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## The Politics of Welfare: The New York City Experience

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THE POLITICS OF WELFARE: THE NEW YORK CITY EXPERIENCE. By *Blanche Bernstein*. Cambridge, Massachusetts: Abt Books. 1982. Pp. x, 220. \$22.

This country's welfare system has been the subject of continuing and critical debate. It has been characterized as inefficient, inadequate, overinclusive, underinclusive, ineptly administered and ill-conceived.<sup>1</sup> Blanche Bernstein's<sup>2</sup> *The Politics of Welfare* is another in a long line of books finding fault with the welfare system and calling for its reform. Bernstein ably illustrates a number of defects in the system, but her criticisms are not new and her solutions do not go far enough in the direction of true reform.

Bernstein draws a substantial portion of her critique from her own contacts and experiences with the welfare system and its politics. In addition, much of the data and many of the conclusions that she reaches derive from the studies of New York City public assistance policy that she conducted at the New School for Social Research.

Bernstein considers herself an ideological moderate seeking to tread the narrow path between unquestioning liberal advocacy for the poor and uncaring fiscal conservatism. She portrays herself as a devoted but oft-maligned public servant who is truly concerned about the welfare of the poor, but who at the same time is trying to respond to legislative and public concerns about fraud, ineligibility, and fiscal constraint. Carrying this heavy and quite noticeable "ideological baggage" (p. 82), Bernstein sets out to prove her central thesis: that welfare politics in the last two decades have been dominated by a small group of advocates whose views about welfare programs reflect the opinions of a minority of our citizenry (p. 13), and whose policies have ignored "program integrity" while fostering continuing dependency.

To Bernstein, program integrity entails administration of the welfare system in a way that serves only those who need assistance because they are unable to support themselves. The system maintains its integrity when it supports those who are in need without giving able-bodied adults a "free ride." The lack of work requirements and the difficulties inherent in determining eligibility are two of the problems which, according to Bernstein, prevent the achievement of program integrity.

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1. *See, e.g.*, M. ANDERSON, *WELFARE* (1978); M. COFER, *ADMINISTERING PUBLIC ASSISTANCE: A CONSTITUTIONAL AND ADMINISTRATIVE PERSPECTIVE* (1982); J. HANDLER, *REFORMING THE POOR: WELFARE POLICY, FEDERALISM, AND MORALITY* (1972); F. LEVY, *THE LOGIC OF WELFARE REFORM* (1980).

2. Bernstein was formerly Deputy Commissioner for Income Maintenance for the New York State Department of Social Services (1975-1978) and Commissioner of New York City's Human Resources Administration (1978-1979).

Bernstein found that at least in New York, a state with a large urban population, the percentage of people receiving assistance who were in fact ineligible was much higher than welfare advocates were willing to admit (pp. 22-25). Her efforts to curb the rising welfare caseload of the 1970's by developing and enforcing various methods of verification led, she claims, to significant cost reductions and to the ferreting out of those with alternative and hidden sources of income (pp. 26-28). Bernstein found more than once that her efforts enabled the state to close a significant number of welfare payment cases, nearly half of which remained closed for six months or more (pp. 26-27). Thus, Bernstein believed she was purging the welfare rolls of ineligible recipients.

Bernstein also believes that requiring welfare recipients to work is an element of program integrity. According to Bernstein's calculations, welfare recipients in New York received payments and benefits equivalent to that earned by "an independent working family of modest means" (p. 33). Because welfare advocates had decried work requirements as not feasible — due to the minimal number of both available jobs and able-bodied welfare recipients — or too costly, welfare recipients were being given the attractive option of remaining on welfare while declining job offers. Bernstein finds the arguments of welfare advocates unpersuasive and instead urges that the large number of able-bodied welfare recipients be required to work even if their skills and available training relegate them to performing only unskilled or semi-skilled tasks (pp. 45-46). Bernstein argues both that these jobs are important to the functioning of our economy and that the integrity of the system demands that those able to work do so in exchange for the assistance they receive.

Both ineligibility and the work requirement are longstanding concerns of those evaluating the welfare system.<sup>3</sup> The issue of ineligibility arises as a product of the twin goals of providing assistance to those who need it, while withholding assistance from those who do not.<sup>4</sup> Measures that tighten up the system so as to ensure that no ineligible applicants receive assistance often make the application process itself so difficult that eligible recipients are also deterred from applying. The issue of a work requirement for welfare recipients presents a choice between promoting job training and skills, or instead simply requiring welfare recipients to work in exchange for assistance payments.<sup>5</sup> If repayment is what is sought, welfare recipients should be made to take any jobs that are available, no matter

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3. In fact, F. LEVY, *supra* note 1, discusses many of the same problems, including the need for family stability and better program administration.

4. See F. LEVY, *supra* note 1, at 41.

5. See J. HANDLER, *supra* note 1, at 137; Zall & Bethel, *The WIN Program: Implications for Welfare Reform and Jobs Organizing*, 13 CLEARINGHOUSE REV. 272, 281-82 (1979).

how menial. If training is the goal, welfare recipients cannot spend their energies and time primarily in low-skill jobs. Bernstein's balancing of these concerns strongly prefers cost effectiveness to program outreach, and work-in-exchange-for-assistance to job-training and less work.

