

Negotiating Welfare Reform: A Conventional Narrative Re-Visited:

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BOSTON COLLEGE

**Negotiating Welfare Reform:
A Conventional Narrative Re-Visited**

A Senior Honors Thesis

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NEGOTIATING WELFARE REFORM:
A Conventional Narrative Re-Visited

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Preface & Acknowledgments

I first encountered anti-poverty policy, albeit indirectly, in a course entitled American Federalism in the Fall of 2014 with Professor Marc K. Landy. We began the course with the *Federalist Papers* and *Democracy in America*; we finished the course with subjects such as ‘No Child Left Behind’ and welfare reform. It was the latter upon which I seized.

To me, the politics of the welfare reform legislation of 1996 encapsulated timeless truths of American politics at both the state and national levels, and the underlying subject matter dealt with poverty and our collective response to it. Thus, to me, welfare represented our national effort to improve the lives of low-income Americans and to address questions of the ‘common good’ within our political framework.

However, the long story of cash-aid welfare, from the program’s inception during the New Deal to its radical re-constitution in 1996, is that government assistance must engage the values of *security* and *opportunity* as well as *responsibility*.¹ From the 1980s, policy-experts and the public have begun to reflect the ageless understanding that productive activity describes what it is to be human. And therefore, government assistance that does not depend, in some way, on a recipient’s contribution to the world around her is not only unfair, but also it demeans the ‘whole person.’ This notion was critical in the transformation of Aid to Families with Dependent Children – an entitlement cash dispersal program for low-income single-mothers – into Temporary Assistance for Needy Families. The program that endures under contemporary law is centered on a work requirement as a condition of aid, and it remains a pillar of our national effort to ensure that no citizen encounters destitution.

I suppose it was both the subject matter as well as the politics of welfare reform that drew me to write the proceeding senior honors thesis. I was enamored of the program’s transformation because it seemed to reflect the *modus operandi* of American policy-making: define the objectives (e.g., require work, promote self-sufficiency, alleviate poverty); confine the political space; and, negotiate among the actors until a mutually palatable product emerges. Amid congressional gridlock and fractious political parties, moments of bipartisan (even nonpartisan) greatness inspire the student of politics. The policy formation process for welfare reform in 1996 suggested to me such a moment, when political currents converged with elite-level consensus on program improvement so as to accord with values of opportunity, responsibility, and security. Furthermore, this moment is of contemporary significance as well. It suggests that federal assistance programs, broadly speaking, must accord with the

¹ See: Lawrence Aber et al., “Opportunity, Responsibility, and Security: A Consensus Plan for Reducing Poverty and Restoring the American Dream.” Washington, D.C.: American Enterprise Institute for Public Policy Research/ Brookings Institution, 2015. <https://www.brookings.edu/wp-content/uploads/2016/07/Full-Report.pdf>.

“consensus” described in this thesis, and it offers lessons about process. For instance, successful policy formation occurs when public opinion aligns with elite opinion. If this balance is off kilter, not only will the initiative fail to achieve its intended objective, but also it will be subject to continued *politicization*.

I must thank several individuals who supported me in this project, as well as those who have been formative in my undergraduate education at Boston College. To Dean Candace Hetzner, who will always be ‘Her Professorship’ to me, I owe immense gratitude for continued guidance and the suggestion of innumerable opportunities. Professor Hetzner has offered her counsel on every major decision I have made since my freshman year. She is shrewd and wise and will always have my praise. To Professor Landy, who is something of a sage, I must thank for sparking my interest in American Politics and for honing my appreciation of the principles of federalism as articulated in the Founding. He served me as a most astute thesis advisor.

Also, it would be prudent to thank Ms. Julia Hughes of O’Neill Library for her helpful suggestions with respect to congressional testimony during the formation period of welfare reform. Many thanks to my other academic mentors, who supported me along the way at Boston College: Professors Dennis Hale, Jennie Purnell, R. Shep Melnick, Eileen Sweeney, Aspen Brinton, Antonia Atanassova, and Harold Petersen.

Lastly, I must thank my friends and family for their co-curricular support from the start of my time at Boston College. From the beginning, my thanks to the ‘Dirty F,’ to the men (and women) of ‘617’ and ‘617.2,’ and to my friend and colleague and occasional intellectual sparring partner, Kosta Karamanakis. My thanks and my love to my mother and father, brother and sister, and my other mentors at home in Florida.

J.A. Pino
3 April 2017

“Negotiating Welfare Reform: A Conventional Narrative Re-Visited”

Chapter I: Introduction: The Politics of Welfare and Reform

In 1996, President Bill Clinton signed into law the Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA). Its principal feature was recasting Aid to Families with Dependent Children (AFDC) – a 1930s ‘New Deal’ program designed to provide cash-aid predominantly to low-income single-mothers with dependents – into Temporary Assistance for Needy Families (TANF). The new law subjected recipients of cash-aid to a work requirement, permitted states to provide the provision of aid for a *maximum* of five years, and ‘block-granted’ the other aspects of the program to the states to encourage flexibility and innovation. These three signature features, among many others, radically reconstructed the vision of the ‘safety-net’ and the provision of American welfare. Some sharply criticized passage of PRWORA; some extolled comprehensive ‘welfare reform.’

Despite the contentious debate that occurred in the Congress, one theory of the passage of welfare reform that continues to remain influential today is that of an overwhelming ‘conservative backlash’ against government that occurred in the early- to mid-1990s. On this account, public discontent for the status quo of the welfare system (government failure, more generally) combined with an *issue movement* to the right on the topic. Political rhetoric focused on the growing caseloads, noting the number “on the dole.” Caricatures of the “welfare queen” and “deadbeat dad” painted broad strokes on the program’s recipients. Republicans overtaking the Congress in 1994, the “Contract with America,” and President Clinton’s overtures to “end welfare as we know it” are all central to this narrative.

However, this analysis of the reform that produced the complex legislation of the PRWORA is too simplistic, if not only “journalistic,” as Professor Lawrence M. Mead argues.¹ What I am concerned to do here is to present the policy formation process that eventually produced the finely-honed program, Temporary Assistance for Needy Families. The conventional narrative of conservative backlash minimizes the extensive academic and policy elite guidance that coalesced on the particular features of reform that eventually became part of the legislation. Welfare reform was inherently a political affair, but the content of the law cannot merely be understood as an issue movement to the right. This seems to suggest that legislation represented mere Republican ideas. The conventional account, in this way, does not see the policy innovations emanating from the states as sources of social science evidence that equally shaped university academics, think tanks, and Washington policy wonks, among others. The conventional narrative is troubled, for example, to explain the fact that those testifying before Congressional committees focused on “paternalistic” topics of program improvement in greater proportion than on “progressive” topics of lessening (or heightening) the scale of government.² The latter is a central part of the conservative backlash thesis.

Yet, before addressing the contours of my study and its central arguments, it would be wise to provide an overview of what is meant by American ‘welfare’ and ‘welfare reform.’ Equally so, I will provide a limited context of the constellation of forces in motion during the time of welfare reform. These two pieces enable a presentation of the political analyses of

¹ See: Lawrence M. Mead (2006), “Welfare Politics in Congress: Hearings,” (Philadelphia, PA: Address to American Political Science Association).

² *Ibid.* Mead uses the terms ‘progressive’ or ‘progressivism’ to indicate scale-of-government, or otherwise the space in which the questions ‘How much should the government do?’ or ‘What role should the federal government have in *x* matter?’ arise. I do not use this term, as it is often held as equivalent, in the popular lexicon, to the word ‘liberal’ or at least convokes the appearance of a politically left perspective. To avoid confusion, I replace ‘progressive’ with the clearer signifier of ‘scale-of-government.’ See: Jordan A. Pino, “Negotiating Welfare Reform: A Conventional Narrative Re-Visited,” Ch. IV, ff. 13.

reform that are considered during the course of this study, as well as the additional topics explored. Central to the argument of this thesis is understanding the ways in which the Congress, the White House, and the array of interest groups – from think tanks to religious organizations – *negotiated* the content of the legislation that ultimately passed.

WHAT IS WELFARE REFORM?

Far and away, ‘welfare’ was associated in the public mind with Aid to Families with Dependent Children, at least since the 1960s.³ As mentioned above, AFDC was a ‘New Deal’ program that was implemented during the Franklin D. Roosevelt years. It was passed within the behemoth Social Security Act of 1935, only one of several elements of the Democrat’s programmatic social insurance vision. Originally, it was a tiny program that built on older “mothers’ pension” and “widows’ pension” schemes.⁴ It was designed to guarantee that the children of “decent, but destitute mothers” could avoid orphanage and be raised by their own mothers.⁵ But, in time it grew into the vast array of programs structured to provide services and benefits to poor families more generally. This happened during the ‘War on Poverty’ of the 1960s – AFDC was realigned with other programs directed at low-income individuals, such as Medicaid, Food Stamps, and Supplemental Security Income. Ron Haskins argues that in conjunction with the War on Poverty programs, the other “entitlements” of the Social Security Act, such as Unemployment Compensation, Disability Insurance, and the principal Social Security retirement program are all central to the American welfare system.⁶ However, I hold

³ R. Kent Weaver (2000), *Ending Welfare as We Know It* (Washington, D.C.: Brookings Institution Press), p. 16.

⁴ Ron Haskins (2006), *Work over Welfare: The Inside Story of the 1996 Welfare Reform Law* (Washington, D.C.: Brookings Institution Press), p. 4; *Ibid.*

⁵ Weaver, *Ending Welfare*, p. 16.

⁶ Haskins, *Work over Welfare*, p. 3.

that ‘welfare’ attained its definition (as the AFDC program) amid recognition by the American public that low-income families were receiving cash-aid without ‘sufficient requirements’ *and* amid public debate about how to address this problem with appropriate reform.

Arguably, reform of welfare did not begin in the Congress, but rather in the courts. During the mid-1960s through the early-1970s, public interest attorneys started to use the court system to influence welfare policy.⁷ These attorneys exposed the gaps in the ways states treated AFDC’s target recipients, especially as it relates to eligibility requirements. A good example of this development is so-called “man-in-the-house” rules, which eliminated or reduced benefits to an AFDC recipient when a male resided in the same domicile. The courts held that this rule, in addition to residency requirements and several similar state statutes, were unconstitutional and, therefore, proscribed from law. This is mentioned only to detail where welfare *reform* attained its political origins.

As Kent Weaver notes, comprehensive, congressional welfare reform between 1969 and 1995 is “largely a record of failure.”⁸ Beginning in the 1960s, all AFDC metrics saw explosive growth – caseloads, program outlays, and participation rates all increased.⁹ In 1960, there were 3 million individuals (parents and children) receiving AFDC funds; by 1971 there were 10.2 million recipients.¹⁰ These kinds of levels raised warnings of crisis, which prompted political efforts to address reform. The first of these congressional efforts occurred in 1967, when the Congress created the Work Incentives Program (WIN). It required states to register

⁷ Weaver, *Ending Welfare*, p. 17; This development of public law litigation is not confined to welfare policy. The courts started to influence public policy on many topics starting in the 1960s and continuing today. School desegregation is a related example of an area in which the courts have been particularly influential, issuing complex and continuing structural injunctions that enjoin specific results as a matter of law. As it pertains to welfare, see: R. Shep Melnick (1994), *Between the Lines: Interpreting Welfare Rights* (Washington, D.C.: Brookings Institution Press).

⁸ Weaver, *Ending Welfare*, p. 54.

⁹ *Ibid.*, p. 55.

¹⁰ *Ibid.*

mothers considered “appropriate” for training and employment as well as all fathers receiving AFDC benefits.¹¹ However, the program suffered from poor enforcement – “few recipients were required to do anything beyond registering.”¹² Thus, an early effort to reduce AFDC caseloads by encouraging work failed.

