

## Chapter 2

### Welfare (Reform) as We Knew It

In 1997, Philadelphia journalist David Zucchino published a volume of fine-grained reporting on the daily life of a woman named Odessa Williams on the eve of welfare reform. His book, *The Myth of the Welfare Queen*, depicted Williams, a grandmother and great-grandmother, as a person of nearly endless resourcefulness. Zucchino chronicled her persistent efforts to maintain minimally decent food, clothing, and shelter for the people who depended on her for help—a group that included grown children who could not find work that paid adequate wages and school-aged grandchildren whose parents were in prison or addicted to drugs. The book demonstrated that, despite Williams's work, her skills, and even some good luck, she and her family did not make it on welfare. Without the occasional help of a neighborhood moneylender who charged usurious interest and, in the midst of the high-wire act that was Odessa Williams's effort to make Christmas for her family, a no-interest loan and unreported cash grant from a visiting journalist, her finances would have tumbled to earth.<sup>1</sup>

As depicted by Zucchino, Williams was a savvy citizen. She knew as much about how to maximize her own and her children's public benefits as she did about how to stretch a dollar at the supermarket—and she knew how essential to their well-being the benefits and the thriftiness both were. Cash grants under Aid to Families with Dependent Children (AFDC) and Supplemental Security Income (SSI), which she received on account of her and some of her grandchildren's disabilities, plus food stamps to spend on groceries, were not nearly enough to cover the basics. With periodic bits of cash she earned driving neighbors home after shopping and small amounts her wage-earning relatives contributed, Odessa Williams almost got by. However,

an endless river of emergencies threatened to sweep her family's security away. Small cash needs, such as \$3.00 for a granddaughter's school trip, or \$10.00 for composition books without which a grandson would receive failing grades, posed serious challenges when every dollar was otherwise accounted for. More substantial emergencies, such as a child's or grandchild's need for bail money, would have been devastating without the moneylender and other informal supports that flew beneath the radar of the welfare department.

In retrospect, perhaps the most remarkable thing about Odessa Williams's story was that it occurred entirely before "welfare reform," that is, before Congress and President Clinton approved PRWORA. Her experiences not only refuted what the title of Zucchini's book termed "the myth of the [Cadillac-driving, profligate] welfare queen." They illuminated the precarious living of a welfare recipient who cared for her family under circumstances that would later seem wildly accommodating. Williams faced a stringent budget and constant emergencies. But no one turned her away from the welfare office when she returned after a lapse of years to support her grandchildren; no lifetime limit of benefits for five years (or a shorter period, under the state discretion permitted under TANF) prevented her from rescuing the children from their addicted mother or the alternative of public foster care. She spent nearly all her time attending to her family's basic needs, including their needs for medical attention and income, which required long waits at the clinic and public aid office. But Williams did not *also* need to juggle government-approved "work activities," which were demanded for rising numbers of TANF participants. Her cash grants never covered the minimum her family needed, but at least Williams received cash. After the welfare reform of the middle 1990s, states could withdraw cash support, as did the state of Wisconsin, for example, which turned the whole program into a "work-first" low-wage employment agency.<sup>2</sup> And before the anti-welfare crescendo of the 1990s, no one accused a recipient like Williams of "double-dipping" by receiving welfare for children while also receiving SSI to alleviate the expenses associated with disability.<sup>3</sup>

The published account of the experiences of Odessa Williams teaches two important lessons about welfare reform. First, Williams's challenges speak to the limitations of the old system, before TANF. People whose economic advancement was blocked in a thousand ways by poverty, sexism, racism, and poor health found it difficult to survive under the old system and nearly impossible to change the patterns of their lives. There were multiple villains

here. But some of the problems Odessa Williams and her family encountered resulted from the public aid system as it was created in the early twentieth century. Others were the results of moralistic and cost-saving reforms implemented in the years immediately before passage of PRWORA. We also learn from Odessa Williams's story that the changes of 1996 were enormously consequential. For all the imperfections of the old system, all the ways it failed to counteract the negative effects of late-twentieth-century political economy and the compromises of its best principles that politicians allowed, it was still markedly different from what came later. From the perspectives of impoverished clients like Odessa Williams, it was unquestionably better before PRWORA than after. Zucchini underlined the point by including in his book numerous scenes in which Williams followed congressional and state legislative debates. Despite her challenges, Williams saw welfare as a gift from the Almighty, who enabled her many vulnerable family members to hold body and soul together. She was stunned by the proposals that ultimately became PRWORA, and by the cuts that were contemplated in the middle 1990s by her own state government in Pennsylvania. She predicted that her family and friends would capsiz in their wake.<sup>4</sup>

This chapter offers an analysis of welfare reform from the years following the federal program's creation through the last major legislative intervention prior to PRWORA, which occurred in 1988. We argue that the welfare reform enacted during the Clinton administration was merely the latest in a long series of reforms. But while noting continuities in this history, we also argue that the 1996 law was a major departure. President Clinton and the Republican majority in Congress were certainly not alone in reforming welfare; they were not even alone in reforming welfare along highly gendered and racialized lines. Nonetheless, they changed the fundamentals of safety net policy in the United States.

Our guides through the thickets of social welfare history are the same themes that have led our inquiry up to this point. Intersectional gender and feminist theory, and analysis based in the principles of reproductive justice, are the guides we follow most closely. We maintain our focus on the ways in which femininity and masculinity have shaped policy, and vice versa. We join other feminist scholars in noting the many ways in which law and policy have reproduced and reinforced gendered arrangements of power. We understand gender in social welfare history as always also racialized, inflected by class relations and political economy, and tied to the gendered person's perceived sexuality, nationality, and dis/ability.