More interesting than Bernstein's analysis of program integrity is her contention that the current welfare system fosters continuing dependency. Based on her finding that only a small percentage of welfare cases consist of intact families, she concludes that the intact family is the single most important factor in preventing dependency (p. 154). She further concludes that the availability of substantial welfare benefits adversely affects family stability. Fathers who are aware that their families will be supported by the state feel no obligation to stay with or continue to provide for them. Similarly, mothers who do not need two incomes because of the availability of welfare assistance are less worried about economic survival as single parents (p. 157).

Bernstein's solutions are to enforce more vigorously the payment of child support by absent fathers,<sup>6</sup> and to conduct in-depth studies of societal attitudes to determine what other measures will promote family stability. Bernstein here as elsewhere indicts the destructiveness of past welfare politics: in New York City, community advocates and Family Court judges were able to block legislative measures that would have increased the government's ability to establish paternity and collect support payments (pp. 68-83).

Bernstein attacks welfare policymaking that has consisted of "vociferous reiteration of entrenched positions" (p. 163) and has obstructed reform efforts. She portrays a legislature that has been slow to respond to public concerns about program integrity and dependency, and an administration of welfare policy that has often perverted legislative intent. Thus, Bernstein seeks an alternative that will provide room for more constructive discussion and permit the action necessary to achieve program integrity, reduce dependency and provide adequate assistance to those who need it.

Yet, while Bernstein raises legitimate concerns about the way in which the democratic process balances the welfare system's competing goals, she overstates both her own objectivity and the power of the poor. Bernstein is really no different than the welfare advocates she criticizes; she, too, has chosen to emphasize certain policy concerns over others and to ignore the problems inherent in some of her solutions. Further, Bernstein's proposal for addressing the problem of special interest groups' influence on policy making at various gov-

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6. The state typically awards a welfare grant to a family and then collects child support payments from the father to reimburse itself for such costs.

ernment levels — a simple exhortation for constructive discussion — seems woefully inadequate.

Further problems with Bernstein's analysis include conclusions that lack adequate support. For example, Bernstein believes that the failure of welfare recipients to respond to notices requiring redetermination of eligibility or registration for a job reflects hidden sources of income and actual ineligibility (p. 27). Other explanations seem equally likely, however: illiteracy, misunderstanding of what is required, or the mistaken belief that ineligibility has already been determined. In any event, Bernstein fails to present any proof to support her conclusions. Indeed, her statement that usually half of the case closures remain closed for six months or more (pp. 26-27) suggests that many cases are being reopened. While the state saves money, eligible welfare recipients may lack adequate support due to some misunderstanding. Even more suspect is Bernstein's belief that increased enforcement of child support will help maintain intact families by deterring fathers from leaving them. Bernstein points to little empirical evidence that the threat of vigorous child support enforcement will indeed prevent families from breaking up.<sup>7</sup>

Finally, Bernstein fails to go far enough in her proposed solutions to the problems she identifies. While advocating work for all able-bodied welfare recipients and supporting job and skills training programs, Bernstein lightly brushes off many of the problems of "workfare" requirements in the current system.<sup>8</sup> Job training programs have not received much legislative support,<sup>9</sup> in spite of repeated evidence that welfare recipients want to work.<sup>10</sup> Yet, given the low skill-levels of many welfare recipients, the absence of such programs means that a work requirement will lock them into the secondary labor market and marginal employment.<sup>11</sup> Such a work requirement will actually further long term dependency on welfare because these marginal jobs, if available, will not alone provide an income sufficient to support dependent families — a fact that Bernstein implicitly admits (pp. 146-47). Yet Bernstein stops short of calling for an all-out jobs training program. She also fails to address the very real problems of advocating and implementing such a program.

Bernstein's promotion of family stability also does not address

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7. For example, Bernstein cites a Senate Committee on Finance *conclusion* that vigorous support collection will deter desertion, without discussing any underlying empirical evidence, p. 66, despite the fact that this conclusion was forcefully attacked by the Community Council of Greater New York. P. 69.

8. See pp. 36-47; Polangin, *Conscripted Labor: Workfare and the Poor*, 16 CLEARINGHOUSE REV. 544 (1982).

9. See Polangin, *supra* note 8, at 546.

10. See Anderson, *WIN: From Both Sides Now*, 13 CLEARINGHOUSE REV. 584, 584 (1979).

11. See Zall & Bethel, *supra* note 5, at 281.

the welfare system problems adequately. As Bernstein points out, our country is experiencing an increase in the number of single-female-headed households (p. 5). But Bernstein presents no proof that the welfare system causes this phenomenon, and she offers no methods of promoting intact families, other than by enforcing child support and by studying cultural attitudes. Enforcement of child support payments has not been shown to decrease welfare dependency, however, and more studies of attitudes about obligations to support dependents seem unlikely in themselves to promote family stability.

What Bernstein is in fact suggesting is a need for a change in the society itself — a change in the way families are structured and support themselves. Unfortunately, Bernstein never admits that she seeks such thorough going change, and as a result, she presents no realistic means of dealing with family instability and the welfare dependency it may cause.