in “separate spheres” – an ideology under which men are believed best suited to the rough-and-tumble world of the workplace and the market, while women, with their more emotional and nurturing qualities, are more suited for the

11. WILLIAMS, *supra* note 8, at 21-23.

12. *Id.* at 20.

13. *Id.* at 25.

14. *Id.* at 30 (quoting Deborah Fallows, *A Mother’s Work* 13 (1985)).

home.¹⁵ Separate spheres ideology may be old, dating back to the eighteenth century,¹⁶ but it is alive and well today, as Williams deftly illustrates in the very first chapter of *Reshaping the Work-Family Debate*, and it asserts a kind of hegemonic pall over the lived experiences of men and women. It provides a frame through which they see and describe themselves; it creates a set of expectations that many men and women cannot or do not wish to meet; and it creates social and political schisms not only between men and women, but between men and other men and between women and other women. Disrupting that frame is crucial.

A. *The Half-Life of Separate Spheres Ideology*

In the first chapter of *Reshaping the Work-Family Debate*, entitled *Opt Out or Pushed Out?*, Williams illustrates the continued strength and power of separate spheres ideology by analyzing and critiquing media coverage of work-family issues, relying on an empirical study conducted by her Center for WorkLife Law at the University of California Hastings College of the Law.¹⁷ There is, she argues, a dominant narrative about work-family conflict that recurs in media coverage of the issue. In this narrative, work-family conflict arises when mothers feel an overwhelming desire to be at home with their children. Because of this overwhelming desire, many women “opt out” of the workforce.

The iconic version of this type of media coverage is Lisa Belkin’s infamous New York Times Magazine article, *The Opt Out Revolution*,¹⁸ which was followed less than two years later by a front-page New York Times article reporting on a “trend” of undergraduate women at Yale who planned to be stay-at-home mothers.¹⁹ As Williams points out, these and many other articles like them – her study analyzed 119 articles published between 1980 and 2006²⁰ – allege “trends” on the basis of nothing more than interviews with a few individuals, with no effort to substantiate the

15. *Id.* at 23-23, 31-32. Williams explains: “Domesticity created a symbolic world that divided into a private sphere of selfless women and a public sphere of market actors pursuing their own self-interest.” *Id.* at 31. Because the market is a tough and unforgiving place, relegating child care to the market – as opposed to one parent providing it in the home – is frightening and reinforces the notion that mothers are and should be endlessly available to their children. *Id.* at 31-32.

16. *Id.* at 23.

17. WILLIAMS, *supra* note 1, at 13; see JOAN C. WILLIAMS ET AL., CTR. FOR WORKLIFE LAW, UNIV. OF CAL. HASTINGS COLLEGE OF LAW, “OPT OUT” OR PUSHED OUT? HOW THE PRESS COVERS WORK/FAMILY CONFLICT – THE UNTOLD STORY OF WHY WOMEN LEAVE THE WORKFORCE (2006).

18. Lisa Belkin, *The Opt-Out Revolution*, N.Y. TIMES, Oct. 26, 2003, § 6 (magazine) at 42.

19. Louise Story, *Many Women at Elite Colleges Set Career Path to Motherhood*, N.Y. TIMES, Sept. 20, 2005, at A1. Williams catalogs a number of other *New York Times* articles from the mid-2000s that fit this pattern. WILLIAMS, *supra* note 1, at 13.

20. WILLIAMS, *supra* note 1, at 13.

claims by reference to other data.²¹

This media coverage reinforces the “separate spheres” understanding of women’s roles in its discussion of what happens after the “opt-out” decision. Women “com[e] to love the homemaker role.”²² even if there is a period of adjustment. After all, women are (or at least should be) selfless and entirely dedicated to their children.²³ Moreover, much of the press coverage suggests, inaccurately, that the only economic consequence of opting out is giving up a few luxuries.²⁴ The subtext is clear: women who choose to stay in the workforce are not only depriving their children of their undivided attention, but they are selfish and materialistic. This message has proven to have remarkable staying power in our culture.

B. What Separate Spheres Does to Men

Just as women are expected to devote all their time and attention to their children, “Americans overwhelmingly expect men to be providers.”²⁵ And to be a good provider, men, especially upper middle class men, must be “ideal workers” – always available, committed to their jobs, “making work the central focus of their lives.”²⁶ “In other words, although work-family conflict traditionally is associated with women, a primary cause of work-family conflict is masculinity. Inflexible workplaces have proved so hard to change, in significant part, because of the intertwining of masculinity with work schedules and current understandings of work commitment.”²⁷ The workplace, Williams tells us, is a “gender factory.”²⁸ She thus rejects as “utterly unrealistic” the notion that the solution to work/family conflict is for “women [to] negotiate more effectively with their husbands.”²⁹ Instead, she argues, things will not improve for women until the workplace gender factory is at least partially dismantled. It is for this reason that she believes a focus on men – or, as I would put it, on masculinity – is essential

21. *Id.* at 14.

22. *Id.* at 17. Williams also notes that although the media accounts do sometimes describe women’s struggles with depression, loneliness, or loss of status, they fail “to take these problems seriously.” *Id.* at 16. Nor does the press coverage discuss the longterm economic consequences of leaving the workforce especially if these women divorce or are widowed. *Id.* at 21, 24-26; *see infra* notes 38-40 and accompanying text.

23. WILLIAMS, *supra* note 1, at 23.

24. *Id.* at 26.

25. *Id.* at 32.

26. *Id.* at 33.

27. *Id.*

28. *Id.* at 83 (citing SARAH FENSTERMAKER, *THE GENDER FACTORY: THE APPORTIONMENT OF WORK IN AMERICAN HOUSEHOLDS* (1985), which Williams describes as asserting that “family dynamics are the anvil upon which gender relations are forged”).

29. *Id.* at 88.

to the kinds of workplace and policy changes she advocates.

Because men are supposed to be good providers, and because being a good provider requires being an ideal worker, men are often unwilling even to admit that they have work-family conflicts. “[A] man who fails to perform as an ideal worker risks being seen as both a bad father [for not adequately providing] and a failure as a man [for not being an ideal worker].”³⁰ Williams, who is particularly adept at bringing her points to life with real-life examples from sociological and ethnographic research, offers this anecdote by way of illustration:

Consider the case of Rich, a young engineer with a growing family. When his boss spoke enthusiastically of the need to hold a particular meeting as soon as possible, he reacted with panic. “Sweating like a horse,” he called his secretary. “Hey, you gotta get me out of this, because my baby is getting christened and if I don’t meet with the priest it’s not going to happen and my family is going to kill me and my wife will divorce me and I won’t have any kids and my life will be terrible.” . . . [Yet] confronting this issue directly apparently seemed out of the question: he was dependent on his boss for good assignments and a future with the firm.³¹

As Rich’s story suggests, many men are unhappy about the traditional breadwinner role that they find themselves playing. Here, Williams is focusing on upper middle class professional men – those who work enormous numbers of hours a week.³² “Men who work fifty to sixty hours weekly would prefer to work an average of thirteen fewer hours a week; those working sixty or more hours would prefer to work a stunning twenty-five hours fewer.”³³ Even men who embrace the ideal worker/breadwinner role and who work large numbers of hours may come to regret the time they missed with their children and often find that all of their “social relationships” are maintained by their wives, leaving them without meaningful relationships of their own.³⁴

As a result, Williams claims, “Deconstructing masculine norms – both workplace norms and norms that link masculinity with stunted personal expressiveness – is an agenda that should hold attraction for men”³⁵ She repeats this notion again and again: “If feminists can learn to engage elite

30. *Id.* at 80.