The history of social welfare is not only gendered. It is also discontinuous and contingent, chock full of debates, divisions, and reverses. We resist the temptations of both chiasm and a belief in Armageddon, that is, interpretations of history that find it trending ultimately toward good or ill. Our account brings to the surface debates that have occurred in the history of welfare reform. Other accounts have muted some of these debates. We amplify the leitmotifs of division and dissent in the history of welfare reform, listening especially closely to divisions among Democrats.

In reviewing the history of welfare reform, it is not enough to study only the actions of legislators and bureaucrats. We consider as well the impact of policies on people who received government help or who might have done so if the rules had been different. In studying the period after World War II, in particular, we appreciate the role of organized groups of welfare recipients and their allies in demanding, shaping, resisting, or, in certain cases, provoking welfare changes. The groups that participated in reforming the welfare state included low-income blind recipients of the categorical welfare program Aid to the Blind and their more well-off allies in the National Federation of the Blind; rural African Americans and attorneys in the civil rights movement; and urban African American, Puerto Rican, Mexican American, and white members of the National Welfare Rights Organization, who resisted what they saw as invidious welfare reforms and demanded what they believed would serve their families.<sup>5</sup> This history reveals the importance to many welfare clients of the principle “Nothing about us, without us,” in other words, the intensity of their demand to be included in policy making. It also reveals the impact of clients’ actions on public policy.

We discuss the history of welfare reform in two distinct periods. We start with revisions to the Social Security Act of 1935, the New Deal innovation in policy making that made aid for impoverished children, blind adults, and older women and men a national responsibility. We chronicle the multiple welfare reforms enacted between 1935 and the 1980s, including both expansionist and reductionist reforms. Some of these came entirely “top-down” from politically powerful institutions at the national level. Others moved “bottom-up,” having been proposed initially by welfare clients and their allies. We then explore the 1980s, examining in some detail the intellectual and political shifts that occurred in that period, which resulted ultimately in passage of the Family Support Act of 1988, the last major welfare reform before PRWORA.

### ***Welfare Reform Before “Welfare Reform”***

From the beginning of the United States onward, poverty policy has been gendered. It has been shaped by diverse constituencies and motives, and by the presence or absence of poor people at the tables where policies were made.<sup>6</sup> All the welfare programs created during the New Deal period have been subject to efforts at reform from above and below. However, the program originally called Aid to Dependent Children (ADC), the means-tested income assistance program for children and their custodial parents, has seen the most dramatic and draconian reforms.

One of the earliest and most consequential top-down reforms after the New Deal came with the Social Security Act Amendments of 1939. These amendments added minor children and spouses, including widows, as beneficiaries of the old-age pension system we know as Social Security, which was just one part of the Social Security law. The effect was to exacerbate women’s economic dependence on men in theory and practice; the national government preserved the dependency of wives on husbands even when the husbands were no longer alive.<sup>7</sup> The 1939 amendments removed a disproportionately white group, women and children attached to men whose jobs were covered by Social Security, from the pool of potential ADC families. This privileged group was disproportionately white because the jobs typically held by African Americans and Latinos/as in that period, in agriculture and domestic service, were explicitly omitted from coverage by the original Social Security Act.<sup>8</sup> After 1939, ADC recipients, who had limited employment options themselves and whose male partners overwhelmingly had uncovered or marginal jobs, were still majority white, but they were disproportionately nonwhite. Policy change left them in a starkly precarious political position from which they never recovered.<sup>9</sup>

Understandings of gender inflected by race shaped recurrent attempts to curtail access to ADC benefits. In the early 1940s, ADC and other nationally organized but locally administered antipoverty programs changed as states and localities responded, first, to continued economic doldrums and then to the effects of World War II. Restrictive welfare reform was not a primary concern of policy makers. However, canards that would be familiar from the debate over PRWORA appeared in service of larger political goals shortly after the war. In 1947, for example, Republicans who controlled the New York State government fomented a scandal over the supposed excesses of public

assistance in Democratically controlled New York City. The media stoked popular outrage over the city's efforts to alleviate poverty. The *New York Times* led in calling attention to a "Woman in Mink" who lived on the dole.<sup>10</sup> The story combined gendered fury at an atypical public aid recipient, presumptively white in this case and known to be divorced, with suspicion of the whole idea of welfare. Unstated in the article were some of the main features of the postwar labor market for mothers, such as limited child care exacerbated by the end of federal subsidies, and the rebuilding of barriers to women's employment that had relaxed during the war.<sup>11</sup> This early version of the "welfare queen" archetype prompted the writer A. J. Liebling to complain—in 1947!—about hackneyed use of the term "reform" to mean cuts in public budgets.<sup>12</sup> He wrote of the "picayune cruelties" in journalistic treatments of poverty.<sup>13</sup>

Liebling-style reform began in earnest in the 1950s thanks to the tight coils of gender and race that wound around ideas about poverty at the height of the "American Century." National and state policy makers, Democrats and Republicans alike, pursued restrictive welfare reforms. In some cases, federal officials pushed back against these efforts in the name of defending the true meaning of the Social Security Act.<sup>14</sup>

Democratic politicians debated one another over specific initiatives and about whether the overall trend of "reform" should be expansive or restrictive. Some wanted to dismantle what they saw as the excesses of the New Deal. Anti-Communist and anti-trade union Democrats pursued restrictive welfare reforms in the states and nationally. An overlapping but distinctive group of Democrats sought to amend public assistance in order to sustain Jim Crow hierarchy in the South. A third group generally favored expansive welfare reforms but could be persuaded otherwise by explicitly gendered and implicitly racialized appeals.