At the beginning of the 1970s, President Richard Nixon adopted a reform proposal entitled the Family Assistance Plan (FAP), which provided a minimum income guarantee for all families with children of \$1,600 (for a family of four). Contingent upon this benefit was the requirement for recipients to participate in the AFDC-Unemployed Parent (AFDC-UP) program, which subjected FAP families to a quasi-work requirement for ‘heads of household.’ However, conservatives disliked the guarantee of income (despite its original influence from Milton Friedman’s Negative Income Tax proposal), and they considered the proposed work requirement too weak (there were to be implementation gaps that softened the work *requirement*). There was also a substantial “money trap” worry – FAP called for much higher federal spending. In the end, it never cleared the Senate Finance Committee.¹³

Welfare reform continued to flounder during the rest of the Nixon administration and during the Gerald Ford White House. President Jimmy Carter, however, pledged to “clean up the welfare mess,” and in 1977 his proposal was revealed. It was called the Program for Better Jobs and Incomes (PBJI), and it supported the replacement of AFDC, SSI, and food stamps with a “two-tier program providing different levels of income guarantees for those expected to work and those not expected to work.”¹⁴ The latter group was to be guaranteed an income of

¹¹ *Ibid.*

¹² *Ibid.*, p. 56.

¹³ See *ibid.*, pp. 57-60.

¹⁴ *Ibid.*, p. 62.

\$4,200 a year for a family of four.¹⁵ The major difference between FAP and PBJI is that Carter’s program called for a huge investment in public service jobs for AFDC recipients and the poor more generally, “up to 1.4 million of them at the minimum wage.”¹⁶ Despite Carter enjoying majorities of his own party in both houses of Congress, members worried about ‘moral hazard’ and ‘perverse incentives’ as well as the political implications of expanded benefits upon re-election. House Speaker Tip O’Neill decided to send welfare reform to a designated ad hoc subcommittee to develop comprehensive legislation. Ultimately, though, opposition from the more conservative Senate and lack of political will to support the contentious plan effectively killed the comprehensive effort. During the last two years of the Carter administration, welfare reform only fared marginally better – tighter legislative control led to an “incremental and less expensive” strategy.¹⁷ However, the Senate again killed alternative plans that narrowly passed in the House.¹⁸

When President Ronald Reagan attained high office, welfare reform entered a new stage. In the 1981 “Budgetary Blitzkrieg,” the Reagan administration passed specific program rule changes and reduced federal spending on AFDC by about 13 percent.¹⁹ But, it was not until after 1982 that the Reagan administration developed a more dramatic proposal to reform welfare. As part of his ‘New Federalism’ initiative, the Reagan administration proposed a program-swap with the states, where the federal government would assume responsibility for Medicaid (the fast-growing health insurance program for low-income families) in exchange for the states’ taking over responsibility for sixty-one federal grant programs. AFDC and food

¹⁵ *Ibid.*

¹⁶ *Ibid.*

¹⁷ *Ibid.*, p. 65.

¹⁸ See *ibid.*, pp. 60-6.

¹⁹ *Ibid.*, p. 68.

stamps were both central to this transition, and the plan emphasized Reagan's belief in devolving authority to the states as well as reducing federal outlays even further. Under New Federalism, AFDC was supposed to be a block grant to the states, where the contours of the program were largely within each state's purview. The plan never was approved by a hostile Congress, however. Conservatives attacked the Medicaid takeover, and states resisted responsibility for AFDC and food stamps amid economic recession. Advocates of the poor believed that Reagan's devolution plan would ultimately lead to a 'race to the bottom,' where AFDC recipients would be left worse off. Negotiations did occur (such as dropping food stamps from New Federalism), but by 1983 the welfare reform effort was dropped by Congress. While the Reagan Administration continued to press for devolution and focused on "traditional moral norms of paternal obligation," for instance, "the direction of change in AFDC policy had shifted modestly away from retrenchment."²⁰ Welfare reform would not be picked up again until President Reagan addressed the continued problems of welfare in his 1987 State of the Union speech.²¹

The Family Support Act of 1988 (FSA) represents the last major effort to reform welfare before it was comprehensively and radically re-evaluated in the 1996 PRWORA. Weaver describes the FSA as a "masterful" attempt to maneuver through welfare policymaking traps, such as the "money trap" (spending greater federal funds represents a political and budgetary challenge to lawmakers) and the "dual clientele trap" (welfare policy reform attempts to enjoin adult recipients to accomplish specific tasks and results, but it tries not to harm dependents in the process).²² Specifically, the FSA proposed incremental shifts towards

²⁰ *Ibid.*, pp. 68-70.

²¹ *Ibid.*, pp. 66-70.

²² *Ibid.*, p. 78.

AFDC reflecting a work orientation, and not an entitlement. And, lawmakers struck a number of compromises between the “contending approaches on how to achieve that goal.”²³ This meant structuring a number of carrots and sticks to encourage AFDC recipients to enter the workforce. An example of the former is provision of transitional childcare; the latter: a ‘JOBS’ participation requirement for women and workfare for AFDC-UP fathers.²⁴ JOBS is the Job Opportunities and Basic Skills training program that replaced 1967’s WIN. It attempted to move towards requiring AFDC recipients to work by enjoining states to provide such measures as jobs skills training, basic education, and transportation.²⁵ Workfare refers to the requirement that Reagan emphasized throughout the legislative negotiation process that one parent (meaning the unemployed father in such cases) must participate for at least sixteen hours in community work experience to continue receiving benefits in AFDC-UP families.²⁶

Haskins takes a much more skeptical perspective on FSA’s success. He notes that work encouragement (JOBS) is not the same thing as a work requirement – 95 percent of the AFDC caseload would have no true mandate to work.²⁷ He claims that the JOBS program was insignificant at best: only 1 percent of the caseload was employed or in a job search program by 1994.²⁸ However, he does note that “the ice was beginning to crack.”²⁹

The FSA demonstrates the direction in which welfare reform was going, namely towards achieving the full work requirement. It also comes close to representing policy formation in neat Hegelian fashion. This is to suggest that past efforts offered lessons to

²³ *Ibid.*

²⁴ *Ibid.*

²⁵ *Ibid.*

²⁶ ‘AFDC-UP’ refers to the AFDC-Unemployed Parent program that provided welfare benefits to two-parent families in which the principal earner was unemployed. See *ibid.*, pp. 70-8.

²⁷ Haskins, *Work over Welfare*, p. 12.

²⁸ *Ibid.*

²⁹ *Ibid.*, p. 13.

lawmakers about “what works,” as well as *to what* other lawmakers were substantively committed. Eight years after the FSA, comprehensive welfare reform would mean striking the right balance between requiring TANF recipients to work, moving towards self-sufficiency, and being generous enough on cash-aid and in-kind benefits to ease and encourage that process.

CONTEXT OF THE 1996 REFORM

Like welfare reform efforts of the past, the Congressional politics of PRWORA passage were fierce. Early in the 1990s, Republicans focused on ‘tough’ positions to reform welfare. They favored deterrence strategies (with the aim of deterring out-of-wedlock births) and mandatory work programs and lower benefits. Democrats, by contrast, endeavored to increase benefit levels to relieve the pressures on families living in poverty; they focused on shaping state policies to better implement *flexible* work programs. However, Weaver notes that in the early 1990s, Congressional Democrats feared sending welfare improvement legislation to the Bush White House due to the threat of veto.³⁰ Democrats gathered that the public was leaning towards hard-liner positions, so the failure of ‘soft’ legislation would largely hurt them, as opposed to Congressional Republicans or the Bush Administration. Until Republicans overtook the Congress in 1994, little changes were made to welfare, despite the symbolic.

Indeed, looming in the back of every legislator’s mind was the public mood. Largely, the American people believed that the welfare system was broken. Weaver documents that as much as 56 per cent of the public as far back as 1985 thought that public assistance ‘did not work well’; a majority also thought that it discouraged work.³¹ The polls in the late 1980s and early 1990s suggested that Americans not only thought that AFDC was not working well to

³⁰ *Ibid.*, p. 130.

³¹ *Ibid.*, pp. 126-7.

address the problems low-income families faced, but also that public assistance actually hurt the poor.³² And, 74 per cent of those asked in a 1992 poll believed that those receiving welfare were so dependent that they would never ‘get off welfare.’³³ Interestingly, however, Weaver records that few respondents in 1991 and 1992 surveys considered welfare reform to be a ‘top issue.’³⁴ Undoubtedly reassuring to many legislators, despite the public souring on the prospects of the AFDC program, a 1995 study noted that 93 percent of those polled believed that giving low-income individuals the tools they need to become self-sufficient was *more important* than reigning in the cost of the welfare program.³⁵ The ‘public mood’ demanded legislative change on the topic, and it fostered a further *politicization* of welfare reform’s component parts. The issue became such a ‘hot-button’ topic that targeted measures could produce political spoils; this helped to elevate it to the fore in the 1994 midterm elections.

Coinciding with the deepening public discontent for the status quo and the politicization of welfare and its reform at the federal level, the states became the avenue for immediate, although modest and incremental, change. Throughout the 1980s and during the early 1990s, the states enjoyed greater flexibility on the nature of their own welfare programs. State politicians’ main leverage was making adjustments to benefit levels and eligibility, enabling them to be seen as doing ‘something’ about the problems. But, this leverage was fairly circumscribed. It was not until the mid 1980s that states began to take advantage of waiver provisions under Section 1115 of the Social Security Act, which enabled state politicians to test alternative and often dramatically revised programs.³⁶ During this time, the

³² *Ibid.*

³³ *Ibid.*, p. 126.

³⁴ *Ibid.*

³⁵ R. Kent Weaver, Robert Y. Shapiro, and Lawrence R. Jacobs, “The Polls – Trends: Welfare,” *Public Opinion Quarterly*, vol. 59, no. 4 (December 1995), p. 611.

³⁶ Weaver, *Ending Welfare*, p. 131.

Department of Health and Human Services granted states the flexibility to implement measures such as “income disregards to family caps and time limits,” all “without any legislative change [...] by Congress.”³⁷ However, discretion did not bring with it increased federal funds, at least until the Bush Administration removed the cost-neutrality provision for waiver-approved changes.³⁸

By 1995, a majority of states had been granted waivers for pilot projects.³⁹ A particularly important consequence of waivers was that state politicians, including governors, found themselves in a position to transcend anti-welfare rhetoric and implement policies that addressed welfare’s problems. Not always leading to successful initiatives, state waivers provided policy experts and federal legislators ample evidence for what does and does not work. “Innovations” in states like Wisconsin and California are good examples of the politicization of welfare reforms, and also of initiatives that led to the achievement of policy priorities (such as reducing caseloads and moving recipients into work).⁴⁰ Chapter III addresses evidence from the states, particularly from Wisconsin, to evaluate the paternalism thesis of welfare reform: that policy-makers crafted PRWORA with “what works” in mind, not merely doing more or less for the poor according to benefit levels.

Another important dimension of the context of comprehensive welfare reform to mention is the plethora of social science evidence available to influence policymakers and advisors alike. In the mid- to late-1980s, several reports were issued that began to bolster the direction in which reform was headed. Haskins notes that under the sponsorship of the Bradley and Olin Foundations, Michael Novak and Doug Besharov of the American Enterprise Institute

³⁷ *Ibid.*

³⁸ *Ibid.*

³⁹ *Ibid.*, pp. 131-3.

