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Reframing the Welfare Debate: Advocating for the Poor in the 1990s

*Andrew L. Barlow**

For those of us who still care about the desperately real problems of poverty in this country, these are grim and even potentially disorienting times. Congress and the White House have in recent months begun a full-scale revamping of the basic framework of welfare programs for the poor. Under the guise of welfare "reform," a bi-partisan agreement is emerging to place time limits on welfare benefits for individuals and families, and to cut programs for the elderly, people with disabilities, immigrants and the ill.¹ Further, in his 1996 State of the Union Address, a Democratic President had just declared the end of the "era of big government,"² raising the possibility of the end of the welfare state itself. For these reasons, I came to the Hastings Women's Law Journal Symposium on welfare reform with a heavy heart, hoping to learn what advocates for the poor might do to orient ourselves in this new period.

The results of the full day of deliberations with a thoughtful and serious group of scholars, legal practitioners and community activists exceeded my expectations. Instead of the usual onslaught of disconnected papers and

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1. See H.R. 4, 104th Cong., 1st Sess. (1995) (eliminating several federal entitlement programs, creating block grants to individual states and allowing states to limit or deny benefits) (now enacted as The Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRAWORA), Pub. L. No. 104-193, 110 Stat. 2105 (1996), H.R. 2202, 104th Cong., 1st Sess. (1995) (eliminating and limiting benefits to documented immigrants), S. 269, 104th Cong., 1st Sess. (1995) (eliminating and limiting benefits to documented immigrants), S. 1394, 104th Cong., 1st Sess. (1995) (eliminating and limiting benefits to undocumented immigrants).

2. President William J. Clinton, *State of the Union Address*, Jan. 23, 1996, available in LEXIS, Nexis CURNWS Library, ABC Breaking News, Trans. # 22-1.

comments, this Symposium produced an intensive and surprisingly intimate process that allowed people concerned with the future of state services for the poor to look at their assessments of the current period and their proposals for the future from a number of different perspectives. The Editors made a wise decision by inviting to this Symposium legal scholars who are driven by the current debate in the world of welfare policy and legal practitioners and community activists who are driven by their urgent sense that the poor in the United States are in deep trouble, and are searching for new solutions. This mix, I believe, was felicitous for all. Policy analysts trying to stem the tide of cutbacks to poverty programs find themselves arguing over options in an increasingly narrow and, for some, a morally compromised terrain. Advocates for the poor are often cut off from the debate over public policy, and too often are only able to offer abstract moral admonishments in the face of the current political and economic reality. This Symposium went beyond this traditional and tragic division, and began to offer glimpses of the possibilities of combining efforts to create welfare policy with efforts to build community-based organizations among poor populations, and the indispensable link between both tasks.

In one way or another, all of the presenters at this Symposium argued against the current movement to redistribute resources away from the poor. Three different approaches were suggested as outlined below. Some presenters advocated recasting the current moral context of the welfare debate by replacing aid to mothers as the justification for the programs with aid to children, or by assisting the poor through universal entitlement programs such as social security and unemployment insurance and negative income tax reform.³ Others suggested recasting the debate not through policy arguments but through political empowerment of the poor.⁴ And one presenter advocated blunting the generalized attack on all welfare recipients as "undeserving" by recasting the issue of the deserving and undeserving poor.⁵ This would be done by more rigorously differentiating between those who need relief because of temporary, and structurally rooted problems such as spousal abandonment and joblessness, and those who need

3. See generally Joanna Weinberg, *Caregiving in the American Welfare State: Marginalizing the Work of Women*, (on file with *Hastings Women's Law Journal*); see generally Jill Duerr Berrick, *From Mother's Duty to Personal Responsibility: The Evolution of AFDC*, 7 HASTINGS WOMEN'S L.J. 257.

4. See generally Mark A. Aaronson, *Scapegoating the Poor: Welfare Reform All Over Again and the Undermining of Democratic Citizenship*, 7 HASTINGS WOMEN'S L.J. 213; see generally Tanya Broder & Clara Luz Navarro, *A Street Without an Exit: Excerpts From the Lives of Latinas in Post-187 California*, 7 HASTINGS WOMEN'S L.J. 275.

5. See generally Neil Gilbert, *Welfare Reform: Implications and Alternatives*, 7 HASTINGS WOMEN'S L.J. 323.

relief because they are never-employed, young single mothers.

As the stimulating papers in this issue demonstrate, all of these approaches can be justified if assumptions about poverty, the state and society are accepted. For this reason, it is useful to situate welfare reform proposals in the political and economic conditions in which the current debate is taking place. For it is this larger context that informs us of the possibilities and limits of advocacy for the poor in this period.