Ideas and biases about disability mixed with those about gender and race.<sup>15</sup> Disability discourse and policy were especially important parts of the intersectional mix in postwar America; as disability policies for civilians expanded, policy makers who were interested in liberalizing welfare increasingly understood poor people as having deficits that rehabilitative policy needed to cure.<sup>16</sup> Part of the cure could be found in spending more on services that welfare clients sometimes desired and sometimes resisted.<sup>17</sup> The organized welfare clients who were most recognized in the period were those from the National Federation of the Blind (NFB), advocating with and for impoverished blind adults who received federal Aid to the Blind. NFB

fought unwanted services and interference in people's choices by social workers and rehabilitation counselors. They sought welfare reforms that broadened eligibility, raised income and property ceilings imposed on people applying for aid, reduced supervision of their romantic and consumer choices, and removed the presumption that they would exhaust the economic support from their relatives before the government would help them.<sup>18</sup>

Gendered arguments for welfare reform built on ideas about flawed maternal and paternal behavior. The idea that paternal child support was vital to the well-being of impoverished children, and that collecting it was a good use of governmental resources, led to the Notice to Law Enforcement Officials (NOLEO) policy of 1950. The Truman administration and many Democrats in Congress approved this provision, which aimed to shape the behavior of impoverished women and men, or perhaps, more realistically, simply to drive women who were not on good terms with their children's fathers away from the rolls.<sup>19</sup> The NOLEO provision demanded that state welfare offices share with police the names of men who had deserted or abandoned mothers who received welfare. The mothers who refused to share their partners' names or prosecute them for child support—whether out of concern for the men or fear of the consequences of pursuing them—lost eligibility for public aid. The provision applied to over one-quarter of families who received ADC benefits. Within a decade of its implementation, an estimated five thousand women had chosen in effect to give up government help by not disclosing the names of their partners.<sup>20</sup>

Among the most controversial reforms of the period were those that spoke to anxieties about trade unions and the political left, but which also violated the professional standards of the field of social work. Chief among these was the Jenner Amendment, which Congress, with both houses under Democratic control, passed and President Truman signed in 1951.<sup>21</sup> The amendment guaranteed that no state would lose the federal portion of its funding for ADC if it permitted welfare department personnel to publicize the names of people who received benefits, thus violating professional standards of confidentiality.<sup>22</sup> Democratic representative Burr V. Harrison of Virginia fought for the amendment on the grounds that “criminals, illegitimate children, prostitutes and Cadillac owners [we]re receiving welfare payments” because their names were secret.<sup>23</sup> He distinguished sharply between the disproportionately white, supposedly more deserving, beneficiaries of old-age pensions and Unemployment Insurance, and the disproportionately nonwhite recipients of ADC.<sup>24</sup> “Behind an iron curtain of secrecy and concealment,” he

claimed, “we have today a miniature welfare state . . . that spends public money for luxuries for the undeserving and for the financing and encouragement of improvidence and illegitimacy.”<sup>25</sup>

The most successful expansionist reforms in the 1950s and early 1960s sought to improve clients by funding social services. The problem with the emphasis on services was that it suggested that poor people were psychologically, as much as financially, needy—and that part of poor people’s rehabilitation inhered in their learning to make ends meet despite their economic poverty. In 1950, Congress and the Democratic administration created a new welfare program, Aid to the Permanently and Totally Disabled (APTD).<sup>26</sup> In 1954, Congress passed new rules that allowed ten million agricultural and domestic workers to gain eligibility for welfare aid.<sup>27</sup> In 1956, the national government authorized a new social insurance program (non-means-tested and tied to waged work) centered on disability. The scale of Social Security Disability Insurance would far surpass that of means-tested programs such as APTD and ADC. Social Security amendments in that same year shifted the emphasis of ADC toward rehabilitation by adding social services to the mandate of the program.<sup>28</sup>

States and cities were more active in welfare reform than was the national government. Here, again, differences among Democrats were as significant as those between Democrats and Republicans. With national officials playing a muted role in supervising or overruling them, state and local politicians made policy to preserve racial and class hierarchies, react to migration, and enforce (or at least advertise) normative standards of gendered and sexual behavior.<sup>29</sup> Beginning with Georgia in 1951, over half of the states reformed the definition of a “suitable home” under ADC to exclude unwed mothers and “illegitimate” children from receiving benefits. States that took this action included those in the Democratically controlled (and Jim Crow) South, as well as midwestern states, such as Michigan, which experienced immigration by African Americans and working-class whites after World War II.<sup>30</sup> By 1962, there were investigative units dedicated to enforcing the “suitable home” rule and other moralistic, gendered provisions under welfare policy in eight states and eighteen large cities.<sup>31</sup>