31. *Id.* at 88 (quoting Marianne Cooper, *Being the “Go-To Guy”: Fatherhood, Masculinity, and the Organization of Work in Silicon Valley*, in *FAMILIES AT WORK: EXPANDING THE BOUNDS* 5, 21 (Naomi Gerstel et al. eds., 2002)).

32. One interesting and unresolved tension in the book surrounds working class men’s attitudes towards long hours of work. See *infra* notes 89-94 and accompanying text.

33. WILLIAMS, *supra* note 1, at 81.

34. *Id.* at 82.

35. *Id.* at 83.

men, their workplace dissatisfaction could be a powerful force for change.”³⁶ She also holds out the explicit hope that generational change will help bring about such alliances: “Feminists . . . must ally ourselves with men like Kirk [who quit his high-powered Silicon Valley job] and bring about nonstigmatized career tracks that offer Gen X and Gen Y men good careers and time for family life. Otherwise, women will continue to do the bulk of family and household work and will also continue to pay a steep economic price.”³⁷

C. What Separate Spheres Ideology Does to Women

It costs. As already noted, the media’s opt-out narrative fails to report accurately the economic consequences to women who leave the workforce. Williams reports, “One study found that women who took just one year out of the workforce sacrificed 20 percent of their lifetime earnings. Women who took two or three years earned 30 percent less.”³⁸ Women who divorce or are widowed can find their economic circumstances plummet. “Divorced women in the United States are five times more likely to live in poverty during retirement than married women.”³⁹ The media virtually never discusses these economic risks.⁴⁰

Another inaccuracy in the media portrayal – and one that feeds directly into separate spheres ideology – is that there is a significant trend of women opting out of the workforce. In fact, Williams cites studies establishing that among married mothers in the upper middle class and the middle class, only 20 to 23 percent are stay-at-home mothers.⁴¹ Labor force participation is thus the rule, not the exception, although many mothers do not work full-time. Among women born between 1966 and 1975 (Genera-

36. *Id.* at 90.

37. *Id.*

38. *Id.* at 25 (citing STEVEN J. ROSE & HEIDI I. HARTMANN, INST. FOR WOMEN’S POL’Y RESEARCH, STILL A MAN’S LABOR MARKET: THE LONG-TERM EARNINGS GAP (2004), available at <www.iwpr.org/publications/pubs/still-a-mans-labor-market-the-long-term-earnings-gap>).

39. *Id.* at 21 (citing STEVEN J. HAIDER ET AL., UNIV. OF MICH. RET. RESEARCH CTR., THE ECONOMIC STATUS OF ELDERLY DIVORCED WOMEN 1 (2003), available at <<http://www.mrrc.isr.umich.edu/publications/papers/pdf/wp046.pdf>>). Williams argues for a rethinking of who owns the ideal worker’s wage when a husband in the workforce is supported by his stay-at-home wife’s domestic work. Both are contributing to the husband’s ability to earn the ideal worker wage. But at divorce, the wage is treated as all his. Recognizing that both members of the couple contribute to it – and that this would be true if the woman were in the workplace and the father were at home – allows a more equitable distribution of that wage after divorce. *Id.* at 132-33.

40. *Id.* at 24-26.

41. *Id.* at 19 (citing JOAN C. WILLIAMS & HEATHER BOUSHEY, CTR. FOR AMERICAN PROGRESS & WORKLIFE LAW, UNIV. OF CAL. HASTINGS COLLEGE OF THE LAW, THE THREE FACES OF WORK-FAMILY CONFLICT: THE POOR, THE PROFESSIONALS AND THE MISSING MIDDLE 6-7, tbl. 1 & fig. 2 (2010)).

tion X), “only 44 percent of all women but 55 percent of professional ones are employed full time year round.”⁴²

To say that women are active participants in the labor force is not to say that their experience is untroubled, which may explain, at least in part, why so many women do not work full time. And this is one of the greatest inaccuracies in the media narrative. The media portrays women as making a “choice” to opt out, removing any need to examine the ways in which women are *pushed out* of the workforce. Women cite workplace discrimination against mothers,” which Williams calls “the maternal wall,”⁴³ such as the need to prove themselves over and over because of assumptions that they are not competent.⁴⁴ Some of the professional women interviewed in the media coverage also cite the inflexibility of an “all-or-nothing workplace:” a workplace that demands the constant availability of the ideal worker.⁴⁵ Given *true* choice, many women who leave the workforce altogether would prefer “to work the traditional full-time (forty-hour) work-week.”⁴⁶

Women also cite their husbands’ work hours. The all-or-nothing workplace packs a double whammy for upper middle class women: their husbands work much longer hours than do other men.⁴⁷ “Having a husband who works more than fifty hours a week increases the odds of a woman quitting her job by 44 percent. Having a husband who works more than sixty hours a week increases her odds of quitting by 112 percent.”⁴⁸ In this context, Williams argues, describing a decision to leave the workplace as a “choice” overlooks the real-world factors – factors that both arise from and reinforce separate spheres ideology – that constrain the decision.

D. Reconstructive Feminism and Nonconformity

Of course, not all women are the same. “The assumption that women will join in automatic sisterhood reflects an unwarranted premise: that

42. *Id.* (citing Christine Percheski, *Opting Out? Cohort Differences in Professional Women’s Employment Rates from 1960 to 2005*, 73 AM. SOC. REV. 497, 505-06 (2008)).

43. *Id.* at 27-28, 92-93.

44. *Id.* at 93-96. In describing these forms of discrimination, Williams relies on “a quarter-century of social science” research. *Id.* at 93. One study she describes, for example, “asked male and female psychology professors to evaluate identical applications for a professorship.” *Id.* The male candidate was preferred over the female candidate two to one. Rhea E. Steinpreis et al., *The Impact of Gender on the Review of Curricula Vitae of Job Applicants and Tenure Candidates: A National Empirical Study*, 41 SEX ROLES 509, 520 (1999).

45. WILLIAMS, *supra* note 1, at 30.

46. *Id.*

47. *Id.* at 31.

48. *Id.*

women are inevitably bound together by their experience of womanhood. The experience of gender divides women as often as it unites them.”⁴⁹ As one specific example, Williams explains that

women who perform as ideal workers often have paid a higher price than men for doing so: most either gave up having children or struggled with the dual demands of work and motherhood, facing daily challenges and abiding fears that they were being “bad moms.” Many of these women have a lot invested in the view that being an ideal worker is what the job takes: otherwise, why did they sacrifice having children or spending time with them? These women cannot realistically be expected to join with younger generations of women to change the workplace.”⁵⁰

Even women who have taken on the ideal worker role, however, stand to gain from a deconstruction of its gendered nature. Like Ann Hopkins in *Price-Waterhouse v. Hopkins*,⁵¹ a woman who is seen as too aggressive or abrasive may find her advancement stymied even when such traits are prized in their male colleagues. As Williams argues, liberating the workplace from masculine norms will benefit such women as well as those who are more traditionally feminine.