THE POLITICAL AND ECONOMIC CONTEXT FOR THE ATTACK ON WELFARE

The assault on the welfare system has arisen at the time when the collapse of the middle class as the basis for social order has become a real possibility. The middle class order is an economic, political and ideological construct that became hegemonic in the United States in the unique geopolitical context of post-World War II capitalism.⁶ It was in this era that the idea that everyone could earn a “family wage,” own a private home, and go to college became the sine qua non of the American Dream. The victory of this concept of the “good life” was bolstered by unparalleled domestic economic expansion (fueled by U.S. dominance of the global economy), the growth in social and private entitlements promoted by corporate elites and the state, and the McCarthy era suppression of working class politics that offered a different view of capitalist society.⁷

The post-war economic boom—measured in terms of the rising standard of living of the majority of the U.S. population—ended in the 1970s.⁸ Driven to increase their profits, U.S. corporations began to drive down real wages by relocating jobs in non-unionized regions (suburbs, the Sunbelt, and off-shore), cutting benefits, reducing the proportion of full-time jobs, ending job security, etc.⁹ The 1980s and 1990s saw a remarkable transformation of the U.S. class structure. The rich got richer and the poor got poorer faster than at any time in U.S. history.¹⁰ And the middle became fragmented, with a minority becoming better off, and a majority finding it increasingly difficult to afford a home, or college tuition, or even to hold down a stable job.¹¹ The growth of two-worker families, with its attendant crisis of childcare, put enormous strains on the very idea of the

6. MIKE DAVIS, *PRISONERS OF THE AMERICAN DREAM* 181-206 (1986).

7. BARRY BLUESTONE & BENNETT HARRISON, *THE DEINDUSTRIALIZATION OF AMERICA* 111-39 (1982).

8. David M. Gordon, *Chickens Home to Roost: From Prosperity to Stagnation in the Postwar U.S. Economy* in *UNDERSTANDING AMERICAN ECONOMIC DECLINE* 42-64, (Michael A. Bernstein and David E. Adler eds., 1994).

9. *Id.* at 42-45.

10. SHELDON DANZIGER & PETER GOTTSCHALK, *AMERICA UNEQUAL* 33-66 (1993).

11. Robert B. Reich, *The Fracturing of the Middle Class*, *N. Y. TIMES*, Aug. 31, 1994, at A20.

middle class family structure.¹² The problems once associated with being poor now afflict a majority of the U.S. working population.¹³

Poverty in this era of decline has also taken on a qualitatively new feature: the loss of entry-level jobs in industrial cities—indeed, firms' wholesale abandonment of urban cores—has left millions of inner city poor structurally isolated from any realistic prospect for stable employment.¹⁴ Further, the impact of this economic decline has been thoroughly racialized, with jobs leaving minority-dominated cities to white suburbs, and with increasing educational requirements benefiting whites who had the historic privilege of access to higher education.¹⁵ In ghettos, barrios, Chinatowns and reservations, the new "social services" are police and prisons, replacing education, social services, health care, job training programs, and subsidized housing.¹⁶

The so-called "reforming" of entitlement programs for the poor is itself an important component of the political project to dismantle the welfare state. The social costs of regulatory and redistributive programs apparently have become more than post-industrial capitalism can or will bear. The wholesale assault on everything from environmental and anti-trust regulations to Social Security and Medicare prefigures a new conception of the role of the state in U.S. society.¹⁷ Many corporations and wealthy individuals now see the welfare state as a fetter on economic growth, and rather than bearing a responsibility for society, they now demand relief from tax liabilities and regulatory restrictions on their activities.¹⁸ In this new era, the role of government has shifted from expanding the middle class to defending those who had previously achieved prosperity from those who have not.¹⁹ While social programs and economic regulations are being slashed, funding of police and prisons is soaring.²⁰ And, while civil rights

12. ARLIE HOCHSCHILD, *THE SECOND SHIFT* 11-21 (1989); see generally ROSABETH MOSS KANTER, *WORK AND FAMILY IN THE UNITED STATES: A CRITICAL REVIEW AND AGENDA FOR RESEARCH AND POLICY* (1977).

13. See generally KEVIN PHILLIPS, *THE BOILING POINT: DEMOCRATS, REPUBLICANS, AND THE DECLINE OF MIDDLE CLASS PROSPERITY* (1994).

14. Rhonda Williams, *Accumulation as Evisceration in READING RODNEY KING/READING URBAN UPRISING* 82 (Robert Gooding-Williams ed., 1993).

15. *Id.* at 90-93.

16. WILLIAM J. WILSON, *THE TRULY DISADVANTAGED* 20-62 (1987); Melvin L. Oliver et al., *Anatomy of a Rebellion in READING RODNEY KING/READING URBAN UPRISING* 117, 120-30 (Robert Gooding-Williams ed., 1993).