In the 1950s and well into the 1960s, heavily rural states in the South, all under Democratic control, pursued some of the most restrictive welfare reforms. The two leading sources of these policies were the felt need of certain white supremacist politicians to respond to civil rights activism, and the changing demands of employers in an era of out-migration and new tech-



nology. Public assistance was hardly alone as a realm of policy officials used to shore up white and planter dominance: Agricultural policy, too, helped sustain white supremacy and planter aristocracy in the Deep South. Local officials responded to civil rights activism by cutting access to commodity food, often the only government aid agricultural and domestic workers regularly received.<sup>32</sup> In the late 1960s, many southern African Americans theorized that states introduced food stamps—which in those days cost cash that rural people rarely had—in place of commodity food as punishment for civil rights activism, with the intention to starve them or drive them north.<sup>33</sup> Restrictive public assistance reforms had particular staying power because they drew from gender and sexual morality, while also being built on anti-civil rights and proemployer forces. The best-known example of a state welfare cutoff of this kind occurred in Louisiana in 1960. Twenty-three thousand children, 95 percent of them African American, lost subsistence aid because the homes of their unwed mothers were deemed “unsuitable.”<sup>34</sup> Similarly, Alabama passed a package of welfare reforms into law as the civil rights movement began to post real gains.<sup>35</sup> Even after passage of the national Civil Rights and Voting Rights Acts, local authorities across the South manipulated public assistance to punish people for their activism.<sup>36</sup>

The mix of expansive and restrictive welfare reforms, and divisions these sparked among Democrats, was even more complicated in the 1960s than previously. However, two themes from the prior decade that were also critically important in 1990s welfare reform continued: an emphasis on services in conjunction with cash aid, based on a sometimes unstated belief that mothers who were poor failed to earn their livelihoods because they were effectively disabled; and concern about the sexual behavior and romantic choices of women who received ADC. In 1961, a Democratic secretary of Health, Education, and Welfare ruled that states could not deny welfare on the basis of the so-called unsuitability of the home of a child born outside marriage. But the Kennedy and Johnson administrations did not back up the ruling by exercising their authority to cut federal funding to states that refused to follow it.<sup>37</sup> Social Security amendments in 1962 turned ADC into Aid to Families with Dependent Children (AFDC). This move recognized the labor of maternal care. However, legislators who created AFDC also did so in part because they saw impoverished mothers as deficient and government as an agent of rehabilitation.<sup>38</sup> The reforms introduced by President Kennedy followed medical and disability models to emphasize “prevention and rehabilitation.” Without spelling out the argument in detail, the president

suggested that, like some disabled people, mothers who could not make the economic system work for their families could receive a course of professional intervention and then “get . . . off assistance and back into useful, productive roles in society.”<sup>39</sup> While ostensibly sympathetic to impoverished parents, the emphasis on rehabilitation flowed all too easily into mandates for waged labor. With the support of social welfare advocates in Washington, D.C., national policy makers introduced work mandates into public assistance policy in the name of reforming clients and readapting them to normal life.<sup>40</sup>

Urban Democrats outside the South found their voices to oppose restrictive welfare policies, even when their chief antagonists were others in their own party. The 1967 welfare reforms from the Johnson administration and leading congressional Democrats represented a post-Civil Rights Act backlash against activist demands for racial and economic equality. Under Democratic control, Congress passed into law a welfare “freeze” that capped the national budget for public assistance. This was an early compromise of the principle of entitlement. However, under pressure from Democrats such as Senator Robert F. Kennedy, who was threatening a dissident presidential run, Congress repealed the freeze before the administration implemented it. President Johnson and the white Southern Democrats who chaired major committees also ushered into law a national work mandate under welfare policy. The Work Incentive Program of 1967 was known as “WIN” to policy makers and “WIP” to the activists who thought of it as just the latest in a long line of efforts to compel African American women to perform demeaned, low-wage (or no-wage) work.<sup>41</sup>

Another rising theme of the 1960s, which would later prove significant in PRWORA, was the importance of men, masculinity, and fatherhood in public assistance. Although most mainstream Democrats agreed on this, serious splits emerged over how to translate it into policy. Following on the NOLEO provision were other initiatives to reengage noncustodial fathers in their children’s and female partners’ lives.<sup>42</sup> At the same time, unemployed and underemployed men were increasingly a focus of public assistance policy. This was a masculinist response to the civil rights and Black Power movements, and to the perception that urban riots were driven by male unemployment. Even the work training and educational benefits sponsored under the “service” provisions of the 1962 reforms went overwhelmingly to low-income men.<sup>43</sup> A demonstration program to enhance the access of two-parent families to welfare aid, which the Kennedy administration initiated

in 1961, was made, later in the decade, a permanent option the states could adopt. These policies were a fit with the Moynihan Report and an address President Johnson gave at Howard University in 1965, which described a crisis in black masculinity caused by the twin scourges of discriminatorily high unemployment for men and African American women's excessive access to income.<sup>44</sup>

### *Nothing About Us, Without Us*

The arc of welfare reform bent, briefly, toward expansion. This was a result of enormous, organized energy on the part of welfare clients and a wide array of nonclient allies in the 1960s and 1970s. Activists and advocates built on prior models to make a greater impact on local, state, and national anti-poverty politics than they had at any time since passage of the Social Security Act. The forces that conspired to enable and sustain this wave of welfare reform from below were the African American movement, south and north; related activist movements among lawyers and social workers (including, reprising earlier models, unionized welfare caseworkers); the renaissance of feminism, especially a variety of radical feminisms shaped by the New Left and by the Black Power, Chicano/a, and Puerto Rican movements; and the emergence of a newly configured movement for disability rights.

