

# Yale Law & Policy Review

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## Overview: Reconsidering Social Welfare Policy

### Introduction

Sen. Edward M. Kennedy\*

The *Yale Law and Policy Review* makes an important and timely contribution by devoting these two issues of its fourth volume to the renewed national debate over the Great Society and the course of social welfare policy in the United States in the years ahead.

The dialogue in these pages comes at a time when President Reagan, in his State of the Union Address for 1986, has registered concern over the condition of America's families and the problem of chronic welfare dependency, and has launched a search for new initiatives by directing the White House Domestic Council to report to him by December 1, 1986, with recommendations for "immediate action to meet the financial, educational, social and safety concerns of poor families."

By year's end, if not before, we may know whether the rhetoric of compassion is to be converted into action to alleviate the despair of broken homes and entrenched poverty, or whether we will continue the present drift of family disintegration, descent into poverty, and dismantling of the federal welfare and income-support structure that has marked the first six Reagan years.

In an unfortunate reversal of a two-decade trend, during a period of remarkably enduring prosperity, the number of persons living below the poverty line is shamefully high. The poverty rate for the population as a whole stands at 14.4% — 1.4 points higher than when President Reagan took office. These Americans, thirty-four million strong, are the new citizens of Michael Harrington's "Other

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America” — an America whose fortunes have fallen as the Dow Jones average has soared, and whose victims do not share in the new prosperity.

Some have suffered less than others. The elderly have their safety net in Social Security. Notwithstanding periodic assaults, Congress has held the line against major cutbacks in the Social Security system, with the result that poverty among the elderly has declined steadily since the mid-1960s to an all-time low of 15 percent today.

But the fate of children in America tells a different story. For them, the poverty rate, which fell from 27% to 14% in the 1960s, has soared to 22% in the past five years; for black children it is a horrendous 47%. Rather than putting children into the lifeboats first, we are using them as ballast.

The character of poverty is not only disproportionately young, but disproportionately female. In 1984, 61% of poor adults were women; more than three quarters of all the poor were either adult women, or children under 18. The poverty rate for children in female-headed households was 54%.

Too easily, too many of us have simply forgotten the problems of the poor, as if the continent of the Other America had been discovered in the 1960s and then disappeared like a vast mirage.

But it is still there for anyone to see who cares to look. Average unemployment is at its highest four-year rate since the end of World War II, and anti-poverty spending has been slashed. There are more poor people than at any time in the last twenty years and they are poorer than before. As Harrington wrote in 1984, we now have not only poverty, but “poverties” — “different subcultures of American misery” which include the old poverty of the 1960s, as well as a new poverty of the 1980s that can strike the middle class.

The question is, do we really care? Do we care about the documented expansion of a massive underclass and its growing challenge to the fabric of our society? If we do care — and we must — then this is a time when the lessons of the Great Society, its successes and failures, achievements and misdirections, are especially relevant.

In these pages, William Cannon provides a detailed personal account of the origins of the Great Society, with particular reference to the War on Poverty and the equal educational opportunity program. The difficulties he recounts are familiar — the impact of personalities, practical politics, and entrenched bureaucracies on the implementation of new social theory; the lack of clarity of purpose;

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the necessity of moving forward on the basis of inadequate information.

Cannon deftly identifies key differences between the Great Society and what he calls the “Successor Societies” of the present era. He describes the idea linking the New Deal, the New Frontier, and the Great Society as the enduring belief in the effectiveness of government, and in a conception of government as representing and organizing the fullest development of a society. Contrast this to the present administration, which often seems to believe that government is the problem, not the solution.

As Cannon argues, the Great Society was also distinctive because of its efforts to revitalize local government through Community Action Programs. Compared to that hands-on partnership between federal officials and local leaders, today’s new federalism and trickle-down economic philosophy offer only a hands-off approach that leaves state and local governments to fend for themselves.

In his piece, Michael Novak proposes a national family policy to strengthen the “intact married family,” based on evidence that two-parent households have a statistically lower incidence of poverty than single-parent households. His cogent essay on social invention asks, “Can we think of nothing to do?” He concludes that we are no less capable of social invention than our ancestors. In my view, the capability is there, but the commitment is not — or at least not yet in sufficient supply to act.