⁴⁰ *Ibid.*, p. 132.

proved especially influential in examining the problems and prospects of the welfare program and in shaping developed recommendations. They organized a group called the Working Seminar, comprised of twenty policy elites (some with substantial government experience), to study welfare and make recommendations for its reform. Center-left intellectuals like Robert Reischauer and Barbara Blum and center-right thinkers like Charles Murray and Lawrence Mead collaborated over the course of a year on a series of reforms (some radical), several of which ultimately found their way into the 1996 legislation.⁴¹

Interestingly, reports from four other commissions that studied welfare and its reform — groups situated at various points along the political spectrum — all emphasized the same problems and recommended similar solutions. The American Welfare Association, the Project on the Welfare of Families, the Task force on Poverty and Welfare, and the Low Income Opportunity Board all “stressed the connection between welfare benefits and reciprocal obligation by recipients,” and each addressed methods to improve ‘personal responsibility’ and ‘self-sufficiency.’⁴² Haskins resists claiming that there was a “consensus” on welfare reform by resting on a weaker thesis – both “liberal and conservative policy intellectual were convinced that welfare dependency and other behavioral problems were the major issues that had to be addressed by welfare reform.”⁴³ I hold that this is a distinction without a difference, which will become central to my own study’s claim.

Before think tank policy wonks narrowed in on the problems of welfare, other persuasive findings had already entered reform’s intellectual space. Most importantly is perhaps the research of Mary Jo Bane and David Ellwood of Harvard, who found in a 1983

⁴¹ See Haskins, *Work over Welfare*, pp. 12-4.

⁴² *Ibid.*, p. 14.

⁴³ *Ibid.*

statistical analysis that at any given time 65 percent of welfare recipients would spend (or had already spent) at least eight years ‘on the rolls.’⁴⁴ This did much to substantiate conservatives’ concern that welfare recipients were becoming dependent on welfare, and even that it was becoming a ‘way of life.’ As Haskins illustrates: this means that at the peak of AFDC’s caseloads in 1994, 3.5 million adults’ “spell” of poverty on the welfare rolls would eventually equal or exceed eight years.⁴⁵ And, Bane and Ellwood’s work soon found its way into Congressional politics. E. Clay Shaw, Jr. of Florida used their work in a pie chart on the House floor in the 1996 debate, and their studies were cited in the House Committee on Ways and Means’ *Green Book* – a comprehensive encyclopedia of social programs that Washington insiders “eagerly digested.”⁴⁶

Another important part of the context of welfare reform came from the Manpower Demonstration Research Corporation (MDRC), that confirmed the thesis that Larry Mead had articulated in a 1986 book entitled, *Beyond Entitlement*.⁴⁷ He contended that welfare dependency could be solved quite simply by aggressively administering programs that force the poor to adopt “appropriate behaviors.”⁴⁸ This is the crux of the paternalism thesis for which he became (in)famous. The MDRC, setting the standard for scientific and politically neutral analysis, found that welfare-to-work schemes significantly increased employment and earnings figures of welfare recipients, and led to decreases in caseloads.⁴⁹

⁴⁴ Mary Jo Bane and David T. Ellwood (1986), “Slipping Into and Out of Poverty: The Dynamics of Spells,” *Journal of Human Resources* 21: 1-23.

⁴⁵ Haskins, *Work over Welfare*, p. 6.

⁴⁶ *Ibid.*

⁴⁷ See Lawrence M. Mead (1986), *Beyond Entitlement* (New York: The Free Press).

⁴⁸ *Ibid.*

⁴⁹ Haskins, *Work over Welfare*, p. 11; also see, Lawrence M. Mead (1997), *The New Paternalism: Supervisory Approaches to Poverty* (Washington, D.C.: Brookings Institution Press).

I will exempt other research, such as David Ellwood's *Poor Support*⁵⁰ or the studies of Harvard's Christopher Jenks, from this introduction in the interests of space and efficiency. But, the important contextual point of welfare reform is established – increasingly research and analysis of America's welfare system were coalescing on its problems and agreeing on the general direction of any reform. By the time the Republican's welfare reform was on President Clinton's desk, even the *New Republic* urged his signature.⁵¹ As Haskins argues, "Seldom has social science presented a clearer case to policymakers."⁵²

POLITICAL ANALYSES OF WELFARE REFORM

Mead captures the perspectives of the politics of welfare reform best. He suggests that existing research can be aggregated into three theories – welfare reform as *backlash*, as *enforcement*, and as *elitist*. On the first view, *backlash* emphasizes all of the things mentioned at the beginning of this chapter. There was a conservative revolution in which constituents, increasingly disillusioned about the status quo, elected more conservative leaders to lessen the scale of government. These constituents may have accepted the liberal vision of welfare of the 1960s and early 1970s, but the caseloads had grown substantially since then; they lost patience with their leaders and the welfare system. Again, this is the dominant theory in the literature.⁵³

Mead describes a number of problems with this account: principally, his observation is that PRWORA did not try simply to do less for the poor; the scale of government was not merely decreased. PRWORA involved ending the entitlement of cash-aid and implementing time-limits; but, it also increased federal spending on child care and wage subsidies. Moreover,

⁵⁰ David T. Ellwood (1988), *Poor Support: Poverty in the American Family* (New York: Basic Books, Inc.)

⁵¹ "Sign It," *New Republic*, August 12, 1996, pp. 7-8. Also, see: Haskins, *Work over Welfare*, p. 16.

⁵² Haskins, *Work over Welfare*, p. 11.

⁵³ Mead, "Welfare Politics in Congress," p. 9.

Congress passed tougher federal standards to ensure states were doing their part to enforce work and child support requirements, while municipalities enjoyed greater authority on some other welfare policies.⁵⁴

The second account is *enforcement*, which centers on the new requirements of PRWORA. Under this view, “the core dispute was not over the scale of government but whether welfare adults should have to behave well to get aid.”⁵⁵ In the enforcement theory, reform was about decreasing dependency and caseloads primarily through tougher work requirements. Mead claims that his books take this perspective. Also, Senator Daniel Moynihan, an influential participant in welfare politics and policy during this time, would subscribe to the enforcement theory. His efforts to reform welfare focused on more generous benefits to low-income families, but he also agreed that paternalistic measures should be required for aid. Like many of his colleagues, his legislative philosophy represented the view commentators often quipped as being ‘big government, but good government.’

And, the third narrative is the *elitist* theory of welfare reform. This conception sees itself within the changing beliefs of policymakers, advisors, and other thinkers in an Hegelian fashion. As Mead succinctly describes, “In this view, welfare produced a technical debate focused mostly on the opportunity and paternalist issues,” which is to suggest that elites focused on asking the right questions and crafting specific programs to “make work pay” given the environment in which welfare recipients operated.⁵⁶ This is the view I take in this study. My claim seeks to draw attention to the importance of elite influence on the policy formation

⁵⁴ *Ibid.*

⁵⁵ *Ibid.*

⁵⁶ *Ibid.*, p. 10.

process – while not dismissing nor refuting the evident forces of ‘conservative backlash’ that brought Republicans to power again in 1994.

THE CHALLENGE OF THIS THESIS

As the political analyses above make clear, the objective of this present study is to substantiate a particular way of understanding the politics of the 1996 welfare reform law. I see PRWORA’s passage as a product of conservative politics, sure; but the content of the legislation has a long history moving in the direction of: work, respect for American Federalism and flexibility, as well as the provision of sufficient benefits. I contend that elite policy convergence is a critical determinant of the formulation of PRWORA, political gain not excluded. As has already been noted, the public mood fostered the opportunity as well as the necessity to do “something about welfare.” The question was: what exactly? Conservatives and Democrats, White House and Congress, advocates and academics all *negotiated* the features that made up the law, and which elements would be left out, but available to the states on a voluntary basis. Naturally, my task is to demonstrate that this occurred.

Chapter II focuses on an elaboration of the conservative *backlash* account of welfare reform. It further documents the political developments that substantiate this point-of-view, paying specific attention to Republican authorities. I describe the significance of the ‘Contract with America’ and the Republican Congressional agenda, which actually was internally divided come 1996 about whether or not to push for welfare reform or to continue to structure it in such a way that President Clinton would be forced to veto (helping the Robert Dole campaign).⁵⁷

⁵⁷ See Newt Gingrich (Sept. 22, 2016), “The 20th Anniversary of Welfare Reform: Lessons and Takeaways,” (Washington, D.C.: *The Brookings Institution*).

Chapter III relies on the work of Lawrence Mead to articulate the ways in which welfare reform was paternalistic, and it pays attention to the evidence from the states, Wisconsin in particular, to discuss “what works.”⁵⁸ Also, I build my argument further that elite pressures circumscribed reform to be of a certain kind and that any “success” of reform came to be defined in a particular way. Evidence from Wisconsin is discussed for two reasons. First, Governor Tommy Thompson’s efforts to reform welfare within his state largely preceded any other reform that was occurring nationally or in any other states. Additionally, his conservative — and “good government” philosophy — brought with it paternalistic reforms, which emphasized work and obligation. The positive results of such reform developed into a touchstone that legislators cited *ad nauseam* in the debates about PRWORA. Secondly, perhaps more instrumental in its basis, Wisconsin remains the best studied state for welfare politics and policy, which is neatly developed in Mead’s book, *Government Matters*.

Chapter IV more narrowly addresses the negotiations that occurred between the actors of welfare reform. I begin by putting Mead’s analysis of committee hearings to use in understanding the shifts in testimony during the various phases of welfare reform since the 1960s. I present a few specific examples that help to ground Mead’s comments about ideological cooling and the shift towards ‘paternalistic’ considerations. Additionally, I examine the role of the advocacy elites in the PRWORA formulation process, and I address social conservative groups as well as the Children’s Defense Fund. Lastly, I contend that the nation’s governors exercised a decisive influence in shaping the reform legislation, promoting it, and then helping to revive it when it seemed that the budgetary negotiations between the Congress and the White House were at an impasse. In Chapter IV, I endeavor to highlight the

⁵⁸ Lawrence M. Mead (2004), *Government Matters: Welfare Reform in Wisconsin* (Princeton University Press).

extent to which PRWORA demonstrated an elite convergence on the necessity of a work requirement, but also I hope to make clear that the other features of reform – such as time limitation, “anti-illegitimacy” measures, childcare funding – were all matters open at the bargaining table.

In Chapter V, I conclude and review the central arguments of this thesis. Overall, I seek to demonstrate that the public had aligned behind a reform law that, at least partially, looked like PRWORA. For several years before the legislation came to pass, public opinion reflected the importance of a work requirement as a condition of assistance. And yet, public opinion also was devoted to the provision of an adequate ‘safety net’ that could help low-income families move towards self-sufficiency. It was the intellectual and advocacy elites who frustrated reform until they, at least partially and broadly speaking, came to agree on the contours of reform’s content. Despite this, welfare reform could not have occurred without the nation’s governors and their inter-governmental organizations, the Republican Governors Association and the National Governors Association. The former helped to shape reform; the latter resurrected reform from the presidential veto’s graveyard. By the final pages of the chapter, I hope to convince the reader that the conventional narrative of welfare reform’s passage – that a political analysis according to the *backlash* account is sufficient to be explanatory – fails to deal seriously with the legislation’s enormous complexities and the degree to which there was both a barebones consensus and substantial negotiation among the actors involved.

* * *

“Negotiating Welfare Reform: A Conventional Narrative Re-Visited”

Chapter II: PRWORA: The Backlash Narrative

As mentioned in Chapter I, the passage of welfare reform is often recalled as a story of conservative *backlash*. In short, this theory suggests that souring public opinion of the cash-aid welfare system promoted conservative politicians into office with the mandate of enforcing work requirements and time-limited aid, among other provisions that found their way into the legislation. *Backlash* emphasizes general anti-government sentiment, and it explains the PRWORA policy formation process in a traditional political analysis. This is to say that the content of “reform” was primarily a product of representative opinion – ‘giving the people what they want.’ As noted, this explanation is thoroughly journalistic, failing to grant due consideration to the complexities of welfare policy formation, which is not by necessity to suggest that it is false.¹ Nevertheless, as Lawrence Mead has claimed, “about welfare, the significant debate has been among elites.”² In an elitist account, welfare reform reflects what Hugh Heclo called ‘political learning’: in which poverty and dependency represent problems to solve based on ‘what works’; in this way, policy formation is a sober and mature process characterized by tinkering and supported by social science evidence.³ This account notes the significant alignment that occurred on reform of welfare: between the public and elites, as well as among the elites themselves.