Changes in work norms will benefit men as well – both men who want to be breadwinners while still having some time with their families and men who want to choose a less traditional path. “A key goal . . . is to replace both the selfless-mother model and the breadwinner model with the model of a balanced worker, one who combines serious work commitments with serious family commitments and also with serious commitments to long-term self-development and enriching community life.”⁵²

For Williams, this project requires a new way of thinking about feminism. She explains that feminism has long been “divided into those who believe[] that women should be treated the same as men (‘sameness feminists’) and those who believe that women were, in fact, different from men and that courts and legislators should recognize and act on that fact (‘difference feminists’).”⁵³ That divide has been particularly prevalent in feminist thinking about work-family issues. To “bust[] out of the frame of the sameness-difference debate,” Williams offers two new categories – assimilationist feminism and reconstructive feminism.⁵⁴

Assimilationist feminism, as Williams defines it, focuses on women

49. *Id.* at 107.

50. *Id.* at 91; *see also id.* at 101-03.

51. 490 U.S. 228 (1989).

52. WILLIAMS, *supra* note 1, at 107.

53. *Id.* at 111. Williams argues that the sameness/difference debate conflates two analytically distinct questions – the psychological question about whether there are “real” differences between men and women and the policy question of whether policies should treat men and women identically. *Id.* at 114.

54. *Id.* at 114-15.

gaining access to traditionally male roles, rights, and privileges. She argues that it works well for some types of women – or, as I would prefer to put it, for some types of *problems*. Assimilationist feminism, for example, insists that women not be excluded from certain jobs due to their gender.⁵⁵ There is no reason why women cannot be surgeons, or astronauts, or firefighters, for example. And assimilationist feminism insists that women should receive the same compensation as men for the same work.

But what of women who are interested in a more traditional path? Williams explains:

Assimilationist feminism works well to help the tomboys whose goal is to assimilate into masculine roles, but it offers little to feminists focused on women whose gender inequality stems from their insistence on “acting femmy.” One such group is homemakers who are divorced after decades out of the labor force. A second is employed women who do femmy things like getting pregnant.⁵⁶

Williams insists that the interests of “femmes” (women who conform to traditionally feminine norms), as well as “tomboys” (who conform to traditionally masculine norms), are essential to the feminist project of improving the lives of real women. As an alternative to assimilationist feminism, therefore, Williams offers what she calls reconstructive feminism, because many, even most, women do not want to achieve equality by assimilating. For these women, “equality first requires changing masculine norms to allow women, as well as men, to have both conventional careers and a conventional family life.”⁵⁷

For reconstructive feminism, the centrality of masculine norms in the workplace is the key problem for men and women alike. “The question is not whether physical, social, and psychological differences between men and women exist. It is why these particular differences become salient in a particular context and then are used to create and justify women’s continuing economic disadvantage.”⁵⁸ Pregnancy is one obvious example (and one in which the biological difference between men and women cannot be ignored). “The only reason pregnancy represents a problem for employed women is because the ideal-worker norm is designed around someone with a man’s body (no time off for childbearing) and men’s traditional life patterns (no time off for child rearing or other care work).”⁵⁹ At the same time, reconstructive feminism refuses to accept that traditional feminine behavior

55. *Id.* at 116.

56. *Id.* at 116-17.

57. *Id.* at 127.

58. *Id.* at 128.

59. *Id.* at 129.

or traits – being nurturing, caring, emotionally expressive, for example, or becoming full-time, stay-at-home parents – represent women’s true nature, one that is inherently different from men. Rather, she argues, such behavior and characteristics represent “conventional femininity.”⁶⁰

This distinction is important theoretically, but it is perhaps just as important strategically. Calling conventional femininity the true nature of women “is greeted with howls of protests by the tomboys.”⁶¹ Instead, we should recognize that tomboys and femmes “feel the pinch” of gender norms in different ways.⁶² Femmes are economically disadvantaged; tomboys are called bad mothers or penalized for not being feminine enough. In the workplace, women are less likely than men to negotiate effectively for high salaries or plum job assignments. Conventionally feminine women may be unwilling to engage in hard bargaining. Yet women who *are* willing to engage in this hard bargaining may well find themselves penalized for not being feminine enough. The solution, Williams argues, is

to design a compensation system . . . that [] does not systematically disadvantage women. . . . [T]o do so requires jettisoning a system that gives good starting salaries, and good raises, only to those people who negotiate hard and self-promote well and replacing it with a system that does not systematically reward masculinity.⁶³

And such a system will benefit not just women, but also “that broad band of men . . . who are not comfortable with ‘hard-hitting,’ self-promoting, conventional masculinity.”⁶⁴

Williams’ analysis is compelling and persuasive. I wish, however, that she had avoided relying on a different set of stereotypes – femmes and tomboys. The terms are extremely evocative, but Williams uses them too glibly. At one point, she does explain that she does not mean to categorize women as fitting exclusively into one of the other category:

Most women engage in delicate, ongoing negotiations both with masculinity and femininity, participating in both traditions in different melds that vary in different social contexts, as when a woman dresses in a hard hat and acts tough at work but changes into a dress and flirts at dinner . . . Though most women adopt some masculine strategies, very few perform conventional masculinity top to bottom.⁶⁵

But this disclaimer comes long after she begins using the terms and is somewhat buried in a discussion of assimilationist feminism. I appreciate

60. *Id.* at 134.

61. *Id.* at 135.

62. *Id.* at 135-36.

63. *Id.* at 141.

64. *Id.*

65. *Id.* at 122.

Williams' wit and the value of a pithy turn of phrase, but I found the terms alienating.

Likewise, Williams overstates her case when she talks about assimilationist feminism being good for some types of women. It would be better to say that assimilationist feminism is good for solving some types of *problems*, but those problems might be faced by a host of different types of women, whose "delicate, ongoing negotiation with masculinity and femininity"⁶⁶ may lead them to strike all kinds of different balances in different contexts. Williams, of course, knows this. Her vision of reconstructive feminism, for example, allows for the possibility that "the experience of gender differs by race."⁶⁷

In fact, one of the strengths of reconstructive feminism is that it is remarkably non-prescriptive. Williams is consistently respectful of choices other people make, even when those choices reinforce separate spheres ideology. Indeed, Williams takes to task some contemporary feminist authors who argue that women should not leave the workforce, in particular Linda Hirshman and Leslie Bennetts.⁶⁸ Although they argue (correctly) that women face significant economic risks if they leave the workforce, they also – and more problematically – speak with disdain about stay-at-home mothers, comparing them to children and servants.⁶⁹ Such rhetoric only divides women, insulting those who have made the choices Hirshman and Bennetts disapprove of and alienating third-wave feminists who explicitly seek ways to retain traditionally feminine attributes.⁷⁰ As Williams says elsewhere, "Each of us must do what we must do to make ourselves feel safe and whole."⁷¹

66. *Id.*

67. *Id.* at 145. This area is understudied, but Williams cites some interesting research. Psychologist Maureen Perry Jenkins, for example,

found marked differences by race in the psychological effects of work-family conflict. Immigrant Latina women were most likely to experience depression when they returned to work after the birth of a child, reflecting strong norms against employed mothers in Latin American cultures. African American mothers experienced the lowest levels of depression upon their return to work, reflecting their cultural norm that paid work is an integral part of responsible motherhood. White women were in the middle . . .

Id. at 147-48. None of these groups of women are more authentically female than the others.

68. See LESLIE BENNETTS, *THE FEMININE MISTAKE: ARE WE GIVING UP TOO MUCH?* (2007); LINDA HIRSHMAN, *GET TO WORK: A MANIFESTO FOR WOMEN OF THE WORLD* (2006).