17. CLAUS OFFE, *DISORGANIZED CAPITALISM: CONTEMPORARY TRANSFORMATIONS OF WORK AND POLITICS* 62-67 (1985).

18. A.B. Atkinson, *The Welfare State and Economic Performance*, 48 NAT'L TAX J. 171 (1995).

19. See generally JOEL KREIGER, *REAGAN, THATCHER AND THE POLITICS OF DECLINE* (1988).

20. William Chambliss, *Crime Control and Ethnic Minorities: Legitimizing Racial Oppression by Creating Moral Panics in ETHNICITY RACE AND CRIME* 235, 239-41 (1995).

laws are being gutted, mandatory minimum sentencing and capital offenses are mushrooming.²¹

The current attack on the welfare system, while far from symbolic to poor people, is thus a manifestation of this larger political project. The effort to depict welfare recipients as pathological or immoral long-term dependents who are undeserving of (and even harmed by) public support promulgates the cheery but unsustainable myth that the economy produces enough jobs, and that those who have the right values can prosper through their own efforts. By blaming the welfare system for "welfare dependence," critics also make the case for the destruction of public programs of all types. It is no accident that this project specifically depicts women of color as the problem. Women of color have endured centuries of being labeled the immoral and undeserving of this society.²² This mobilization of class, race and gender provides the strategists of decline management a symbol that surpasses even Willie Horton.²³ To the extent that this demonization of poor people is accepted, the working population that thinks it is middle class (and not poor) is diverted from focusing on its own experience of growing poverty, i.e. the loss of jobs and services and the rising cost of housing and health care that is grinding down not just the poor but the so-called middle class as well.²⁴

ADVOCATING FOR THE POOR IN THE 1990S

What does this assessment then tell us of the different strategies for reforming welfare that were discussed at this Symposium? I am left with the conviction that efforts to reframe the welfare debate by raising new policy arguments, whether they recast the issue of who is "deserving" or attempt to find universalistic principles to develop programs to alleviate poverty, are by themselves going to achieve very little. This is because the debate over welfare is taking place amid, and is part of, a historic transformation of the U.S. class structure and the role of the state (and of personal responsibility) in U.S. society. Does this mean that advocates for

21. *Id.* at 235.

22. See generally RACE, GENDER, AND POWER IN AMERICA: THE LEGACY OF THE HILL-THOMAS HEARINGS (Anita F. Hill & Emma C. Jordan eds., 1995); see also JILL QUADAGNO, THE COLOR OF WELFARE: HOW RACISM UNDERMINED THE WAR ON POVERTY (1994) (The author discusses the uses of racism to undermine welfare policies from the 1930s to the 1980s).

23. In the 1988 Presidential Campaign, George Bush used a blatantly racialized TV spot to attack opponent Michael Dukakis' alleged liberal proclivities. The advertisement depicted Willie Horton, a black convict in Dukakis' Massachusetts prison system, who raped a white woman and killed her husband while released on a weekend furlough. Shown every fifteen minutes at prime time in the South and other regions for a month before the election, the Willie Horton ad has become the symbol of race baiting in modern American politics.

24. A similar point about the myth of the black criminal is made by Chambliss, ETHNICITY, RACE AND CRIME, *supra* note 20, at 235-57.

the poor can do nothing in the current welfare debate? No it does not. But the new and hostile conditions I have described do require developing new strategies appropriate for this era.

First and foremost, advocates must recognize that we are fighting defensive battles to save vestiges of welfare programs. In an era where once-discredited ideas like workfare have bi-partisan support, we cannot count on liberal office holders to uphold programs to assist poor people. The main task of advocates for poor people in the current welfare debate is to assist in the long term political mobilization of poor people themselves.²⁵ The vision of an advocacy based in communities of poor, working class people leads to a different strategy in the welfare reform debate. Rather than focusing on immediate policy outcomes, this approach emphasizes the mobilization of political power of the poor as the main goal. However, mobilization of the poor is not an abstract slogan. It can only occur through the difficult day to day work of explaining to people the importance of engaging in the debate over such issues as welfare reform (or immigrant and refugee rights, or domestic violence, or affirmative action, or many other issues). In this sense, those who believe we must take up the policy issues as they are currently framed are right. The only question is how.

A skeptic might well argue that such grass roots mobilization cannot begin to alter the terms of the current welfare debate. And, in the short run, I would agree. But we are now only at the earliest stages of the post-welfare state era, and already we see the chaotic political realignments and de-alignments that typify this period. As the middle class order continues to unravel, there may well be new opportunities for the voices of the poor to be heard. As more and more now-middle class Americans feel the bite of underemployment, the inability to purchase a private home, or to afford a college education, or health care, it is possible that they will begin to question whether their conditions are so different from those now labeled poor. Under such conditions, a new class consciousness and political realignment in favor of downwardly redistributive programs is conceivable.²⁶ If advocates for the poor, and poor communities themselves, have the ability to articulate a new political vision for this nation, they may one day be able to play an important role in redefining the social order itself.

For myself, the main impact of this intense and stimulating Symposium

25. Arguments such as this were prominent, not surprisingly, in the early 1970s. See STUART A. SCHEINGOLD, *THE POLITICS OF RIGHTS: LAWYERS, PUBLIC POLICY AND POLITICAL CHANGE* (1974). This perspective was presented at the Hastings Symposium by Tanya Broder and Clara Luz Navarro of the San Francisco-based immigrant women's organization, *Mujeres Unidas y Activas*.

26. This vision for a poor peoples' movement can be found in MARTIN LUTHER KING, JR., *WHERE DO WE GO FROM HERE: CHAOS OR COMMUNITY?* (1967).

is to redouble my commitment to continue whatever efforts I can towards addressing the problems of poor people in this country. This Symposium is a call to conscience, and a call to action. I hope that you will read these important articles in this spirit.