Before we can explore such a claim, a thorough understanding of conservative *backlash* theory is necessary. This chapter documents the political developments that substantiate the

¹ Lawrence M. Mead, “Welfare Politics in Congress” (Phil., PA: American Political Science Association), p. 1.

² *Ibid.*, p. 16.

³ Hugh Heclo, *Modern Social Politics in Britain and Sweden: From Relief to Income Maintenance* (New Haven: Yale University Press, 1974), chap. 6. Also, see: Mead, “Welfare Politics in Congress,” p. 11.

backlash account. It begins with the Clinton Administration’s welfare reform efforts, then examines the Republican response – including the ‘Contract with America’ and the 1994 midterm electoral revolution – and concludes with the eventual passage of PRWORA. The final pages of the chapter explore what the theory fails to explain, which suggests the need for an additional, if not different, interpretation. To encapsulate *backlash* theory, as it applies to welfare reform, Mead describes it in the following:

On this view, the key division was the progressive [scale-of-government] one, and reform meant a movement to the right on that issue—toward smaller government. Traditional welfare had been formed in the liberal era of the 1960s and 1970s. But the rolls grew during these decades, and again in the early 1990s. Finally the public and its leaders lost patience with the poor and their advocates. They elected more conservatives to office. Once Republicans controlled Congress, they restricted aid and, to a large extent, “got it out of Washington.” Thus, guarantees of aid that had earlier been extended to the poor were withdrawn.⁴

THE POLITICS OF BACKLASH

When Bill Clinton assumed office in January of 1993, Democrats controlled both the House of Representatives and the Senate. The new Administration scurried to set an agenda that placed the President’s health insurance initiative first and foremost, and welfare reform became the product of a task force “to be appointed.” However, it was clear by the summer, when such a task force finally arose, that the Administration would “move more deliberately” on welfare reform.⁵ But, on the campaign trail, Clinton had made welfare too great an issue topic not to include it on the immediate agenda. This was in no small part because of his rhetoric: he tacitly acknowledged the failure of welfare policy under AFDC by promising to “end welfare as we know it.” While bold, this angle had permitted Clinton to differentiate himself from

⁴ *Ibid.*, p. 9.

⁵ Ron Haskins (2006), *Work over Welfare: The Inside Story of the 1996 Welfare Reform Law* (Washington, D.C.: Brookings Institution Press), p. 37.

traditionally “soft” liberals as well as “tough” conservatives through a ‘New Democrat’ position. What exactly this position was had been left to the safety of vagaries and sound-bites.

When Clinton finally appointed the task force in the summer of 1993, it was plagued at the outset by presumption. Delay had caused the media and many welfare policy commentators to understand Clinton’s stance as disingenuous. Ron Haskins notes that aggressive political discussion during the election followed by six months of inaction led to heightened scrutiny of the task force’s progress.⁶ Everyone wanted to know what the president planned to do about welfare, and every update provided by the task force was viewed as paltry growth. “Why isn’t the task force making more progress?” was the continued question that dogged its members.⁷

While the speed at which the group developed the Administration’s proposal was called into question relentlessly, the competence of its membership was not. The task force was comprised of such scholars as David Ellwood and Mary Jo Bane, two professors and welfare experts from Harvard, who were also serving in Donna Shalala’s Department of Health and Human Services. Additionally, Bruce Reed, a Rhodes scholar and the president’s former deputy campaign manager and now domestic policy advisor, served on the task force as well. Each of these individuals, who collectively led the task force, was committed to the opinion that welfare as represented by AFDC was fatally flawed. However, there was some disagreement among the members about the content of reform. For example, Ellwood and Bane agreed that contemporary welfare policy structured perverse incentives that kept individuals from entering the work force; however, they disagreed with Reed’s ‘cut-a-deal’

⁶ *Ibid.*

⁷ *Ibid.*

perspective, fearing that Republican pressures might lead Clinton to sign legislation that would put children at risk.⁸ The primary problem the task force encountered was disagreement such as this, which was a product of the range of positions within the Democratic Party.⁹ The ultimate proposal, which emerged eighteen months after Clinton took office, was radical enough to split the party, as the task force members' commitment to reform differed from the commitments of the liberal wing of the party, which remained supportive of welfare as an entitlement, for example.

Thus, at the outset, Clinton and his congressional supporters had two options. One: they could produce a bill that contained enough provisions to command the full support of Democrats. Or, two: they could attract moderate Republicans in order to produce bipartisan legislation. E. Clay Shaw, a Florida Republican of the House Committee on Ways and Means, told *USA Today* in 1993 that Clinton would not be able to pass welfare reform without Republicans, precisely because the public demanded such measures as time-limited benefits and mandatory work requirements, which the full Democratic coalition could not endorse.¹⁰ As the task force continued to debate the Administration's position on welfare reform, encountering such additional obstacles as expense (a March 1994 meeting between Clinton and the members offered proposals that ranged from \$10 billion to \$18 billion per year), House Republicans sensed an opportunity.¹¹ Shaw in particular believed that Clinton's campaign commitment to welfare reform was compatible with moderate Republican proposals.¹² He

⁸ *Ibid.*, p. 38.

⁹ *Ibid.*, p. 39.

¹⁰ William M. Welch, "Clinton Wants to Put Welfare to Work," *USA Today*, November 29, 1993, p. A8. Also, see: Haskins, *Work over Welfare*, p. 39.

¹¹ *Ibid.*

¹² *Ibid.*

went so far as suggesting that moderate Democrats and moderate Republicans create a coalition to develop a serious welfare reform proposal.¹³

However, most Republicans did not trust that Clinton was committed to the reform they believed had been proven by past experience, namely that work *requirements* were central to any legislation that would actually reduce dependency and improve the welfare of low-income families. This perspective was not improved when Wendell Primus, a senior official in the Shalala Department of Health and Human Services, requested in testimony before the House Committee on Ways and Means in May of 1993 that the sixteen-hour workweek requirement for two-parent families receiving cash aid through AFDC be delayed for two years. This provision was considered to be a substantial reform, demonstrating the “work, not welfare” perspective, which was passed in the 1988 Family Support Act. Primus argued that the states “could not afford the programs that were ‘required’ to help welfare recipients get the education and training necessary to qualify for a job.”¹⁴ However, this annoyed Republicans who believed that work requirements were about work, not education.¹⁵ This episode, in combination with the delay of the Clinton welfare task force, persuaded many House Republicans, especially on Ways and Means, to develop legislation on their own, to make the topic a much greater issue. Partly, this reflects the representatives’ belief that now was the time for passage of reform legislation, but it also reflects their understanding that Clinton’s inaction (or worse: disingenuousness) would prove instrumental during the upcoming midterm election, if Republicans could show that they had a plan to fix welfare.

¹³ *Ibid.*, p. 40.

¹⁴ *Ibid.*

¹⁵ *Ibid.*

Recall that the public was well aware of the ensuing crisis over welfare. Between 1966 and 1976, the number of individuals on the welfare rolls swelled from 4.5 million to 11.4 million. There was relative stability until the caseloads exploded again in 1989, when over four years the number of adults and children on welfare reached over 14 million – a growth rate of nearly 30 percent.¹⁶ The large increases in the number of families on welfare is what brought dependency to the national attention, and therefore, to Bill Clinton’s and George Bush, Sr.’s attentions in the 1992 election. Many conservatives cited the 1988 Family Support Act as a major cause of the increasing caseloads; they believed it did not do enough to require work, while spending more.¹⁷ And most conservatives looked to the states – especially Wisconsin, New Jersey, and Michigan – for innovative solutions in reducing caseloads while transferring welfare recipients from the rolls to the workforce.¹⁸ Chapter III discusses this influence in particular.

So, amid Democrats’ infighting about the content of welfare reform, House Republicans on Ways and Means, initially led by Clay Shaw, sought to develop a proposal behind which all Republicans could unite. There were simply too many uncertainties to try and develop bipartisan legislation at the outset.¹⁹ However, uniting Republicans proved to be a difficult task. Many conservative intellectuals and policy wonks disagreed about the centrality of work requirements to welfare reform, as many believed that reform would consist in measures to fight “illegitimacy,” or unwed pregnancy.^{20, 21} Since Charles Murray’s

¹⁶ House Committee on Ways and Means, *1996 Green Book*, p. 467; House Committee on Ways and Means, *1998 Green Book*, table 7-2.

¹⁷ Haskins, *Work over Welfare*, p. 33.

¹⁸ *Ibid.*, p. 35.

¹⁹ *Ibid.*, p. 40.

²⁰ *Ibid.*, p. 41.

²¹ From time to time, this thesis uses the term of “illegitimacy” to refer to the pregnancies of single women, i.e., births that occur to mothers out of “wedlock” or legal union. This is done not because the author believes that such births were (or are) in fact *illegitimate*, in the very sense once intended; but rather, this thesis makes use

publication of *Losing Ground* in 1984, the number of children born to unmarried mothers (teens included) captured the attention of lawmakers across the political spectrum. Republicans in particular saw “illegitimacy” as a major public policy problem, one that coincided with the individual responsibility ethos of the party and its perspective on welfare reform. This posed a challenge to the unification of Republican lawmakers, as solutions to fighting out-of-wedlock births differed drastically between Republicans and Democrats, for which moderates sought to focus exclusively on work requirements and time-limited benefits.²² These two poles – family formation and welfare recipient non-work – were drawn out in an earlier report produced by the Wednesday Group, a collection of Republican lawmakers who were tasked with the responsibility of developing a Republican position on welfare reform as early as 1991.²³ Their initial and bold recommendation to end welfare entitlement and require work played a major part in later efforts in 1993 and 1994 to unite Republicans behind one set of reform measures.

Despite increasing focus on teen and unmarried pregnancy, Shaw endeavored to reach an agreement that Clinton would be prepared to sign in order to change the law. This characterized the Ways and Means perspective, from Shaw’s first welfare reform bill in February of 1993 through later iterations and ultimately to the final bill in August of 1996, when President Clinton signed PRWORA.²⁴ However, other House Republicans and conservatives outside of Congress were more interested in stressing the critical distance between Democrats and Republicans on welfare reform, mostly for political gain.²⁵ The frailty

of the term in order to express the understanding that it once (and perhaps, still does) hold an influence in welfare policy-making.

²² *Ibid.*, p. 26.

²³ *Ibid.*, pp. 26-7.

²⁴ *Ibid.*, p. 43.

²⁵ *Ibid.*, p. 44.

of Republican unification was the single greatest challenge to reform throughout the legislative process. And this was not aided by Shaw's early departure from the Subcommittee on Human Resources to the Trade Subcommittee, in which he lost jurisdiction over leading welfare reform. Rick Santorum, a young representative from Pennsylvania, generally considered more conservative than Shaw, took his place. However, Santorum and Shaw turned out to work together quite closely on advancing a reform proposal with the 'cut-a-deal' perspective in mind.²⁶

On March 10, 1993, Republican unification behind Ways and Means' efforts received a broadside challenge, when Jan Meyers, a determined Republican member from Kansas, introduced a bill that would have dismantled the AFDC entitlement through a block grant. The Meyers proposal also eliminated aid to unwed teen mothers, in a direct expression of more conservative members' concern to "fight illegitimacy." This provision was later called "Murray Light" by the Ways and Means Republicans, in a reference to Murray's *Losing Ground* and his advocacy of eliminating all welfare benefits, period.²⁷ Also, the bill was influenced in particular by Robert Rector of the Heritage Foundation, which illustrates the impact think tanks and policy intellectuals would have on the reform debate – a point that is drawn out in later chapters.²⁸ The central challenge was that this bill was poised to attract a critical mass of Republicans. Haskins recalls how the Meyers bill gave a measure of what truly conservative reform could look like, and it put in jeopardy Republican unity around a work-oriented piece of legislation that could be acceptable to moderate Democrats like Clinton.²⁹

²⁶ See: *Ibid.*, pp. 42-3.