69. WILLIAMS, *supra* note 1, at 124-25.

70. *Id.* at 125-26. Williams revisits this point in a particularly down-to-earth way in her response to contributors to a Seattle Law Review symposium on *Reshaping the Work-Family Debate*. Reflecting on "young women lawyers [who] flock to high heels," she says, "[i]f that's what it takes for them to be hard-driving professionals, who am I to judge? They may need a foot operation by the time they are my age, but my solutions were hardly perfect either." Williams, *supra* note 5, at 853.

71. WILLIAMS, *supra* note 5, at 853.

III. CLASS AT HOME AND AT WORK

The portion of *Reshaping the Work-Family Debate* that focuses on class is a tour-de-force. Williams conveys with both compassion and detail the struggles that working class families face in balancing work and family, and she illuminates how they differ from upper middle class workers. She explores the role of masculinity for white working class men in ways that highlights their similarities and differences from their counterparts in the upper middle class, or as she calls it, the professional-managerial class or PMC. Most intriguingly, she delves into sources of conflict between the working class and the PMC, illuminating tensions and differences that many of her readers, as PMC members themselves, may be entirely unaware of.

A. *Work-Family Conflict and the Working Class*

Although she is not always explicit about it as she might be, Williams' discussion of the ideal worker and the toll it takes on men and women alike is largely a discussion of dynamics for the PMC. But as she repeatedly emphasizes, work-family conflict is not a problem unique to this group. To the contrary, working class families face their own significant challenges, exacerbated by the fact that for many such families, "opting out" is simply not a financial possibility.

Williams brings working class work-family conflict vividly to life in an early chapter, entitled *One Sick Child Away from Being Fired*, which is based on a Center for WorkLife Law report of the same name.⁷² The methodology, which is brilliant, involved cataloging the experiences of workers as reported in union arbitrations.⁷³ The point is not to show whether these workers win at arbitration. (Some do and some don't.) Rather, the point is to illustrate the ways in which work-family conflict affects the working class. There is every reason to believe that non-unionized workers, who constitute the vast majority of the American workforce, experience the same kinds of challenges as the unionized workers whose stories are recounted in the arbitrations. Indeed, it is likely that such workers face such challenges even more frequently and with even more dire consequences to their economic well-being than their unionized counterparts. After all, without a union contract, they can generally be fired or have the terms of

72. WILLIAMS, *supra* note 1, at 42-76. In that study, the full name of which is *One Sick Child Away from Being Fired: When Opting Out Is Not an Option*, the Center studied ninety-nine union arbitrations.

73. *Id.* at 43-44.

their employment abruptly changed with no recourse.

The arbitration reports reveal the working class version of the ideal worker expectation and they paint a picture of inflexible, often unpredictable, and sometimes unforgiving workplaces.⁷⁴ Work schedules may be both inflexible – meaning that workers are disciplined or fired for being even a few minutes late or for missing work for any reason, however important – and unpredictable – meaning that workers must be ever-available. In one case that Williams reports, for example, a police officer was fired when she failed to report for an unscheduled shift she was suddenly called in for because she was unable to make child care arrangements.⁷⁵ Her employer took the position that it was her responsibility “to have her family life secured in a manner that does not conflict with her professional responsibilities.”⁷⁶

This attitude pervades many of the stories Williams reports. Some workers lose their jobs or are disciplined when both their regular and their back-up child care arrangements fall through. In one case, for example, a customer service representative for the Social Security Administration missed work when “her regular babysitter had car problems and her backup babysitter’s husband was hospitalized with a heart attack.”⁷⁷ Arbitrators are often sympathetic to such workers, but non-unionized workers in these situations are often simply – and legally – fired.

Other workers face job loss when they refuse mandatory overtime, which is often imposed with little or no notice. In several cases Williams reports, workers – sometimes longtime, high-performing employees – were fired when they refused the overtime because they had no child care coverage.⁷⁸ In another case, an employee was fired despite serving the mandatory overtime because she resolved the child care crisis it engendered by having her children come to her workplace.⁷⁹

Child care presents significant challenges to working class families in other ways as well. Many workers are required to work nonstandard hours, when reliable child care may be unavailable, and their unpredictable schedules make consistent arrangements impossible. And child care is expensive. In part as a result of these factors, “working class families typically patch together a crazy quilt of family-delivered care.”⁸⁰ Not surprisingly, such

74. *Id.* at 44.

75. *Id.* at 64-65.

76. *Id.* at 65.

77. *Id.* at 47.

78. *Id.* at 53.

79. *Id.* at 54.

80. *Id.* at 46.

“fragile, patched-together systems often break down,”⁸¹ jeopardizing workers’ jobs.

Some dual-earner working class couples “tag team” in order to manage child care responsibilities.⁸² One member of the couple works a day shift and the other works at night, and they share child care responsibilities. This may solve the child care problem, but it can cause other significant problems in family life. Williams reports the observations of one union activist:

When I talk to working women and ask them, do you have flexibility, and they say, oh yeah, I’ve got a flexible schedule; I work nights and my husband works days. [What they mean is] I don’t have to pay a babysitter because somehow we manage but I haven’t seen my husband in four years.⁸³

And tag-teaming couples are particularly vulnerable to unexpected schedule changes and mandatory overtime without adequate notice, which can require them to choose between the husband’s job and the wife’s job.

Overall, the picture Williams paints of work-family conflict for the working class is of a high-wire act with no net. It works when everything goes well, but if someone slips, even slightly, everything can come crashing down. Sick children, needy elderly relatives, and important school-related conferences – entirely predictable aspects of most people’s lives – much less unexpected family crises, are simply outside the margin of error for many in the working class. And to make matters worse, many of them cannot even make a personal phone call during the course of their workday, something that most upper middle class workers take entirely for granted.⁸⁴

B. Class and Masculinity

Not surprisingly, Williams identifies statutory initiatives or union-negotiated arrangements that would make a tremendous difference in the lives of these workers: paid sick leave that could be used for family members’ illnesses and for well-child visits to the doctor,⁸⁵ as well as other types of short-term leave,⁸⁶ and a system of mandatory overtime that provides sufficient flexibility and notice while also meeting employers’ needs.⁸⁷ She also identifies concrete legal questions that remain unresolved:

81. *Id.*

82. *Id.* at 48.

83. *Id.* at 200 (quoting Naomi Gerstel & Dan Clawson, *Unions Response to Family Concerns*, in *FAMILIES AT WORK: EXPANDING THE BOUNDS* 317, 325 (Naomi Gerstel et al. eds., 2002)).

84. *Id.* at 43.

85. *Id.* at 50-51.

86. *Id.* at 73.

87. *Id.* at 52-53, 73-74.

For example, in a “no-fault” progressive discipline system, where workers accumulate points for absenteeism, regardless of the cause, can “absences covered by the FMLA [] be legitimately treated as garnering points”?⁸⁸

More interesting, however, are Williams’ arguments about the role of work and family, particularly for men, in the lives of the working class, as compared to the upper middle class.⁸⁹ For working class men as for upper middle class men, providing for one’s family is central to masculinity. But in contrast to many professional men, it is unlikely that a working class man can support his family on his wages alone. The loss of this “ability to achieve the [male] breadwinner ideal” is “one of the ‘hidden injuries of class’”⁹⁰ for men in this group and is a source of frustration and resentment.