The organization that is most closely associated with this mobilization is the National Welfare Rights Organization (NWRO). The national headquarters of NWRO lasted only from 1967 until 1974. However, its seedbed was local activism by public aid recipients and allies early in the 1960s, and it had legacies that continued into the 1990s and even into the twenty-first century. In New York City, for example, discontent and a coalescing sense of entitlement on the part of poor people fed and was fed by the African American and Puerto Rican civil rights movements. With the help of resources from the War on Poverty, Protestant and Catholic churches, and old-line charities, this discontent grew into welfare rights organizations in several different neighborhoods by 1963–65. In northern and southern California, welfare rights activism was also fed by contact between the welfare reformers from the National Federation of the Blind and those from African American and Chicano groups.<sup>45</sup> Alongside NWRO efforts were those sponsored directly by local outposts of the War on Poverty and by other civil rights groups. Local attorneys from the NAACP Legal Defense Fund, such as Marian Wright (later Marian Wright Edelman) and her colleagues

in Jackson, Mississippi, represented welfare recipients who lost their benefits because of civil rights activism, or simply because of the way race, gender, and class hierarchies operated in their communities.<sup>46</sup> While most of these efforts dissipated after the middle 1970s, national networks of local welfare activist groups remained and continued to offer expansive welfare reform proposals through the period during which Congress and the White House debated PRWORA.

Gender, parenting, and sexuality were as central in the agendas of organized poor people and their allies as they were in the thinking of politicians who wanted to restrict welfare. The feminist dimensions of welfare rights include the demand for human dignity outside of marriage and for free sexuality. Claimed by majority-white groups of liberal and radical feminists, such rights of independent personhood applied as well to low-income and nonwhite women. Welfare reformers from below further claimed the positive right of economic support to parent one's own children even if one were not attached to a man who earned a high wage. These aspects of their agenda were precisely those that anti-welfare reforms, culminating with PRWORA, sought to reverse. The earliest welfare rights groups on both coasts wanted to restrict the ability of local welfare departments to deny families benefits on the basis of women's sexual and romantic behavior. Activist social workers resisted participating in "midnight raids" on the homes of welfare clients, and activist lawyers brought questions about welfare recipients' sexual privacy before the appellate courts.<sup>47</sup> NWRO members argued that forcing women to name their sexual and romantic partners, and efforts to criminalize men's failure to pay child support, were dangerous. They either would lead to men's further alienation from their children or would bring them back, angrily, into the lives of women who had separated from them with good reason.

One of the movement's paramount successes came in the U.S. Supreme Court decision in the case *King v. Smith*. As discussed in Chapter 1, the court's opinion invalidated the "man-in-the-house" rule that had been the Alabama legislature's way to deprive especially African American women assistance on the basis of their sexual behavior after national authorities indicated their dissatisfaction with "suitable home" restrictions. It was in *King v. Smith* that the court specified that, under the Social Security Act, if a public assistance applicant met all the eligibility criteria for aid, then he or she was entitled to receive it. The Mrs. Smith at the heart of the case had lost her and her children's benefits because she was rumored to have an occasional

sexual relationship with a married man. Her landmark case started its legal life as one strand in a much larger skein of activist litigation by a post-Civil Rights Act southern freedom movement that was simultaneously a movement for civil rights, welfare rights, and public-interest law.<sup>48</sup>

The activism that brought the perspectives of poor people into the policy-making process also launched into national politics the idea of a national minimum income, or guaranteed income. The idea originated with intellectuals, such as economist John Kenneth Galbraith Jr., who sought a solution to the problem of rising productivity in advanced industrial societies. Absent a moral or disciplinary commitment to the work ethic, Galbraith and colleagues concluded, it was hardly sensible to keep all adults in the labor force—or to punish them with starvation when they were outside it.<sup>49</sup> The welfare rights movement added to this rationale a feminist or motherhood-centered one: AFDC mothers asked, why should a woman work for wages in a child care center or another woman's kitchen when the social good was served as well by her raising her own children? NWRO formalized the idea into a proposed Guaranteed Adequate Income, which members demanded that politicians consider. After years of calculations, welfare rights leaders finally settled on \$5,500 per year for a family of four as an appropriate level. They went into battle on its behalf with the slogan, "5500 or fight!"<sup>50</sup>

Welfare reformers from below believed they needed to "fight" over the guaranteed income despite the fact that mainstream politicians, themselves, were considering variations of the idea. President Richard Nixon is often credited, incorrectly, with bringing attention to this idea because his administration proposed a kind of guaranteed income to Congress in 1969 and appeared to support it until it finally failed in 1972. However, poor women and men, and the organizers and professionals who worked with them, deserve primary credit for generating a credible case for a guaranteed income—what would later be termed a Basic Income Grant and become the object of social policy experimentation across the world.<sup>51</sup> The Nixon initiative, called the Family Assistance Plan (FAP), distorted the idea and then used it against welfare recipients by tying income assistance to mandatory wage-earning by heads of households. Even while advocating expanded income assistance in the form of a guaranteed income, FAP policy advocates mobilized gendered and racist arguments. President Nixon argued that FAP would end traditional public assistance, which he claimed unfairly privileged female-headed versus male-headed households. Following the lead of Democrats, he committed the national government to forced waged work for recipients

(although only for one parent in a two-parent household, thus discriminating between married and unmarried mothers). The Nixon administration proposed a relatively low national income standard, at least by NWRO's standards and the standards of welfare recipients in northeastern states, who worried that their benefits would drop to the FAP level.<sup>52</sup>

The legacy of welfare reform from below may have been most powerful in the record of things not done, or not even proposed, during the period when activism by and on behalf of poor people was powerful. Rather than further stereotyping public assistance as a social problem, identified with African Americans, Latinas, and women with lax sexual morals, these welfare reformers conceptualized public assistance as a necessity for all people in poverty, living in a society that routinely generated poverty. A guaranteed income that applied equally to those who were not working because of their family care responsibilities, those who were unemployed, and those whose wages were simply too low, placed the onus for creating poverty on the economic system rather than on individual or group failures.