²⁷ *Ibid.*, p. 45.

²⁸ See: Jordan A. Pino, "Negotiating Welfare Reform: A Conventional Narrative Re-Visited," Ch. III. *Ibid.*, p. 44.

²⁹ Haskins, *Work over Welfare*, pp. 44-5.

By May of 1993, Republican leaders were in agreement that there should be a working group appointed to smooth over the differences between Republicans on welfare reform and to develop a proposal that could be backed by the full party. The work group was led by the new ranking member of the Subcommittee on Human Resources, Rick Santorum, and the secretary of the House Republican Conference, Tom DeLay of Texas – hence the Santorum-DeLay work group. It also included Clay Shaw of Florida and Jan Meyers of Kansas, the latter reflecting the Lyndon B. Johnson adage: “It’s probably better to have [dissenters] inside the tent pissing out than outside the tent pissing in.”³⁰ When the work group first met in June of 1993, Santorum outlined five proposals he believed were a good place for the members to begin. They included such measures as mandatory work requirements for mothers after two years on welfare as well as stronger child support enforcement. After a breakfast meeting of the House Republican Research Committee, joined by Doug Besharov of the American Enterprise Institute, the Santorum-DeLay work group added a proposal to eliminate the ability of noncitizens (but, legal residents) to qualify for welfare benefits.³¹ Republicans considered the policy to be more than mistaken; they viewed it as fundamentally wrong. The work group continued to develop proposals through civil discussion until a July 1993 meeting threatened its efforts. Meyers believed that the two central features of her bill – converting AFDC to a block grant and eliminating aid to teen mothers – should be included in the work group’s recommendations. However, the group judged that these measures were too controversial to unite the party. Meyers decided to write to the Policy Committee to request that the consideration of the work group’s bill be delayed, as its topic was an “election issue”

³⁰ Johnson, speaking of J. Edgar Hoover, quoted in the *New York Times*, October 31, 1971; also, see: *Ibid.*, p. 46.

³¹ *Ibid.*, p. 51.

anyways.³² Fortunately for the Santorum and Shaw contingent, her request was ignored, despite the fact that welfare reform did become an election issue.³³

These dynamics of the policy formation process within the Republican party are important to consider when understanding the *backlash* theory. What is illustrated by the Santorum-DeLay work group, as well as earlier efforts, is that the welfare debate was in flux. As Haskins notes: “old views on welfare were rapidly changing.”³⁴ The process also illustrates how the Republican leadership privileged unification behind one proposal. It must not be forgotten that the party was in the minority in Congress, and it had been for some time. Republicans were slowly rallying behind the crafting of a clear and radical electoral message to win back influence in Washington, D.C. And most believed that they were “doing the bidding of the American people,” who supported in large majorities such measures as enforcing work and ending entitlement.³⁵ There was a growing belief that unified and radical action on welfare, even if not written into law, would improve Republican support across the country. The rub is that the most conservative members simply wanted a “brawl,” while more moderate Republicans believed there was an opportunity, even while the party was in the minority, to write law, not a political manifesto.³⁶ Most of these lawmakers had some experience with the idea or process of “welfare reform.” Before 1996 brought about comprehensive reform, the notion of “welfare reform” was regarded as a ‘politics of proposition’: there was more to be gained by both parties in proposing slight fixes that dealt

³² *Ibid.*, p. 53.

³³ *Ibid.*

³⁴ *Ibid.*, p. 41.

³⁵ *Ibid.*, p. 54.

³⁶ *Ibid.*

with one aspect of welfare's problems than "carrying through with the unglamorous task" of actually restructuring welfare programs.³⁷

By the Fall of 1993, the aspirations of Shaw and Santorum to create a bill that could unify the party were vindicated. The work group's bill prevailed against Meyers' stand-alone and more conservative legislation in a vote of the Republican Conference. By November 10, 1993, 160 of the 176 Republicans in the House, joined by the entirety of the Republican leadership, agreed to co-sponsor what became HR 3500.³⁸ In a letter to the National Republican Congressional Committee, Santorum explained that the bill defined welfare reform as "more work, less spending, more flexibility for states, and no welfare for aliens," which he believed would not only generate support among lawmakers in both the House and the Senate, but also could arouse the sympathies of the American people.³⁹ However, HR 3500 enjoyed brief support before undergoing the disarray of a "family feud" over the upcoming election and welfare reform's significance in it.

The backlash theory understands the passage of PRWORA through the conservative currents that engulfed legislators in the 1993-96 period. Welfare became unpopular over time, according to Mead, because it was increasingly associated with bad behaviors that the American public did not support.⁴⁰ While most voters believed that there should be government programs to assist the poor, they also believed that low-income individuals should "help themselves," mainly through work.⁴¹ As early as the 1930s, polls have shown that

³⁷ Hugh Hecl (2001), "The Politics of Welfare Reform" in *The New World of Welfare*, Rebecca M. Blank and Ron Haskins, eds. (Washington, D.C.: Brookings Institution Press), p. 170.

³⁸ Haskins, *Work Over Welfare*, p. 57.

³⁹ Rick Santorum, Dear Colleague Letter to House Republicans, October 12, 1993.

⁴⁰ Lawrence M. Mead (2001), "The Politics of Conservative Welfare Reform" in *The New World of Welfare*, Rebecca M. Blank and Ron Haskins, eds. (Washington, D.C.: Brookings Institution Press) p. 203.

⁴¹ *Ibid.*, p. 203.

Americans are committed to public assistance as well as a demand of work.⁴² While growth in welfare caseloads concerned many, especially law-makers who have been responsible for funding, “The American people are much less concerned with getting people off welfare and reducing the costs of the system than they are with having recipients make an effort to help themselves.”⁴³ This position both supports and undermines the backlash account. On one view, the public was expressing its hostility to the “permissiveness of traditional welfare,” and therefore supporting a backlash of a narrower kind: namely, against a welfare system that promoted dependence.⁴⁴ On another view, the American people were not engaged in the kind of backlash that lawmakers took them to support, and that is one in which the goal was to cap spending on welfare programs and dramatically reduce the scale of government. What is clear is that the backlash account is pinned to the notion that public opinion explains the shift on welfare, from an entitlement that dispersed cash to temporary assistance conditioned on work. But, politicians’ interpretation may have been different from what the public wanted, which might also be different from what is best for low-income families. To the extent that what the public wanted held explanatory force, Mead has argued that the public wanted reform to emulate the Wisconsin Works program (W-2), which combined a work-orientation with lavish, temporary benefits.⁴⁵ (Chapter III examines this notion more closely, as well as the influence of W-2 on informing federal policy.)

Also, since the 1960s, welfare has undergone a change in expectations. Whereas Americans in large part believed that mothers should stay home with their children before the

⁴² Michael E. Schlitz (1970), *Public Attitudes Toward Social Security, 1935-1965*, Research Report 33 (U.S. Government Printing Office).

⁴³ R. Kent Weaver (2000), *Ending Welfare as We Know It* (Washington, D.C.: Brookings Institution Press), p. 186.

⁴⁴ Mead “The Politics of Conservative Welfare Reform,” p. 206.

⁴⁵ *Ibid.*, p. 208.

1960s, generational transformation in such expectations led the majority of Americans to believe that mothers receiving welfare should work, as most other mothers were then working.⁴⁶ During this time, Americans continued to affirm the importance of marriage and two-parent family formation, but more and more Americans were less disapproving of unwed sexual activity, divorce, and single parenthood. This reality lay uncomfortably in the backdrop of the more conservative reforms of Meyers' bill in 1993, for example. The public, broadly speaking, was less committed to these values, whereas the public was prepared to see work as a condition of aid.⁴⁷

These public opinion trends are important in the backlash account, which sees the public's beliefs as ideological energy in the manifestation of welfare reform.⁴⁸ For more conservative Republicans, the American people were most concerned about the moral state of the country, especially over the incidence of divorce and unwed teen pregnancy.⁴⁹ Therefore, they led the attack on HR 3500, which they regarded as "pusillanimous."⁵⁰ William Bennett, Jack Kemp, and Vin Weber, acting through the Empower America group, argued that HR 3500 "[would] squander a defining moment in our national life"⁵¹ These Republicans believed that the party should present a welfare reform proposal that more seriously addressed out-of-wedlock births, reigned in hidden costs that states were expected to fund, and demanded a

⁴⁶ Steven M. Teles (1996), *Whose Welfare? AFDC and Elite Politics* (University Press of Kansas), especially Ch. III.

⁴⁷ Mead "The Politics of Conservative Welfare Reform," p. 203; Arland Thornton (1995), "Attitudes, Values, and Norms Related to Nonmarital Fertility" in *Report to Congress on Out-of-Wedlock Childbearing*, U.S. Department of Health and Human Services, ed. (U.S. Government Printing Office); Weaver, *Ending Welfare as We Know It*, pp. 177-86.

⁴⁸ Mead, "Welfare Politics in Congress," p. 10.

⁴⁹ Haskins, *Work Over Welfare*, p. 66.

⁵⁰ See: *Ibid.*

⁵¹ William J. Bennett, Jack Kemp, and Vin Weber, "House Republican Welfare Reform Bill," Empower America memorandum, April 13, 1994.

stronger work requirement.⁵² The Empower America group was more influenced by Charles Murray's research, but many Republicans worried whether or not his proposals would be palatable to voters.⁵³ Additionally, Senate Republicans, who were to the left of House Republicans on most issues, were not expected to support "Murray Light" legislation.⁵⁴

Nevertheless, conservative Republicans in the House were confident that the public demanded their reforms, or at least that it would benefit the party in the upcoming midterm election. On April 28, 1994, a group of conservative congressmen, including Bennett, introduced a bill that they called the "Real Welfare Reform Bill," which included stronger provisions on welfare spending and work requirements, and which also stripped cash welfare and Food Stamps from unmarried women under the age of twenty-one with children.⁵⁵ After this event, Minority Leader Newt Gingrich and his aides became much more involved in reconciling the conservative Republican forces with the more moderate measures of HR 3500, in order to present an appealing and united electoral message. Welfare reform, along the lines of the Santorum and Shaw bill, became one of the ten central pillars of the "Contract with America." But, significant changes were made to mollify conservative groups. For example, HR 3500's state options to adopt the Murray Light proposal and the family cap were converted into requirements – no federal AFDC funds were permitted to be used to benefit mothers under the age of eighteen.⁵⁶ Despite modifications like this, the crafting of the welfare reform bill of the Contract with America reflected the significant movement to the right among the legislators, as Haskins documented. At the end of the day, the Republicans had legislation

⁵² Haskins, *Work Over Welfare*, p. 66.

⁵³ *Ibid.*, p. 67.

⁵⁴ *Ibid.*, p. 68.

⁵⁵ *Ibid.*, p. 69.

⁵⁶ *Ibid.*, p. 75.

behind which they could unite; President Clinton and House Democrats did not. His task force's proposal came too late to be marked-up in time for the November 1994 election, also a reason why the leadership let it die in committee.⁵⁷

So far, these developments have been prior to the Republican's sweeping victory in November of 1994, two years before PRWORA was passed. But, this is how the backlash account understands welfare reform, as rooted in the accomplishment of achieving Republican majorities in the House and Senate. It permitted the opportunity for the Republican version of welfare reform, as represented by the modified Contract with America HR 3500, to be enacted into law. The claiming of Congress, in this account, relieved the pressures on Republican lawmakers to position themselves sufficiently to the left in order to attract the president's signature. The onus would now be on the Clinton Administration to sign Republican welfare reform. In perhaps the strongest affirmation of the backlash theory, due to the stunning 1994 victory and the Republican majority dominance, "the center of gravity for all other participants now shifted decisively to the right in the ongoing bargaining among House, Senate, and Clinton Administration policymakers."⁵⁸ This rightward shift vindicates the central notion of *conservative* backlash.