At the same time, however, many working class men provide significant child care, often in a tag-teaming arrangement. One of Williams’ most incisive observations is that although PMC men are more likely than working class men to espouse egalitarian views of gender roles, when it comes to actually “walk[ing] the walk,” working class men share household and child care duties with their wives much more equitably than do upper middle class men.⁹¹ And as Williams documents, working class men are more likely to have “routine involvement in the lives of their children,” unlike many PMC men who “define[] fathering as participation at public (typically sports) events.”⁹² Working class men are aware of these differences and see the “work devotion” and long hours of upper middle class men as narcissistic⁹³ and “an unseemly devaluation of family life.”⁹⁴

Because of their significant child care responsibilities, working class

88. *Id.* at 46. The FMLA is the Family and Medical Leave Act, 29 U.S.C. § 2601, *et seq.*, which provides 12 weeks of unpaid leave to eligible workers for their own or a close family member’s serious medical condition or for the birth or adoption of a child. Recent amendments also provide leave to family members of those in the military under certain circumstances.

89. Williams “abandons the distinction between ‘working class’ and ‘middle class,’” as being unhelpful in today’s service economy. *Id.* at 155. She combines the groups and refers to them interchangeably as the Missing Middle and the working class. *Id.* at 156.

90. *Id.* at 59 (quoting RICHARD SENNETT & JONATHAN COBB, *THE HIDDEN INJURIES OF CLASS* (1973)).

91. *Id.* at 59 (quoting Williams, *supra* note 8, at 240). *See also* Williams, *supra* note 1, at 159.

92. *Id.* at 159.

93. *Id.* at 189.

94. *Id.* at 186. There is some inherent contradiction here, however. On the one hand, working class men are often disparaging of the “work devotion” of their upper middle class counterparts because that work devotion gives them little time with their families. On the other hand, many of these men profess a preference for a traditional home arrangement, whereby their wives stay home full-time. And at least in the current economy, many working class men (and women) are “underutilized” by their employers. Vicki Schultz, *Feminism and Workplace Flexibility*, 42 CONN. L. REV. 1203, 1205 (2010). In addition, some working class jobs, like firefighters, are popular in large part because they allow moonlighting – working even more hours. It therefore seems likely to me that at least some of the working class disparagement of upper middle class men’s working hours is sour grapes.

men often face challenges when there are child care breakdowns or when they (or their wives) are ordered to work overtime. In this way, their experiences may be quite different from the upper middle class. Yet, like Rich, the engineer who was afraid to tell his boss when he needed to miss a work meeting for a family-related reason, “some men [in the arbitrations Williams studied] were willing to risk discipline or even discharge rather than tell their employers that they needed to leave work to care for children.”⁹⁵ Despite their commitment to their families and an oft-stated belief that “family comes first,”⁹⁶ many working class men are apparently willing to appear insubordinate, risking their jobs, rather than admit to caregiving responsibilities. Masculinity apparently requires no less.

Williams argues that working class men’s views about family and their personal experiences facing work-family conflict present an opportunity for unions: “Unions need a new message of manly solidarity: ‘Just because the boss’ gives me a job doesn’t mean he can forbid me from putting family first.’”⁹⁷ Or as she puts it elsewhere, “no wage-and-benefits package is of much use to a worker who gets fired for putting family first.”⁹⁸

If unions can persuade men to think about their need to leave [work] for family reasons as an issue of worker empowerment, rather than as a situation that advertises their inability to be good providers, family caregiving can become an effective organizing issue rather than a key cause of worker vulnerability.⁹⁹

These same opportunities are available to activists and politicians. But to take advantage of these issues as organizing tools, Williams argues, alliances must be built (or rebuilt). And that is the primary project of the last two chapters of the book.

C. The Politics of Class

In a sense, the last two chapters of *Reshaping the Work-Family Debate* – especially the sixth and final chapter, *Culture Wars as Class Conflict* – belong in a different book. That statement is not so much a criticism as a

95. *Id.* at 56-57.

96. *Id.* at 62.

97. *Id.* at 44.

98. *Id.* at 62.

99. *Id.* at 61. Williams explicitly discusses the importance to employers of a reliable workforce. But she argues that flexibility is often more achievable for working class jobs than people assume. In part, this assumption is a function of class bias. “The misconception that flexibility is not suitable in working-class jobs stems chiefly from the assumption that workplace flexibility is available only by means of individualized arrangements negotiated between individual workers and individual supervisors,” which is the model most professionals are used to seeing. *Id.* at 72.

reflection of their ambition and wide-ranging political implications. Rather than an analysis of gender and class at home and at work, these chapters are about why the white working class has abandoned the New Deal Coalition,¹⁰⁰ and why they do not embrace the kinds of progressive policies that Williams and (she clearly presumes in these chapters) her readers promote. Certainly these chapters should be required reading for progressive politicians and activists regardless of the issues they focus on. Indeed, the struggles that the Democratic Party faces in attracting the support of the white working class do not appear to be abating, even as they remain important to electoral success.¹⁰¹

Williams frames her discussion with this analysis:

The accepted wisdom attributes working-class whites' defection from the Democratic Party to race and religion. Both no doubt have played important roles. But race and religion do not tell the whole story. Understanding the alienation of the white working class is not only about race and religion but also about class – about a deeply patterned series of class conflicts between socially conscious progressives and working class whites.¹⁰²

Healing this rift between classes is essential, Williams argues, because “the progressive center of gravity is upper-middle class.”¹⁰³ In other words, if the working class considers members of the PMC to be elitist and condescending and not to share their values, they will neither trust nor work with the “well-educated, culturally libertarian, relatively affluent progressive elite . . . that sets the agenda for the Democratic Party.”¹⁰⁴

A significant step in this healing process requires the progressive elite to appreciate the reduced financial and social circumstances in which the white working class finds itself. Working class income has fallen over the past 30 to 40 years when measured in real dollars. “The wages of white

100. The New Deal coalition, under which Democrats won the presidency seven out of ten times between 1932 and 1968, was anchored by unions and blue-collar workers, bound in coalition with white Southerners, Catholics, intellectuals, and blacks. Circa 1970, Democrats moved away from the old electoral coalition and replaced it with a new one.

Id. at 193. George McGovern in particular moved away from the blue-collar base and turned to young upper-middle class activists, whose hippie activism and drug use were an affront to the settled working class. *Id.* at 193-94.

101. See, e.g., Ruy Teixeira, *The White Working Class: The Group That Will Likely Decide Obama's Fate*, THE NEW REPUBLIC (June 20, 2011, 12:00 AM), <<http://www.tnr.com/article/politics/90241/obama-election-2012-working-class-kerry>>. But see Ruy Texiera and John Halpin, *The Path to 270: Demographics versus Economics in the 2012 Election*, at 5 (Center for American Progress, November 2011) (available at http://www.americanprogress.org/issues/2011/11/pdf/path_to_270.pdf) (explaining how Obama might win the 2012 election even while suffering “a landslide defeat of 2010 proportions among white working class voters...”).

102. Williams, *supra* note 1, at 153-53.

103. *Id.* at 153.

104. *Id.* at 193 (quoting Thomas Edsall, *Rebuilding Red America* 18 (2006)).

working-class men fell 15 percent between 1979 and 1998.”¹⁰⁵ As a result, two working class incomes are generally required to support a family. Yet, as intimated earlier in the discussion of the “hidden injuries of class,” “[b]ecause breadwinner-homemaker families have signaled middle-class status since the 1780s, successful performance of these roles is seen as vital among working-class families who aspire to upward mobility. Conventional gender performance, in short, is a class act.”¹⁰⁶ Thus, while progressives may look at white working class white men and see a group “privileged as whites, privileged as men, ‘relatively privileged’ as more affluent than the poor,” these men see themselves differently. “When they compare their current situation with what their fathers and grandfathers could expect – and deliver – they do not feel privileged. Many feel cheated.”¹⁰⁷ Progressives’ failure to appreciate the ways in which this electorally and culturally important group is in fact *not* privileged has been devastating to coalition building.