Welfare rights activists forced the repeal of the "freeze" provision that President Johnson and conservative Democrats had written into the 1967 Social Security Act amendments. They helped defeat Nixon's FAP proposal. And they helped turn the work requirement under the "WIP" program (also part of the 1967 amendments) into a dead letter; if governments were unwilling to provide adequate training, education, and child care services, then welfare activists and advocates made it difficult for them to implement forced work programs.

Coalitions of poor people and professionals working together had some significant victories. The Supreme Court's holding in *King v. Smith* applied beyond Alabama to invalidate "man in the house" laws in every state that had them. It established an individual entitlement to public assistance under the Social Security Act, and signaled surveillance by federal courts of state efforts to deprive benefits to families of color. *Shapiro v. Thompson* (1969), another Supreme Court case brought by welfare rights attorneys, reformed state laws that distinguished new migrants from other states from long-term residents in regard to their access to public aid. And this principle has endured, even in the wake of state statutes that attempted to compromise it. It was reaffirmed strongly by the Supreme Court in *Saenz v. Roe* (1999), which invalidated both a California statute that created two distinct classes of welfare recipients, based on their length of residence in the state, and a portion of PRWORA that expressly supported the California law. The Supreme

Court's holding in *Goldberg v. Kelly* (1970) affirmed the access of poor people to legalistic appeals before they were deprived of benefits on which they relied. In all these cases, the principles for which they stood—sexual self-determination even for racial and economic minorities; entitlement; free movement in pursuit of economic well-being (and physical well-being, as in the case of women fleeing domestic violence); and access to benefits in the face of what Justice Brennan termed “brutal need”—have been compromised over time.<sup>53</sup> But none of the cases has been judicially overturned. If by nothing else, their power was demonstrated in the efforts of anti-welfare reformers to reverse them legislatively through PRWORA.

### *The Age of Moynihan*

The next phase of welfare reform from above began in the early 1980s. It culminated in a major legislative reform in 1988. The central figure in creating that reform was Daniel Patrick Moynihan, veteran of debates over the Johnson administration's “Moynihan Report” on African American families and, by the 1980s, a U.S. senator from New York. A rough balance between continuing activist energies to improve welfare and anti-welfare reformism resulted in a kind of stalemate for most of the 1970s. After Nixon's FAP proposal failed, voices quieted at the two poles of welfare reform, the one that stood for expansion and rationalization, and the one where racist misogyny defined the need for welfare reform and underlay calls to require more wage work and to keep benefits low.

A new welfare politics gathered slowly in the aftermath of poor people's powerful assertion through NWRO and other groups. In addition to and intermixed with the collapse of a nationally coordinated welfare rights movement, the ebbing of African American and feminist activism by the end of the 1970s helped enable the change.<sup>54</sup> One way to observe the shift is by studying intellectual treatments of poverty and welfare.<sup>55</sup> As so often was the case in the history of social policy, Moynihan's work was an early indicator of what was to come: he attempted to recuperate his experience advocating the Nixon administration's FAP, with all its contradictions, in *The Politics of a Guaranteed Income* (1973).<sup>56</sup> Deploying the same racialized and gendered stereotypes with which President Nixon had encased his ambivalent FAP proposal, the book blamed activist welfare recipients for defeating FAP—which, according to Moynihan, had been perhaps the last, best hope for major social policy reform for a generation.<sup>57</sup> Moynihan's book became

increasingly influential as the contributions of other interlocutors stirred the debate over welfare reform anew.

Two tributaries of research had the potential to challenge the anti-welfare agenda, but their findings were hijacked by conservatives who claimed that the availability of welfare undermined heterosexual marriage and the waged work ethic. The first body of work emerged following the deadlock over FAP, when the federal government funded “income maintenance” demonstration projects in selected cities. The projects provided FAP-like basic income solely on the basis of economic need. Preliminary data that became available in the late 1970s revealed that this kind of basic or minimum income—essentially, welfare provided irrespective of a recipient’s personal or family characteristics—reduced poverty without causing the kind of cataclysm that had long been predicted by opponents of welfare rights. Basic income security had a slight depressive effect on recipients’ willingness to do paid work—concerning in Washington although arguably exerting a salutary pressure on employers, who would have to offer more decent working conditions to ensure a robust labor force. Among the variables researchers chose to study, the only sizable effect, which manifested in a Seattle-Denver study, was on sexual and marital behavior:<sup>58</sup> women with a steady, nonstigmatized income source were more likely to leave intimate partnerships than were women without it. Researchers in the Canadian province of Manitoba, which conducted a comparable experiment, found similar results. Later analysis of the data indicated that this kind of no-strings-attached welfare also limited women’s exposure to domestic violence.<sup>59</sup>

Hostility to the possible links among women’s independence, self-sovereignty, and economic security had inspired previous welfare retrenchment and helped doom policy proposals such as NWRO’s guaranteed income proposal and President Nixon’s FAP. Fresh data from the income experiments were used against both traditional welfare and the Carter administration’s guaranteed income–like initiative, the Program for Better Jobs and Income.<sup>60</sup> Members of the male-dominant policy establishment argued among themselves, shutting out feminists and poor people. Not surprisingly, virtually no one in official Washington argued that some women had good reasons to withdraw from their relationships. Perhaps the impact of income on heterosexual unions should have been received as an alarming measure of the state of those unions rather than as evidence against economic redistribution. Officials of the Carter administration, federally funded social scientists, and anti-welfare policy intellectuals united in their squeamishness



about women's choices and centered debate on the size of the negative effect.<sup>61</sup>