Despite this, there were two years of developments between the conservative realignment that occurred in the 1994 midterm election and the passage of PRWORA in August of 1996. In that time, Senator Bob Dole brokered a compromise that Clinton backed, which dropped the unpopular "illegitimacy provisions" among moderates down to state options again.⁵⁹ Yet, efforts by the more conservative forces in Congress remained diligent. Speaker

⁵⁷ *Ibid.*, pp. 80-2.

⁵⁸ Heclo, "The Politics of Welfare Reform," p. 191; Weaver, *Ending Welfare As We Know It*, pp. 375-80.

⁵⁹ Heclo, "The Politics of Welfare Reform," p. 192.

Gingrich took the electoral results as a vindication not only of the Contract with America and its ten bills, but also as a mandate for the anti-government ethos of the document.⁶⁰ This belief became a vision of “replacing the welfare state,” or at least fundamentally redefining it, which brought the government into an unpopular shutdown that proved devastating for both parties.⁶¹ HR 3500 was transformed into a larger effort to block-grant Medicaid and alter the Food Stamps program. Twice Clinton vetoed the conservative leadership’s efforts to reform welfare. By the end, they were forced to retreat back to a less partisan proposal, the effort of which was led by Senator Trent Lott, after Bob Dole departed to run against Clinton in the upcoming presidential election. Despite the protestations of the Dole campaign,⁶² passage of PRWORA can be seen partly as the result of a “convergence of electoral interest,” as Hecló notes.⁶³ Backchannel communications between Lott and Clinton led to an implicit “reelection compact,” as Clinton needed to deliver on his previous promise to “end welfare as we know it,” and Republicans needed to hold the Congress.⁶⁴ The bill was signed, after accommodations were made on childcare spending as well as a larger contingency fund, and “illegitimacy” provisions were made optional, as in the Dole compromise.⁶⁵ While Clinton objected to some measures, in particular the stripping of benefits from noncitizens, the president and his advisers considered that once popular measures of reform, such as work requirements and time limits, were in place, the public would be more willing to support other benefits for recipients,

⁶⁰ *Ibid.*, p. 193.

⁶¹ *Ibid.*

⁶² Dole hoped to use Clinton’s objections on Republican-led welfare reform to damage his credibility during the presidential election season. Republican legislation would be sent to Clinton with the precise understanding that he could not in good faith sign such legislation as a Democrat, but such opposition would damage him amid Dole’s record of having advanced work-oriented reform.

⁶³ *Ibid.*, pp. 193-4.

⁶⁴ *Ibid.*, p. 194.

⁶⁵ *Ibid.*

especially those living within inner-cities.⁶⁶ Ultimately, Clinton signed PROWRA because he judged the bill sufficiently close to his proposal, with the option to resurrect some measures in the future.⁶⁷

The problem with the backlash account is not in that it is false. The foregoing establishes how intuitive the theory is as well as the dimensions that are well captured by Republicans winning a stunning electoral victory, with a completed bill in store. The fault of the account lies in that it makes an explanatory claim about a phenomenon that is at its core a complex and elite process. Mead notes that public opinion had been, more or less, constant over the years about enforcing work, and since the 1960s, entitlement had been less attractive to a growing number of Americans. So, why did PRWORA come to pass in 1996? Backlash is informed by a belief in a rightward electoral shift, from the public to the legislators. But, the energy of reform had less to do with the scale of government, and more to do with changing the nature of welfare.⁶⁸ Mead claims that this is what the public *really* wanted, i.e., recasting the contours of the program as well as its objective, and this is also where elites ultimately converged. As Chapter III will show, social science evidence emanating from the states, in a sense, pushed everyone to the right on welfare reform. But, this still understands reform in the left-right space. What was really involved was getting reform correct and solving dependency and poverty as if they were rather simple problems entailing a tinkered solution.

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⁶⁶ Dick Morris (1999), *Behind the Oval Office* (Los Angeles: Renaissance Books), pp. 300-4.

⁶⁷ Mead, "The Politics of Conservative Welfare Reform," p. 209; Weaver, *Ending Welfare as We Know It*.

⁶⁸ Mead, "The Politics of Conservative Welfare Reform," p. 216.

“Negotiating Welfare Reform: A Conventional Narrative Re-Visited”

Chapter III: “Dissensus Politics” Overcome?

The previous chapter discussed the conventional narrative that welfare reform can be seen as a conservative backlash, and it suggested that the account needs, at minimum, to be supplemented by a theory of the more complex dimensions of welfare policy formation. This chapter advances this effort by presenting one influential theory for the *failure* of comprehensive reform, as resulting from irreconcilable elite conflict. Steven Teles, an influential political scientist who held this position before PRWORA was signed into law, argued that “If substantial change in AFDC does occur, it will be largely the result of a shift in the orientation of a portion of the nation’s intellectuals.”¹ Naturally, this chapter will seek to modify this account of welfare reform *failure* by suggesting that Teles’ “Dissensus Politics” was overcome in the formation of PRWORA.

In order to argue this position, this chapter will spell out what was meant by “dissensus,” how it relates to welfare reform, and what role policy and social science research played in the story. Crucially, the chapter will close in on the importance of “political learning” that emanated from the states, Wisconsin in particular. As has been noted elsewhere,² Wisconsin remains especially influential due to (1) the fact that state-level reform occurred over the course of the late 1980s and early 1990s, before comprehensive reform garnered sufficient strength in the Congress; (2) evaluation of reforms, such as mandatory work requirements, had enough time to enter into the legislative, academic, and policy literatures before formation of PRWORA; and, (3) the bipartisan efforts of the Democratic legislature

¹ Steven M. Teles (1996), *Whose Welfare? AFDC and Elite Politics* (University Press of Kansas), p. 165.

² See: Jordan A. Pino, “Negotiating Welfare Reform: A Conventional Narrative Re-Visited,” Ch. I.

and Republican governorship demonstrated what “good government” legislation could look like on a national stage. This chapter seeks to illuminate with greater clarity the conflict occurring among the nations’ elites, and it intends on drawing out the importance of research and new evidence in bolstering a consensual elite-level opinion structure that departed from the previous irreconcilable conflict. Ultimately, it was political energy *combined* with this new framework that permitted AFDC to radically morph into TANF.

DISSENSUS POLITICS

Teles uses the term “dissensus” to characterize the nature of the welfare program, at this point: AFDC. And by this, he means that almost every aspect of AFDC was controversial, at least from the 1960s onwards – its standards of eligibility, federal structure, benefit levels, and recipient obligations. Whereas other programs of the American welfare state, such as the Social Security program, enjoyed wider support and were created according to a “consensual opinion structure,” contemporary AFDC politics did not occur at the margins.³ Rather, the very idea of the program itself was unpopular – and yet, resistant to alteration. Dissensus politics helps account for why.

Traditionally, policy change occurs when public consensus matches elite consensus. Teles notes that comprehensive change is the result of such an alignment, when it is “sufficiently strong, persistent, and mature” to offset interest group pressures.⁴ And, as Lawrence Jacobs has argued, “public opinion is most influential in directing policy deliberations when it is unambiguous and strong.”⁵ Welfare, then – as we can surmise from

³ Teles, *Whose Welfare?*, p. 2.

⁴ *Ibid.*, p. 11.

⁵ Lawrence Jacobs (1994), “The Politics of American Ambivalence Toward Government,” in *The Politics of Health Care Reform*, James Morone and Gary Belkin, eds. (Durham, N.C.: Duke University Press), p. 396.

the public opinion information this thesis has already examined⁶ – is an anomaly. Why could the public consensus about welfare policy *failure* recur so strongly, for so long, while elite opinion remained divided?

At first pass, one answer might simply be that the public was “wrong” about welfare’s failures (after all, polls have suggested, for example, that the public is committed to increased assistance for low-income families and blacks, in particular, but is against the concept of welfare, or “living off the government”).⁷ The wishes of the public are not always known for their clarity, nor consistency. However, in such a case that a dimension of public opinion is wrongly founded, Teles argues that this precisely is the job of intellectual elites to reconcile – how to translate public beliefs and values into policy accomplishments, or otherwise to educate public opinion on its misconceptions.⁸ This translation did not occur for welfare until 1996 by virtue of PRWORA.

Partly, this is because AFDC is a special case, and welfare is particularly susceptible to cultural and intellectual politics.⁹ The answers to the types of questions on which the program is predicated are inherently moral and reflect a cultural comprehension of societal commitment – “What is the value of work?” or “What are one’s obligations to others in an orderly society?”¹⁰ This thesis makes use of the cultural theory of Michael Thompson, Richard Ellis, and Aaron Wildavsky, who formulated a helpful schema to understand and analyze political culture.¹¹ Three of their groups will help to ground the elite-level orientations that have contributed to the dissensus politics of welfare reform.

⁶ See: Pino, “Negotiating Welfare Reform,” Chs. I & II.

⁷ Teles, *Whose Welfare?*, pp. 52-4.

⁸ See: *Ibid.*, esp. Ch. IX.

⁹ *Ibid.*, p. 12.

¹⁰ *Ibid.*, p. 9.

¹¹ See: Michael Thompson, Richard Ellis, and Aaron Wildavsky (1990), *Cultural Theory* (Boulder, CO: Westview).

First, there are the *hierarchists*, whose values include order, tradition, and structure. Hierarchists place grave importance on the family, the local community, and one's religious (or moral-informing) institutions. While some elites find themselves among this group, reflecting its cultural orientation, the most important hierarchist elites that have affected the welfare debate are: conservative religious leaders. Second, there are the *individualists*, whose principal values are liberty and self-determination. Thompson et al. see the chief social institution for an individualist to be the market, and the role of the state is to uphold and defend it. Consequently, business leaders, economists, and libertarians are the most important elites associated with this orientation. Third, there are the *egalitarians*, who value the protection of minority groups and equality (adequacy) of social provision. The main institution for egalitarians is the "polity," by which I interpret this to mean the various branches of the federal government. Egalitarians, thus, are engaged in an effort to redistribute the privileges of position from those who possess such power, to those who do not. The media, academics, and attorneys (or other professionals) are most associated with this position.¹²

Because of the conflict that naturally arises from these group orientations, matters of reform for welfare have been made particularly more complex. This is because, especially recently, reform efforts reflect a "proxy" battle that is implicitly predicated upon a cultural foundation. Welfare reform is thus a "politics of morality," which strains the chances of "compromise and reconciliation."¹³ While the public has reflected a consensus on the values of any cash-aid welfare program, elites have remained divided because their cultural cleavages are starker and amplified in the policy formation process.

¹² *Ibid.*; see, esp.: Teles, *Whose Welfare?*, p. 13.

¹³ *Ibid.*, pp. 17-8.

One problem, that deserves mention again, has already been referenced: welfare recipients are notoriously poorly organized.¹⁴ This has had the effect of transferred representation to the very elites who operate according to their own biases and ideologies, first and foremost. For example, the Children’s Defense Fund is not committed *per se* to fighting poverty and influencing a transition from welfare to work for low-income recipients – rather, the organization advocates on behalf of *children* and their material well-being. A paternalistic reform from a *hierarchist* orientation, for example, which might reduce aid if a recipient’s child does not attend school, would be thoroughly opposed (the Learnfare program of Wisconsin is one such case, and it was especially controversial to Democrats because it not only reduced the benefits of recipient families extensively, but it was predicated upon a contested moralizing orientation).¹⁵ As Teles succinctly put it, “The interests at issue in welfare policy-making are only tangentially those of recipients themselves.”¹⁶

So, our focus should then be on understanding elite opinion, and how it has shifted with time, as we already know that public opinion has only become stronger and more consistent on welfare reform. Unfortunately, as James Q. Wilson has quipped, “Our shelves are filled with books on public opinion but not with ones on elite opinion.”¹⁷ Nonetheless, some reflections are fairly straightforward and self-evident.