Williams’ discussion of the various ways in which the progressive elite alienates and misunderstands the white working class (and vice versa) is fascinating. The two groups have different values, as exemplified by working class men’s disdain towards professional men’s work devotion. Even ostensibly trivial things, such as coffee, food, and preferences about socializing are heavily freighted with class significance.¹⁰⁸ Democratic politicians have repeatedly caused trouble for themselves by failing to recognize these dynamics. (Think Barack Obama talking about the price of argula in Iowa.)¹⁰⁹ Williams repeatedly admonishes her (presumably) PMC readership that they must make “casual insults leveled by progressives toward the white working class” as taboo as racist or sexist jokes.¹¹⁰

Many of Williams’ examples of the disconnect between the PMC and the working class relate more to family and lifestyle than to work. Child-rearing is one arena. Upper middle class children are heavily scheduled but are also allowed to “talk back” to their parents in ways that shock members of the working class. Working class children, in contrast, may have larger amounts of unstructured time and may be supervised more loosely, but they

105. *Id.* at 157.

106. *Id.* at 158. Working-class women, on the other hand, may have a slightly more subtle version of the same class envy. They aspire to part-time work, perhaps because they see it as “the nontraditional pattern that predominates among the” PMC. *Id.* at 159.

107. *Id.* at 160; *see also id.* at 185.

108. *Id.* at 171-74 (citing MARJORIE L. DEVAULT, FEEDING THE FAMILY: THE SOCIAL ORGANIZATION OF CARING AS GENDERED WORK (1991)). Williams’ discussions of food and entertaining are particularly fascinating.

109. *Id.* at 187.

110. *Id.* at 152.

are expected to be respectful and obedient to adults.¹¹¹

These differences in child-rearing priorities largely map onto differences in the cultural capital needed to navigate the upper-middle-class world and to navigate the working class world, and it is these differences that can drive a wedge between the PMC and the working class. PMC families work hard to ensure that their children will be able to attend a four-year college – at least. Successful professionals generally have “verbal adeptness and a delicate combination of independent judgment” and “people skills,”¹¹² so members of the PMC work hard to ensure that their children develop these attributes. They therefore focus on achievement and self-actualization for their children and for themselves.

In the working class, on the other hand, independence and intellectual curiosity are not necessarily useful, and, if displayed too prominently, can even “get you fired.”¹¹³ Asking questions, often encouraged at the PMC family dinner table,¹¹⁴ is sometimes treated as impertinence or disrespect in working class families.¹¹⁵ Rather than focusing on their children’s achievement and stimulation, working class families are more likely to focus on stability and obedience; self-regulation rather than self-actualization.¹¹⁶ At the same time, members of the working class, especially men, are likely to see the people skills necessary to success in a professional or managerial career – “tact, friendliness, conflict avoidance, and teamwork” – as “being fake or playing workplace politics.”¹¹⁷

There are important political consequences to these differences in cultural style, according to Williams. “Workers’ appreciation for plain talk presents challenges for upper-middle-class individuals in public life. Talk that seems no more than thoughtful and intelligent [to the PMC] may be seen as an arrogant display of cultural capital and a class affront.”¹¹⁸ As a result, “[p]rogressives need to learn to speak to non-college-educated people in language they can relate to, bearing in mind that just because people have not graduated from college (or from a fancy college) does not mean

111. *Id.* at 166-68 (citing generally ANNETTE LAREAU, *UNEQUAL CHILDHOODS: CLASS, RACE, AND FAMILY LIFE* (2003)).

112. *Id.* at 163.

113. *Id.*

114. *Id.* at 174.

115. *Id.* at 191.

116. Williams explains in some detail how the “settled working class” defines itself in opposition to the “hard living,” whom they look down on as unreliable and irresponsible. *E.g.*, *id.* at 164-66. One of those important distinctions is the ability to control impulses and act responsibly.

117. *Id.* at 182.

118. *Id.* at 183.

they are unintelligent.”¹¹⁹

One of Williams’ significant contributions, as Professor Lisa Pruitt has pointed out, is to insist that members of the progressive elite must “see” class, just as critical race scholars insisted that white people see race.¹²⁰ In a world where almost everyone believes that they are middle class – even people at the ninety-fifth percentile in income¹²¹ – and in a country with a foundational belief in class mobility (“anyone can grow up to be president”), it is easy for those near the top, to pretend that class differences do not exist. But the working class is acutely aware of class. Members of the working class often have enormous resentment towards managers and professionals who they believe tell them what to do without really knowing what they are talking about and/or cheat them or talk down to them. “Managers . . . are college kids ‘who don’t know shit about how to do anything, but,’ as one worker put it, ‘are full of ideas about how I have to do my job.’”¹²² “People with less education often see professionals as exercising arrogant, unchecked power over their lives.”¹²³

As a result, Williams argues, “Democratic candidates need to become more self-aware about the ways their everyday speech and actions signal a specific class location.”¹²⁴ More specifically, she offers two rules for Democratic candidates. First, they “should never get into a situation of explaining the less privileged to the elite,” as Barack Obama did with his “clinging to guns and religion” comment.¹²⁵ Second, intellectual discussion and semi-therapeutic self-analysis that sounds thoughtful to the elite sounds self-indulgent and wimpy to the working class. Asking probing questions or talking about one’s problems are seen as self-indulgent or irritating. It’s a “class act.”¹²⁶

Williams explores the implications of these cultural differences for a range of political issues, from abortion, to support for the military, to gay

119. *Id.* at 185.

120. Pruitt, *supra* note 9, at 771.

121. Catherine Rampell, Rich People Still Don’t Realize They’re Rich, *ECONOMIX*, N.Y. TIMES (Apr. 19, 2011, 1:41 PM), <<http://economix.blogs.nytimes.com/2011/04/19/rich-people-still-dont-realize-theyre-rich/>>.

122. WILLIAMS, *supra* note 1, at 188.

123. *Id.* The same resentment is not directed towards the rich. “[W]orkers . . . tend to dream not of professional credentials, but of the independence that flows from owning a business.” *Id.* “While the upper-middle class is seen as having a different culture, the rich are seen as just having more money. Thus workers (black as well as white) rank income above education in evaluating people’s worth.” *Id.* at 189. Of course, workers encounter members of the PMC regularly, but they do not have regular interactions with the extremely rich.

124. *Id.* at 187.

125. *Id.* at 191.

126. *Id.* at 192.

rights. She sees today's culture wars as symptoms of class conflict. While I (and others) think that she may understate the role of racial resentment or conflict,¹²⁷ her insistence on understanding white working class concerns in terms largely unrelated to race is both enlightening and humanizing.

IV. MOVING FORWARD

A. *Organizing Around Love and Work*

Sigmund Freud has been oft-quoted as describing a healthy adult as someone who is able to work and to love.¹²⁸ Because work and family (love) are so fundamental to most people's identities, people may be resistant to thinking about them in new ways. Will working class men buy unions' arguments for organizing around flexibility and predictability if they are couched in terms of "manly solidarity?"¹²⁹ Will PMC men recognize that the long hours they work, while ostensibly for their families, in fact deprive themselves and their wives and children of important emotional connections?