The failure to see the poor as they are leads to the error that has trapped those who find the problems of the poor forgettable because they seem intractable. Millions of people are poor today who were not poor five years ago. And they are poor, not because they have become comfortable in misery, but because mounting deficits blight the economy and deep program cuts further impoverish those in need.

Contrary to prevailing notions, poverty is not synonymous with dependency. Three quarters of the poor dig out of poverty within four years. For them — and they are the majority of the poor, white or black — poverty is not a way of life but a time of need, usually caused by unemployment, physical disability or divorce.

The long-term poor — who depend on welfare for longer periods — number about four million citizens, or less than 20% of all those who live in poverty. President Reagan’s references in his State of the Union Address to the “welfare culture” and the “spider’s web of dependency” offer hope that we will finally deal sensibly with the

paradox of a welfare system that promotes dependency over work. But we must also address the problems of the vast majority of the poor who are not chronically dependent on welfare; the generalization that welfare creates dependency should be clearly confined to the limited circumstances in which it is true.

Some have suggested the institution of a nationwide "workfare" program. Often, however, "workfare" becomes "makework" and does little to attack the basic problems of the welfare system. Edward Mattison's review notes the success that states such as Massachusetts and Connecticut are having with education and training programs designed to move the poor off the welfare rolls and onto payrolls by teaching them new skills. A key ingredient in the success of these "E.T." programs is their provision of satellite assistance for child care and transportation.

Over the past two years, 23,000 welfare recipients in Massachusetts have been placed in full-time or part-time jobs at an average wage of more than \$10,000 annually. The program reduced the number of Massachusetts families on welfare by nearly 10% last year, saved state taxpayers nearly \$70 million over the last two years, cut welfare to the lowest level in 12 years, and brought jobs, dignity, and independence to previously blighted lives. From his perspective as legal scholar and practitioner, Mattison provides an important antidote to the neo-nihilism of those who assert that government is the villain. Like President Reagan, Mattison is astonished when he reads the want ads. Of the 1,200 jobs listed in New Haven in February 1985, he counted only 13 that an unskilled male could reasonably hope to fill.

The goal of the neo-nihilists is to slash resources for domestic programs, even if the defense budget is restrained. But the relentless pursuit of budget cuts, even in the best programs, threatens new initiatives, and jeopardizes our enduring commitment to the fundamental principles of the Great Society. If the other side prevails, the next generation of Americans will be condemned to pay the cost of our neglect. The ultimate goal is not to support people, but to help them in their struggle to be self-supporting.

Thus, the Great Society is not a noble experiment that failed, but the foundation of a contemporary national commitment to deal more effectively with poverty, hunger, illiteracy, disease and other ancient ills that blight our modern society.

It cannot be denied that some programs have fallen short of expectations, and should rightly have been terminated. Good inten-

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tions cannot salvage bad results. We cannot and should not depend on ever higher tax revenues to roll in and redeem every costly program. Too much of the public housing built, too many of our public service jobs and public assistance programs, though nobly conceived, have done little to break the cycle of poverty and advance the goal of dignity and self-sufficiency.

But if we demand new ideas, we do so to fulfill our enduring ideals of caring and mutual concern. Not every new idea will work, and in domestic policy as well as defense policy, some new ideas will prove to be bad ideas. But that does not justify a failure to explore them.

The challenge is not to roll back the New Deal, the New Frontier, and the Great Society, and return to the former days of injustice. Surely that we can agree upon. The test of an idea should not be whether it is new or old, but whether it is right or wrong. There is nothing passé about our dream of equality of civil rights for all and equal rights for women. There is nothing outdated about our struggle to protect the environment. And there is nothing outmoded about the belief that the strong owe a duty to the weak, that the privileged have an obligation to the less fortunate, that we must strive for each other as well as for ourselves.

We have a proud tradition in America of a government that cares, that helps, and that is not afraid to mobilize resources to reach its goals. In the current eagerness to “get government off the backs” of the people, we must be careful that we do not merely turn our backs on those in need. We must preserve, rather than reject, the essential bond between government and its citizens. The Great Society was a giant step toward a better land, and these two issues — and the national debate that is now emerging — are preparing the way for the next great steps on the continuing American journey.