¹⁴ One exception is during the brief experience of the National Welfare Rights Organization, which had a number of successes in the 1960s and 1970s organizing welfare recipients and their claims, especially in court. See: *Ibid.* Also, see: R. Shep Melnick (1994), *Between the Lines: Interpreting Welfare Rights* (Washington, D.C.: Brookings Institution), esp. Chs. IV & V.

¹⁵ See: Lawrence M. Mead (2004), *Government Matters: Welfare Reform in Wisconsin* (Princeton University Press), p. 180; esp. Ch. VIII.

¹⁶ Teles, *Whose Welfare?*, p. 16.

¹⁷ James Q. Wilson (1995), “New Politics, New Elites, Old Publics,” in *The New Politics of Public Policy*, Marc Landy and Martin Levin, eds. (Baltimore, MD: Johns Hopkins Press), p. 257.

First, who are the elites? For the purposes of this thesis, “the elites” are contrasted from the public, which connotes “everyone,” in the important respect that they are the leaders and the intellectuals. This is meant in the strict sense, i.e., that the elites are the men and women “of letters,” who have obtained higher education degrees, and who read and write about, and analyze, such important topics as anti-poverty policy. And, the elites are “leaders” in the sense that they are *active* participants in policy formation. To be sure, the elites include social workers, religious leaders, and elected representatives – but the elites also include resident scholars of think tanks, university associate professors, and foundation executives as well as curators of funded research. The elites are those who comment on and influence policy, not those who are passive recipients of that policy, or observers of the effects of such policy, understood through the media outlets.

With this in mind, a few important reflections characterize the ways in which elites operate. First, elites are highly ideological. What sets these individuals apart from the public is that they have “well-constrained ideological structures that rank-order political values and ensure that positions on various issues will cohere.”¹⁸ In the American context, highly ideological thinking means emphasizing one aspect of the multiple dimensions of the American experience over and against the others, which is “culturally disintegrative.”¹⁹ Teles argues that this is the opposite of what the public does, as it is largely culturally integrative – and that this forms the content of the conflict between elites and the public, the basis of the politics of dissensus.²⁰ However, this does not seem to hit the mark as it relates to welfare. At one level, American elites may be ideological, but also they tend to be in agreement on most

¹⁸ Teles, *Whose Welfare?*, p. 62.

¹⁹ *Ibid.*

²⁰ *Ibid.*

topics. Whether one is a Washington “insider” or an “East Coast Ivy League” intellectual or a union labor leader or even a Protestant pastor, the elite experience is characterized by formality, empiricism, and a degree of cosmopolitan openness (or at least, awareness). Welfare elites are divided much more narrowly, mainly on collectivist-liberalist grounds, as Robert Lerner et al. have found in their surveys of elite opinion.²¹ And, they are likely to be equally apportioned between the left and the right.²²

Division along the lines of collectivist-liberalism connotes a division over social obligation and recipient expectation, especially for those programs that promise certain benefits and privileges. In this respect, elites are engaged in the politics of dissensus, where one pole emphasizes “individual attributions of blame” for poverty, and the other pole focuses on “system” attribution or social-institutional factors.²³ An example of a practitioner of the latter is the more “progressive” intellectual, William Julius Wilson, who has argued that poverty among black families can be attributed to social considerations arising from racism and ghettoization as well as (crucially) the decline in the number of well-paying manufacturing jobs – both of which are at the root of such problems as drug use and crime, for him.²⁴ Hierarchist thinkers, such as Lawrence Mead, agree on some of the considerations regarding the “culture of poverty” and its corrosive effects, but their answer tends to be more paternalistic, which involves greater demands on recipient expectation (or obligation), as opposed to the egalitarian position of emphasizing alleviation of need.²⁵ Individualists, like Charles Murray or (earlier) Milton Friedman, have responded to the poverty of low-income

²¹ Robert Lerner, Althea Nagai, and Stanley Rothman (1990), “Elite Dissensus and Its Origins,” *Journal of Political and Military Sociology*, Vol. 18, p. 30.

²² Teles, *Whose Welfare?*, p. 63.

²³ *Ibid.*, p. 66.

²⁴ Diana M. Zuckerman (2000), “Welfare Reform in America: A Clash of Politics and Research,” *Journal of Social Issues*, Vol. 56, No. 4, p. 592.

²⁵ Teles, *Whose Welfare?*, pp. 69-73.

families by attempting to alter their decision frameworks according to a rational-choice perspective – by incentivizing “good behavior” and removing the incentives that encourage dependency, they believe that welfare recipients will be better off. In effect, the battle is between “traditional and insurgent elites,” who share a number of positions, but come from often conflicting cultural and moral standpoints.²⁶ This dissensus had frustrated comprehensive reform until, as I will suggest, something changed. In addition to the significant electoral factor, these elites converged on the content of reform, despite their divergent intellectual orientations.

ELITE CONFLICT AND POLICY

Before this point can be borne out, the dissensual conflict must be given greater structure. In what ways, specifically, did these divergent elites influence welfare reform? To begin, this thesis views the array of elites as able to divide neatly between intellectual and advocacy camps. Intellectual elites, such as Murray and Wilson, spent more of their time researching and writing than actively advocating for a particular constituency or engaging with law-makers on a routine basis. Nevertheless, they found themselves spending more of their time in Washington, D.C. Intellectual elites, again broadly speaking, cloister themselves within the universities as well as think tanks and foundations. The Harvard professors David Ellwood and Mary Jo Bane have already been referenced. Both came from center-left backgrounds and had spent, before joining the Clinton Administration, most of their time writing within the confines of the Yard. For welfare reform, most of the positions to the left emanated from

²⁶ *Ibid.*, p. 74.

university campuses. Partly, this is a reason for the increasing significance of foundations and think tanks, which had taken larger research and advocacy roles by the mid- to late-1970s.²⁷

Elite cultural conflict led to the politicization of foundations. Whereas foundations had been motivated by philanthropic instincts, by the early 1990s, most of the major ones were engaged in focused advocacy of a “discernable ideological tendency.”²⁸ On the right, we have seen the Olin, Smith Richardson, and Bradley foundations; on the left, the Ford, Carnegie, and Rockefeller foundations. Althea Nagai et al. report that almost 95 percent of the support given by these foundations goes to support researchers who champion their particular ideology.²⁹

The think tank world seems to have risen in importance as a result of the increasing concentration of left-leaning thinkers in academia. The perception of leftist hegemony in the “world of ideas” has been particularly influential in the formation of a counterestablishment.³⁰ Among think tanks, only the Brookings Institution and (to some degree) the Urban Institute can be said to be culturally integrative; the other hundreds of think tanks refract a committed ideology, either on the left or the right. Such think tanks include, for the former, the Center on Budget and Policy Priorities or the Institute for Policy Studies; on the right, such think tanks include the Cato, Hoover, and American Enterprise Institutes (in the *individualist* tradition), the Heritage Foundation and Christian Coalition (among the *hierarchist* orientation).³¹

The intellectual elites have found themselves most influential from their camps in academia, foundations, and think tanks (if not in government) – this is where they have staged their efforts to translate their opinions into policy formation. Advocacy elites are only

²⁷ *Ibid.*, p. 67.

²⁸ *Ibid.*

²⁹ Althea Nagai, Robert Lerner, and Stanley Rothman (1994), *Giving for Social Change* (Westport, CT: Praeger), pp. 134, 137, 138. Also, see *Ibid.*

³⁰ Teles, *Whose Welfare?*, p. 67.

³¹ *Ibid.*, pp. 67-8.

exempted here because the following chapter grants them more focused consideration, especially with respect to their appearance before the congressional committees responsible for drafting welfare reform. Next, this chapter turns to the role such intellectual elite research played in PRWORA. And, it examines how the divergent perspectives, which conducted research emphasizing different factors, ultimately arrived at similar conclusions about the content of reform.

THE ROLE OF RESEARCH

As Diana Zuckerman pointed out, the research that informed the passage of PRWORA did not originate in the offices of the Congressional Research Service, nor the Government Accountability Office – instead, the research that swayed law-makers emanated from state demonstrations, which intellectual elites refracted upward and outward.³² Evaluative evidence, which occurred due to waivers granted to states by the Department of Health and Human Services, turned out to be a boon for those legislators who were committed to more radical reform. Until the early- to mid-1990s, the welfare reform *modus operandi* was *incrementalism*, or “tireless tinkering.” Efforts to fundamentally alter the structure of AFDC, along the lines of what public opinion was demanding, seemed impossible to do. The FSA of 1988 reflected this perspective, as it achieved reform through compromise and political prudence.

While this fact is often cited as a reason for the legislation’s failure, the FSA proved to be hugely important to comprehensive reform through PRWORA. It set a “new consensus,” albeit weakly, on the direction of reform.³³ I will return to the significance of the waivers or

³² Zuckerman, “Welfare Reform in America,” p. 596.

³³ Michael Wiseman (1996), “Welfare Reform in the United States: A Background Paper,” *Housing Policy Debate*, Vol. 7, Issue 4, p. 610.

demonstration projects that it authorized, as the start of this section notes: they were important for the shape and contour of the research that informed PRWORA. But first, the ‘new consensus’ deserves attention. The FSA took the previous decade of experience as a guide for incremental changes, the most important of which I would suggest are: (1) the fact that work would be an obligation, (2) parents should be held responsible for raising the children they conceived, and (3) “tagging,” or the flexible and differential provision of services contingent upon circumstance, would be appropriate.³⁴ (Notice that this consensus does not include alteration of welfare’s entitlement status.) Each of these was weakly enforced, to some, but what the FSA did was expand experimental demonstration and require evaluation, with the intention of producing a rich repertoire of evidence for research.³⁵

Thus, later findings were able to bring to attention such major social concerns as insincere child support enforcement, to intellectual elites across the political spectrum. For instance, PRWORA noted that “only 54 percent of single-parent families with children had a child support order established and, of that 54 percent, only about one-half received the full amount due.”³⁶ This was something that unnerved both Republicans and Democrats, which helped to fuel convergence – but such a process could only have arisen if each of the parties’ intellectual engineers had completed the same research and communicated their kindred conclusions. And so, despite the fact that the legislation ultimately was written by Republican staffers, these sorts of findings reflect the substantial movement among the actors of policy formation toward conquering the politics of dissensus. Also, take for example the politically charged assertion of increasing “illegitimacy” throughout the country, and especially among

³⁴ For a more developed list of changes, see: *Ibid.*, pp. 610-11.

³⁵ *Ibid.*, p. 613.

³⁶ U.S. Congress (1996). H.R. 3734: “Personal Responsibility and Work Opportunity Reconciliation Act of 1996.”

welfare recipients. While the elites continued to disagree about the harshness of “Murray Light,” or terminating cash aid to unwed teenage mothers, the intellectual elites and law-makers started to agree upon the seriousness of the consequences of teenage motherhood as well as single motherhood. And, a position that did not address the issue became weakly enforceable, if not also a political liability to dissenting law-makers. Such development, I suggest, is indicative of convergence, especially when a few years prior these elites could not even agree on the aims of reform.³⁷

Another consequence of FSA and the research it brought about was data that could be evaluated and interpreted in different ways. This undermined the “you have your research; we have ours” mentality in a constructive way. Research that could “cut both ways,” so to speak, permitted scholars to take different positions given their values. Take the results of a study conducted by a left-leaning nonprofit organization for example. The researchers concluded that mothers receiving welfare were not “lazy, dependent, or passive” because 4 out of 10 recipients were able to work in paid jobs during a 2 year period on welfare.³⁸ Of course, this meant that 6 out of 10 were not able to do so. And, undoubtedly, this fact is what right-leaning elites emphasized. However, such findings were able to demonstrate to right-leaning elites that progress was being made for recipients of welfare. For left-leaning elites, such findings enabled political repositioning – the stronger interpretation could push these scholars rightward, or at least to undermine their own belief in the strength of their position. Indeed, by the time that comprehensive welfare reform picked up speed in 1994, nobody was prepared to defend AFDC and the status quo; everyone agreed that it was failure, just to differing extents.