Policy makers had ready at hand a second federally funded source of information about poverty and people's use of welfare benefits. With backing from the National Science Foundation, the Panel Study of Income Dynamics (PSID) began in 1968 to study a large, diverse sample of U.S. households.<sup>62</sup> By the early 1980s, researchers had evidence to share about family incomes over a decade. In *Years of Poverty, Years of Plenty* (1984), Greg J. Duncan and colleagues argued using the PSID that poverty was a normal, not anomalous, experience among U.S. families. They attributed this ubiquitous poverty to easily identified features of the economy (e.g., structural unemployment) and government (e.g., a bare-bones welfare state that left families mostly on their own to accommodate the cost of raising young children). Along with ubiquitous poverty was a ubiquitous need for—and use of—welfare benefits. In the course of a decade, Duncan and his colleagues pointed out, over one-quarter of households received government grants from the means-tested programs AFDC, food stamps, Medicaid, and Supplemental Security Income (or its predecessor programs).<sup>63</sup> These numbers suggested that welfare recipients should not be shamed, and that their economic dependence should not be treated as an outrage or scandal, but as a normal phenomenon in a society that had made economic and political choices with certain predictable consequences.

In the policy circles that produced anti-welfare initiatives, these data were either recruited into a wider war against welfare or largely ignored. The motives of ideological conservatives who censored normalizing ideas about welfare were fairly clear; they wanted to reduce the public sector and shore up the so-called traditional family.<sup>64</sup> However, thanks to gendered, sexual, and racist biases that were rarely addressed head-on, researchers identified with the Democratic Party and liberal politics also joined a consensus of pseudowisdom about public assistance. In this regard, Senator Moynihan was again an early adopter, a nominal Democrat (veteran of both the Nixon and Johnson administrations) who reprised his emphasis on gender from the Moynihan Report. He drew on the Seattle-Denver Income Maintenance Experiment findings to goad the Carter administration about the effects of guaranteed income on marriage, suggesting that the findings could be applied to the far stingier, more conditional AFDC program. In other words, from his perspective, as a form of income maintenance, welfare was a moral hazard, inevitably breaking up marriages and undermining desirable behavior.<sup>65</sup>

Conservatives such as George Gilder, Charles Murray, and Lawrence Mead followed suit. They largely ignored the conclusions of Duncan and colleagues from the Panel Study of Income Dynamics and utilized only portions of the Seattle-Denver evidence, in the touchstone texts of the Reagan presidency, *Wealth and Poverty* (1981), *Losing Ground* (1984), and *Beyond Entitlement* (1986). They argued that AFDC and, by extension, all government antipoverty efforts, reduced sexual abstinence and fidelity, pointing men toward “deadbeat” fatherhood and women toward lone parenting.<sup>66</sup> The overall result, they claimed, was social chaos, with government policy at its source. Hovering high above the ground of empirically proven facts, they argued that welfare should end because it produced more poverty. This last point was easily falsified by the PSID evidence and other sources. However, the mix of moral anxieties about the patriarchal family and racialized scares about the future of the work ethic appears to have overwhelmed any weakness in their economic claims.<sup>67</sup>

The absence of publicly audible feminist analysis and the marginalizing of low-income mothers’ perspectives permitted victory for the Reagan Revolution’s war on welfare, a disaster for the supposed aims of Democrats and liberals. But truth be told, while many Democrats forfeited debate with anti-welfare Reaganites because they were afraid of the fray, other Democrats simply conceded the argument, helping to turn Moynihan’s dicta into popular “wisdom.”

The anti-feminist and anti-welfare consensus could not have formed without Democratic participation. Moynihan continued to set the tone, although he was hardly alone. In 1985, in a major address at Harvard University that he later published as the book *Family and Nation*, he revisited and reinterpreted the Moynihan Report from twenty years before.<sup>68</sup> He omitted the most outré language from the report about men’s need to “strut,” and also downplayed his prior call for massive educational and employment investments to enable African American men to head their families and to help families avoid poverty. Moynihan focused instead on gender, sex, and poor people’s choices about intimacy. He claimed that a tight link that had once prevailed between overall prosperity and the poverty rate had broken since 1965, and that the phenomenon could be explained by behavioral or moral characteristics—chiefly, the propensity of poor and nonwhite people to bear and raise children outside of wedlock. Moynihan claimed nonmarital parenting was both a cause of poverty and a social problem in itself. He muted other explanations for the gap between “normal” economic well-being and

that of African American families, such as racial discrimination, disproportionate rates of incarceration, and the hyperexploitation of many working women of color. The *New York Times* declared in an editorial that the speech was a landmark, a brilliant intervention into public policy.<sup>69</sup>