Part of the answer, I think, lies in recognizing a human tendency to believe in one's own agency. A difficult situation can sometimes seem more palatable if you believe that you chose it. Hence, PMC women who leave the workforce talk about it in terms of choice. Professionals who work huge numbers of hours often believe themselves motivated by a desire for personal achievement. Concretely, I think that Williams' agenda can be more successful if she and others tap into this desire for agency. Unions may be particularly well-positioned to exploit it. Obviously, unions have to focus on particular issues of concern in their organizing campaigns, but they can also focus on the power that organized workers have to make positive change, to exercise agency. And because the changes here cut to the heart of people's sense of self – work and love – perhaps the fundamental nature of the issues can be used to help encourage people to act.

I see some evidence to support such optimism in the generational shifts in PMC attitudes towards work and family that Williams describes. Second wave feminists, reacting to the rigid gender roles of the 1950s, insisted on meaningful work, although many felt that they had no choice but

127. See, e.g., Robert S. Chang, *Joan Williams, Coalitions, and Getting Beyond the Wages of Whiteness and the Wages of Maleness*, 34 SEATTLE U. L. REV. 825 (2011); Richard Delgado, *Race, Sex, and the Division of Labor: A Comment on Joan Williams's Reshaping the Work-Family Debate*, 34 SEATTLE U. L. REV. 835 (2011).

128. See, e.g., SIGMUND FREUD, *CIVILIZATION AND ITS DISCONTENTS* 88 (James Strachey ed. & trans., W.W. Norton & Co., Inc. 2005) (1930).

129. See Silbaugh, *supra* note 5, at 747.

to embrace the ideal worker role. Many younger women have rejected the all-or-nothing workplace, asking for reduced-hours arrangements, for example, in law firms and other professional environments. These women want to love *and* to work. And as Williams intimates, Gen X and Gen Y men, as well as women, are beginning to make similar demands.¹³⁰ In other words, some people, at least sometimes, are willing to challenge orthodoxies about how work and family relate.

In today's economy, of course, agitating for change in the workplace may feel particularly risky, and cross-class solidarity may be harder than ever to achieve.¹³¹ As of this writing, the national unemployment rate is at 8.6 percent,¹³² more than five and a half million Americans have been unemployed for more than six months,¹³³ and concerns about a "double-dip recession" persist.¹³⁴ More problematic for Williams' agenda is that unemployment rates decline steeply as education levels increase. For high school graduates over 25 years old, unemployment is at 10.0 percent, more than double the rate for workers over 25 with college degrees or higher, whose rate stood at 5.1 percent in November 2011.¹³⁵ Such differences affect not only the economic stability of the less-educated workers, their families, and their communities but may also exacerbate the class resentments that Williams explores.

At the same time, unions are under attack. In Wisconsin and Ohio, for example, newly elected Republican governors pushed through legislation to eliminate most collective bargaining rights for public sector unions.¹³⁶ Un-

130. WILLIAMS, *supra* note 1, at 89.

131. Others have likewise argued that Williams underestimates the difficulty of building cross-class coalitions. See, e.g., Chang, *supra* note 127; Jean Stefancic, *Talk the Talk, But Walk the Walk: A Comment on Joan Williams's Reshaping the Work-Family Debate*, 34 SEATTLE U. L. REV. 815, 821 (2011).

132. News Release, Bureau of Labor Statistics, U.S. Dep't of Labor, Employment Situation Summary (Dec. 2, 2011), available at <<http://www.bls.gov/news.release/empstat.nr0.htm>> (last visited Dec. 5, 2011) (hard copy on file with the author). This 8.6 percent unemployment rate represents a decline from previous months. *Id.*

133. *Id.*, Table A-12.

134. See, e.g., Floyd Norris, *Time to Say It: Double Dip Recession May Be Happening*, N.Y. TIMES, Aug. 5, 2011, at B1, available at <<http://www.nytimes.com/2011/08/05/business/economy/double-dip-recession-may-be-returning.html>>; *Odds of 'double-dip recession about 50-50, S.F. Fed report says*, L.A. TIMES MONEY & COMPANY BLOG, Nov. 14, 2011, available at <http://latimesblogs.latimes.com/money_co/2011/11/chance-of-recession-high-sf-fed-report-says.html>.

135. News Release, Bureau of Labor Statistics, *supra* note 132, tbl. A-4, available at <<http://www.bls.gov/news.release/empstat.t04.htm>>. The situation is most shockingly dire for workers with less than a high school diploma, whose unemployment rate is 13.8 percent. *Id.*

136. Stephanie Condon, *Wisconsin Gov. Scott Walker Signs Anti-Union Bill – But Democrats Say they're Political Victors*, POLITICALFACTSHEET, CBS News (Mar. 13, 2011, 11:19 AM), <http://www.cbsnews.com/8301-503544_162-20042122-503544.html>; Steven Greenhouse, *Ohio's Anti-Union Law Is Tougher Than Wisconsin's*, N.Y. TIMES, Apr. 1, 2011, at A16, available at <<http://www.nytimes.com/2011/04/01/us/01ohio.html>>.

ion density for private sector workers is at a remarkably low 6.9 percent.¹³⁷

But even in this environment, there are opportunities. Although unemployment rates vary with education level, once unemployed, a PMC worker is just as likely to face longterm unemployment as are members of the working class.¹³⁸ Smart activists may be able to use this fact to try to bridge some of the class divides that Williams discusses. The attacks on unions have motivated progressive activists to find common cause with the working class. In Wisconsin, Democrats spearheaded a recall campaign to oust Republican state senators who voted to strip unions of collective bargaining rights, successfully defeating two of the three they targeted while fending off Republican attempts to recall several Democratic state senators.¹³⁹ Wisconsin Democrats are now attempting to recall the governor.¹⁴⁰ In Ohio, activists succeeded in placing repeal of their state's anti-labor law on the ballot. It was repealed with a resounding 62 percent of the vote.¹⁴¹

The relative success of these campaigns, which are largely being waged at the level of state legislative districts, coupled with Williams' observations about the mistrust and resentment with which many in the white working class view progressive activists suggest to me that coalition building of the sort Williams describes will more likely be successful if it is based on a strategy of locally-based organizing and face-to-face interaction.¹⁴² It may be time for progressives to make the political personal.

B. Who and What Are Missing?

There are some types of workers, families, and problems that Williams neglects, although given the depth and insight of *Reshaping the*

137. News Release, Bureau of Labor Statistics, U.S. Dep't of Labor, Union Members Summary (Jan. 21, 2011), available at <<http://www.bls.gov/news.release/union2.nr0.htm>>.

138. Lila Shapiro, *When A College Education Doesn't Help You Find a Job*, THE HUFFINGTON POST (updated Mar. 23, 2011, 9:09 AM EST), <http://www.huffingtonpost.com/2011/03/16/when-a-college-education-_n_836458.html>.

139. State of Wisconsin Government Accountability Board, Election Results, <http://gab.wi.gov/node/2008>; We Are Wisconsin, *Wisconsin Recall Races Redux: What We've Learned; What It Means* (Aug. 16, 2011), available at <www.wearewisconsin.org/home-content/wisconsin-recall-races-redux-what-we%E2%80%99ve-learned-what-it-means/> (hard copy on file with the author) (last visited Dec. 5, 2011).

140. Marti Mikkelsen, *Wisconsin Democrats Launch Governor Recall Effort* (Nov. 15, 2011), available at <<http://www.npr.org/2011/11/15/142326626/wisconsin-democrats-launch-walker-recall-effort>>.

141. Sabrina Tavernise, *Ohio Turns Back a Law Limiting Unions' Rights*, N.Y. TIMES (Nov. 8, 2011), available at <<http://www.nytimes.com/2011/11/09/us/politics/ohio-turns-back-a-law-limiting-unions-rights.html>>.