Moynihan's moralism, which ignored the facts that a quarter of the U.S. population used means-tested public programs and used them as designed, prevailed through the welfare reform debates of the 1980s. It shaped the last major national legislative change in cash welfare before PRWORA. Moynihan himself was the primary author of this legislation, the Family Support Act of 1988, a reform that the remaining welfare rights activists and advocates in the United States considered dramatic and draconian although PRWORA subsequently made it seem fairly modest. The primary difference between Republican and Democratic versions of welfare moralism in this period was that Republicans, echoing policy intellectuals Gilder, Murray, and Mead, blamed government programs themselves for producing the supposed gender crisis in impoverished families and communities, while Moynihan and his allies who leaned Democratic largely blamed gendered arrangements for producing the need for government programs. The politically engaged scholars Mary Jo Bane and David Ellwood argued, in studies cited in Moynihan's *Family and Nation* and in Ellwood's *Poor Support* (1988), that the different welfare grant levels in different states represented a "natural experiment" of the effect of public aid on poor women's and men's choices: because there was no predictable statistical relationship between AFDC grants and rates of teenage and nonmarital parenting, then welfare could not have caused those phenomena.<sup>70</sup> But that did not mean that public assistance was to be left alone, or that government officials should not concern themselves about poor women's sexual, marital, and parenting choices. Ellwood continued to find the moral hazard in AFDC (but not other public welfare programs) significant; *Poor Support* included a proposal for dismantling women's entitlement to support by placing a time limit on their access to the program.<sup>71</sup>

The debates that helped produce the Family Support Act were not only gendered. They were, simultaneously, deeply racist. Ellwood devoted three chapters of his book to what he identified as the problem of changing families, and an additional chapter to the challenge of "ghetto poverty." Although there was obvious slippage between the two, the distinction lay in the emphasis in the former on women, their bodies, and their choices, whereas the "ghetto" poor were stereotyped as black, male, criminal, and threatening to middle-class culture in a more immediate way than were women raising

children outside of wedlock.<sup>72</sup> Sociologist William Julius Wilson, whose influence on the debate is difficult to overstate, examined “ghetto poverty” exclusively. Again bypassing the normal, explicable, general picture of poverty and public assistance, he wrote compellingly about the sometimes illegal and self-destructive behavior that occurred in small, statistically aberrant communities in which few people had decent jobs. Wilson’s book *The Truly Disadvantaged* (1987), and a related series by journalist Nicholas Lemann in the *Atlantic Monthly* magazine, did as much as anything else to fuel anti-welfare politics by changing the subject from the economic circumstance of poverty to the behavior of poor people—behavior that readers inevitably interpreted through the lens of their stereotypes about women, African Americans, and the poor.<sup>73</sup> As they were for Moynihan, men and masculinity were for Wilson at the center of the problem and the source of its solution: economic conditions and men’s bad choices, together, left poor, African American neighborhoods with a paucity of what he termed “marriageable males” and therefore created women’s and children’s distress.<sup>74</sup> Rather than defend the anti-poverty policies that extended what lifeline there was in urban communities awash in postindustrial poverty, Wilson saw the solution to women’s circumstances in a far-off, social-democratic program of education, training, and employment directed at men.

The Family Support Act of 1988 was in many ways a rehearsal for PRWORA. In a reverse of the later pattern, the Family Support Act emerged from a Democratic Congress and was signed by a Republican president. It received critically important support from the self-styled centrist Democratic group the Democratic Leadership Council and from the National Governors Association, both led by Governor Bill Clinton.<sup>75</sup> The history of its passage reveals that leaders of the two major parties disagreed on matters of emphasis but fundamentally shared an analysis of the problem they were trying to fix. They agreed, too, on the necessity of “reform,” a word that encoded the same “picayune cruelties” and drive to cut spending that A. J. Liebling had analyzed decades earlier. Its most distinctive feature followed William Julius Wilson’s emphasis on masculinity and paternity without the social investments he recommended. The Family Support Act dramatically increased the involvement of the national government in paternity establishment and child support enforcement. This reprised the principles of the NOLEO requirement from the Eisenhower era and expanded the power of the national Office of Child Support Enforcement, which Congress had created in 1974. Under the new law, states were required to withhold money from the wages

of absent fathers to support their children and were penalized for failing to establish paternity in a substantial number of cases.<sup>76</sup> The other major portion of the legislation, less distinctive but equally significant for poor people, was a program of work mandates and promised investments in education and services. The Job Opportunities and Basic Skills (JOBS) program replaced and reprised WIN/WIP from the 1967 welfare law. Like that earlier effort, it both federalized and placed a rehabilitative gloss on the kind of forced work that states had once faced federal opprobrium for applying on a smaller scale and more openly discriminatory basis. However, one bright spot of the law was that it contained a definition of “work” that included full-time participation in work training or school, including in advanced programs and four-year colleges.<sup>77</sup>

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Intellectuals and politicians who reformed welfare in the period from the 1930s to the 1980s apparently believed their prescriptions were new each time they offered them. They proceeded as though confident that the policy shifts they endorsed would end an old and acrimonious national debate. But stubborn ideas about gender, race, poverty, and disability made the debate endlessly recursive. Almost regardless of which party held the majority in Congress or the White House, legislative innovations presented with the greatest fanfare proved to be retreads of earlier models. The only major changes in understanding and approach occurred at the relatively brief moments during which people who relied on public aid, themselves, authored welfare reform. The Family Support Act of 1988 was the last great push to reform AFDC and quiet the gender trouble it represented to so many observers.<sup>78</sup> If Daniel Patrick Moynihan’s analysis of the problem had been correct, then the law might have improved intimacy and parenting in impoverished neighborhoods, relieved poverty, saved AFDC, and rid Democrats of the need to defend the program from its critics. In the end, its effects were mostly nil or negative: too underfunded to change poverty or poor people’s choices, the law stoked even greater acrimony among politicians, who heaped even more aspersions on welfare families and the people who stood with them. All this set the stage for the political rise of the Family Support Act’s backstage champion, Bill Clinton of Arkansas.