142. Such a strategy is not without its logistical difficulties. As one commentator argues, the class and cultural divide Williams describes is really a rural/urban divide. Pruitt, *supra* note 9. In other words, members of the different classes do not even live in the same regions, much less in the same neighborhoods.

Work-Family Debate, my comments here are better understood as suggestions for future work than as criticism. To some extent, however, a focus on these matters will be necessary to build the coalitions Williams seeks. Race is one obvious arena that Williams neglects, although she explicitly acknowledges and explains her decision not to focus on the work-family and related issues of racial minorities, for which others have taken her to task.¹⁴³ But there are some important groups and issues that she does not acknowledge even to that degree. Single parents, for example, get only passing mention, although she does report that divorce was an “unexpected” source of men’s work-family conflict in the study of union arbitrations.¹⁴⁴ Just as the public and media discussion of work-family conflict focuses on PMC women, as if the working class have no such conflicts, much of that discussion – including in this book – almost always assumes a two-parent family.

But this assumption is unwarranted. 41 percent of children born in the United States in 2009 were born out of wedlock.¹⁴⁵ How do the mothers of those children handle work-family conflict? Williams notes that 32 percent of PMC single mothers work *at least* fifty hours a week.¹⁴⁶ How does their experience relate to the ideal worker model? How might they be affected if it were dismantled? How do the other two-thirds of PMC single mothers balance their work and family commitments and at what cost to their economic well-being? The experience of work-family conflict for single parents may vary significantly with class, moreover, and out-of-wedlock births are substantially more common among those with high school diplomas but without college degrees than for more educated women.¹⁴⁷ This area calls out for Williams’ attention.

The prevalence of divorce also raises some important questions. What

143. See, e.g., Chang, *supra*, note 132; Richard Delgado, *Race, Sex, and the Division of Labor: A Comment on Joan Williams’s Reshaping the Work-Family Debate*, 34 SEATTLE U. L. REV. 835 (2011).

144. WILLIAMS, *supra* note 1, at 49. That it was unexpected is, I think, a function of Williams’ undue focus on two-parent families.

145. BRADY E. HAMILTON ET AL., DIV. OF VITAL STATISTICS, NAT’L CTR. FOR HEALTH STATISTICS, CTR. FOR DISEASE CONTROL & PREVENTION, NATIONAL VITAL STATISTICS REPORTS: BIRTHS: PRELIMINARY DATA for 2009, at 4 (2010) available at <http://www.cdc.gov/nchs/data/nvsr/nvsr59/nvsr59_03.pdf>. Many of these children may nonetheless live in stable, two-parent families.

146. WILLIAMS, *supra* note 1, at 31 (citing JOAN C. WILLIAMS & HEATHER BOUSHEY, CTR. FOR AM. PROGRESS & CTR. FOR WORKLIFE LAW UNIV. OF CAL. HASTINGS COLLEGE OF THE LAW, THE THREE FACES OF WORK-FAMILY CONFLICT: THE POOR, THE PROFESSIONALS, AND THE MISSING MIDDLE 7-8 (2010), available at <www.worklifelaw.org/pubs/ThreeFacesofWork-FamilyConflict.pdf>).

147. INST. FOR AM. VALUES & THE NAT’L MARRIAGE PROJECT, UNIV. OF VA., THE STATE OF OUR UNIONS: MARRIAGE IN AMERICA 2010: When Marriage Disappears: The New Middle America 16 n.4, 23, fig. 5 (2010), available at <http://www.virginia.edu/marriageproject/pdfs/Union_11_12_10.pdf>.

are the work-family conflicts of noncustodial parents, for example? Does the legal obligation to pay child support affect men's attitudes towards their jobs? In addition, the demographics of divorce may have implications for our understanding of the complicated relationship between work, family, and class. Divorce rates fall with education level.¹⁴⁸ In other words, a working class couple is much more likely to divorce than is a PMC couple. Does work-family conflict play a causal role in that difference?

In discussing work-family conflict, Williams also focuses almost exclusively on child-rearing, although she does mention elder care and she explicitly calls for a new norm of a work life balanced with other activities (be they family or otherwise) that bring meaning to people's lives. But more discussion of what is lost when people don't have such balance is worth having. What happens to communities and their institutions, like churches, for example? Such questions have been addressed to some extent in other work,¹⁴⁹ of course, but Williams' skill in identifying the potential for relying on shared values as a foundation for coalition-building might make it worthwhile for her to address them.

Finally, more historical perspective could be very illuminating. How is it that in 1960, when gender roles were particularly rigid and the assumption that the (male) ideal worker would be supported by a steady flow of family and household work performed by his wife was largely warranted,¹⁵⁰ PMC men worked *fewer* hours than they do today? As Williams herself notes, the Ozzie-and-Harriet vision included a father who came home for dinner at 5 pm virtually every night, as few PMC fathers do today.¹⁵¹ What are the implications and causes of this *increase* in the demands on professional workers' time at the same time that the flow of family and household work has become less available due to women's participation in the workforce?

148. *Id.* at 19, fig. 1.

149. See, e.g., David M. Almeida & Daniel A. McDonald, *The National Story: How Americans Spend Their Time on Work, Family, and Community*, in UNFINISHED WORK: BUILDING EQUALITY AND DEMOCRACY IN AN ERA OF WORKING FAMILIES 180, 199 (Jody Heyman & Christopher Beem eds., 2005) (finding that "[t]he person most likely to volunteer in the community is a more highly educated married woman with children"); Robert Wuthnow, *Civil Society: Changing from Tight to Loose Connections*, in UNFINISHED WORK, *supra* at 63, 78 (describing the ways that "religious organizations face a serious challenge because of the ways in which work and family patterns have been changing").

150. See JOAN C. WILLIAMS & HEATHER BOUSHEY, CTR. FOR AM. PROGRESS & CTR. FOR WORKLIFE LAW UNIV. OF CAL. HASTINGS COLLEGE OF THE LAW, THE THREE FACES OF WORK-FAMILY CONFLICT: THE POOR, THE PROFESSIONALS, AND THE MISSING MIDDLE 3 & n.20 (2010), available at <www.worklifelaw.org/pubs/ThreeFacesofWork-FamilyConflict.pdf> (citing Sara McLanahan, *Diverging Destinies: How Children Are Faring Under the Second Demographic Transition*, 41 *Demography* 607, 610-11 (2004)).

151. Williams, *supra* note 1, at 82.

V. CONCLUSION

Reshaping the Work-Family Debate is deeply illuminating. It is also deeply compassionate. A number of commentators have suggested that Williams' recipe for political change is, essentially, that the elite should be nicer to the working class.¹⁵² I think this misapprehends her project. Williams takes what most people have in common – most fundamentally a love of family and a desire to feel that our work, whether in a lawyer's office, in a factory, or at home, is meaningful – and tries to help us recognize that in each other. That is not about being nice. That is an insistence on seeing and respecting others as fully human, in all of their complexity. And Williams is just as insistent on this approach when she talks about feminists' treatment of other women and of men as much as when she talks about relations between members of different classes. Without such vision and respect, it is all too easy to overlook what we have in common, and it is all too easy to resort to stereotypes or to ideological prescriptions that alienate and insult our potential allies. As much as her intellectual rigor and ferocious drive, it is this compassion and insistence on our common humanity that sets Williams' work apart.

152. See, e.g., Stefancic, *supra* note 131, at 821.