³⁷ Zuckerman, “Welfare Reform in America,” p. 594.

³⁸ R. M. Spalter-Roth, H. L. Hartmann, & L. Andrews (1992), *Combining Work and Welfare: An Alternative Anti-Poverty Strategy* (Washington, D.C.: Institute for Women’s Policy Research); see: Zuckerman, “Welfare Reform in America,” p. 593.

Greater evidence suggesting failure, as well as positive assessments of demonstration projects, led to the gradual erosion of the elite conflict. Cultural orientations gave way to political learning.

EVIDENCE FROM THE STATES

As suggested above, evidence emanating from the states proved influential in eroding dissensus politics. Because state governments tend to be more responsive to the demands of their own constituencies – (the same individuals who had been expressing their dissatisfaction with AFDC) – efforts had been taken throughout the country to try and fix welfare dependency. This occurred due to the greater discretion that DHHS waivers provided, which was an effect of the passage of the Omnibus Budget Reconciliation Act of 1981.³⁹ This legislation, championed by the Reagan Administration, was passed in an effort to increase the latitude extended to state governments to improve their AFDC programs. The Administration hoped that states would introduce “workfare” programs in which recipients would work in public service jobs in exchange for benefits.⁴⁰ Yet, as Wiseman has noted, “These state initiatives featured an extraordinary collection and combination of interventions, ranging from benefit reductions to cash incentive schemes, for encouraging inoculation of children against disease.”⁴¹ By 1992, due to passage of OBRA, states had initiated 24 demonstration projects, which increased even further under the Clinton Administration.⁴²

Not surprisingly, this provided a rich opportunity for intellectual elites to evaluate the effects of these reform-oriented demonstrations, many of which implemented programs of

³⁹ Wiseman, “Welfare Reform in the United States,” p. 613.

⁴⁰ *Ibid.*

⁴¹ *Ibid.*, p. 618.

⁴² *Ibid.*

work incentives or requirements in exchange for benefits. While many elites evaluated the states' projects, the most influential for comprehensive reform was the evaluation conducted by the Manpower Demonstration Research Corporation. Funded by the Ford Foundation, considered at the pinnacle of dispassionate and quantitative research assessment, the MDRC approached many states to evaluate their 'welfare-to-work' projects and to publish findings for legislators in Washington to consider. On the aggregate, by 1987, the MDRC had concluded that workfare and work-orientated programs had statistically significant effects on the probability that recipients found jobs.⁴³ It also reported that its findings were robust across many environments and in various contexts, that at least some of the programs were cost effective, and that the recipients themselves reported a positive view of such demonstrations.⁴⁴ The MDRC continued to publish findings that only refined and helped to clarify the effects of state reforms, especially work programs, but its initial round of evaluations in the 1980s had done enough to convince intellectual elites of welfare's needed work focus.

These findings further fueled governors to request waivers from the Reagan and then George Bush, Sr. Administrations, as the waivers were politically powerful, especially given their positive effects. As has been documented, the story of welfare waivers is one of rapid and systematic diffusion across the states.⁴⁵ While OBRA was a catalyst for state flexibility and innovative program development, the FSA of 1988 specifically authorized waivers for work programs, and structured incentives for the development of such programs. Even the Clinton administration encouraged and approved each waiver application it received. In fact, Zylan and Soule note that Clinton instructed the DHHS to *solicit* waivers as a method to act

⁴³ *Ibid.*, pp. 614-15.

⁴⁴ *Ibid.*, p. 615.

⁴⁵ Yvonne Zylan and Sarah A. Soule (Dec. 2000), "Ending Welfare as We Know It (Again): Welfare State Retrenchment, 1989-1995," *Social Forces* Vol. 79, No. 2, p. 627.

on welfare without having to address the serious policy complexities in reforming welfare through the Congress.⁴⁶ In practice, welfare waivers were never outright rejected, they were always negotiated carefully between the state and the administration. Teles argues that the granting of waivers, especially by the Clinton Administration, was actually a practice that accentuated the politics of dissensus, or at least was a consequence of it; waiver-granting was an exercise in “conflict avoidance” by permitting the continuance (and incremental improvement) of the AFDC program.⁴⁷ While this may have obtained, the granting of waivers by the Reagan, Bush, and Clinton administrations had the important effect of leading to AFDC’s own undoing. Instead of “obviat[ing] the need for legislative welfare reform,” as Howard Dean of Vermont (the former Chairman of the National Governor’s Association) argued, waivers had generated results that undermined the AFDC status quo.⁴⁸ This point is borne out in the old reflection that the states are the ‘laboratories of democracy.’ Rapid diffusion of work-orientated welfare demonstration projects necessitated sober and scientific evaluation, such as that provided by the MDRC; much was learned from states that availed themselves of such freedoms, such as Ohio, Michigan, New Jersey, California, and Wisconsin.⁴⁹ By the time of PRWORA, it was clear that state “[p]olicy innovation was informed by, and then informed, federal policy and practice.”⁵⁰

Wisconsin. The exemplar for a state being informed by, and then informing, federal policy is Wisconsin. This is because the state government acted early and robustly in addressing welfare’s problems, especially its increasing caseload and burden on state finances.

⁴⁶ *Ibid.*, p. 629.

⁴⁷ Teles, *Whose Welfare?*, pp. 159-61.

⁴⁸ See: *Ibid.*, p. 162.

⁴⁹ Donald F. Norris and Lyke Thompson (1995), “Findings and Lessons from the Politics of Welfare Reform,” in *The Politics of Welfare Reform*, Donald F. Norris and Lyke Thompson, eds. (Thousand Oaks, CA: Sage), pp. 231-32.

⁵⁰ Zylan and Soule, “Ending Welfare as We Know It (Again),” p. 630.

Starting in 1986, Wisconsin began decreasing its caseload, a trajectory that continued almost without interruption through 1996. But, focusing on decreasing the caseload of AFDC in the state and relieving dependency belies the stronger feat of the degree to which the welfare bureaucracy required work among recipients. One of the first waivers that Republican Governor Tommy Thompson obtained permitted the state to change the rules that had exempted mothers with children under the age of six from working in exchange for their welfare benefits; Thompson set the age at two in 1988, and one in 1995. This effort – along with so many other efforts – permitted the state to achieve a JOBS program participation rate of 60.6 percent in 1996, up from 38.8 percent in 1991.⁵¹ Still, perhaps the most reflective and important measure of the success of the state’s reform is the effects on former recipients. By the mid 1990s, almost three-fifths of welfare leavers were working and their poverty rates were decreasing.⁵² And, a 2000 measure ranks Wisconsin second in the nation for the percentage of welfare leavers satisfied with the work standard of (albeit the later passed and implemented) TANF.⁵³

Wisconsin is mentioned here not to reveal the particulars of its own politics of welfare reform or the implementation of its various work programs, but rather to stress the fact that it influenced federal legislation tremendously. Since the year 1987 when Governor Thompson took office through January of 1994, Wisconsin initiated nine welfare reform demonstrations. One of which, Work Not Welfare, captured national attention and an “army of researchers.” Work Not Welfare was introduced, rather late from the perspective of PRWORA, in 1995 to test time-limited aid in two small counties in Wisconsin. Given Thompson’s past record and

⁵¹ Mead, *Government Matters*, pp. 69-71.

⁵² *Ibid.*, pp. 4-6.

⁵³ *Ibid.*, p. 6.

his impressive caseload decline achievement, the fact that the Clinton administration authorized this waiver request following Clinton's address to the National Governor's Association, helped to influence elite re-imagination of welfare's fundamental design.⁵⁴ However, it was the JOBS program, which was authorized under the FSA, that really had fueled the convergence on comprehensive reform's work orientation. Wisconsin's record in this regard – of moving “poor families not only *off* welfare but *into* jobs” – captured the attentions of moderate Republicans and Democrats, who wanted to radically restructure welfare without ending it completely or simply ‘throwing more money at it.’⁵⁵

In this regard, Wisconsin is important, especially if the Mead thesis is taken seriously. On his reading, Wisconsin not only provided the research evidence that work programs *work*, so to speak. But, Wisconsin also demonstrated that “good government” was at the crux of welfare policy success. This is to say that part of the success Wisconsin had in reforming welfare stems from the fact that its government “governs well,” and does not simply do “new things”; it makes effective policies and implements them.⁵⁶ Mead links this “good government” tendency to Wisconsin's moralistic political culture, under the influence of Daniel Elazar's scheme.⁵⁷ Our objective here entails no consideration of this dimension of Mead's conclusion; rather, it is the elite characteristics that are of value in our consideration of the elite convergence that occurred in passage of PRWORA. Mead finds that Wisconsin displayed a high degree of political prudence in its approach to welfare reform, and both Republicans and Democrats sought to address welfare dependency and, relatedly, systemic poverty as problems that beg for solutions. This orientation is further displayed by Wisconsin's

⁵⁴ Wiseman, “Welfare Reform In the United States,” p. 619.

⁵⁵ Mead, *Government Matters*, p. 5.

⁵⁶ *Ibid.*, p. 215.

⁵⁷ See: *Ibid.*, pp. 216-18.

professional legislature and bureaucracy, which paid higher salaries than those of other states and which “innately” displayed a capacity to tackle welfare’s problems with “vigor.”⁵⁸ Certainly, Thompson’s local initiatives – Self Sufficiency First and Pay for Performance – helped to develop these endogenous variables (they created financial incentives for agency personnel to move welfare recipients from the rolls and into jobs).⁵⁹ But, Mead is keen on pointing out that Wisconsin is unlike New York or Florida or Mississippi, for instance. He is clear that this is not just according to the variables of benefit level or obligations for service – Wisconsin’s secret is in that it transcended the poles of party to fundamentally re-evaluate the meaning of welfare and the objectives it would pursue. Chiefly, it did so by raising work levels as a goal in itself, as opposed to simply giving more or less funds to low-income families.⁶⁰ But, it also did this with extreme generosity. Wisconsin not only wanted to *require*, as oppose to merely incentivize, work; it believed in giving welfare recipients the tools needed to succeed. In its case, this meant plentiful child assistance funding and other support services.⁶¹ This reflects the union of perspectives, between Republicans and Democrats in the state, on reducing poverty inasmuch as decreasing the state’s welfare caseload.

No wonder Wisconsin attracted national attention, “[a]nd from publicity [...] influence.”⁶² It was a waiver leader that had demonstrated what radical reform of welfare could look like, while accomplishing many of the goals of both parties. This further frustrated continuity of the status quo under AFDC. By late 1995, when Governor Thompson announced the Wisconsin Works (W-2) waiver, which instituted close to a *full* work requirement among

⁵⁸ *Ibid.*, p. 219; 222.

⁵⁹ Wiseman, “Welfare Reform in the United States,” p. 620.

⁶⁰ Mead, *Government Matters*, p. 13.

⁶¹ *Ibid.*, p. 15.

⁶² *Ibid.*, p. 6.

recipients of cash aid and which supplied “affordable” child and health care, traditional Democrat objections that reform along the lines of a block grant (what PRWORA ultimately achieved) would lead to a ‘race to the bottom,’ dissipated. W-2 repudiated this concern, and I suggest fueled additional convergence along the lines of the the weak FSA consensus.⁶³

CONCLUSION: DISSENSUS OVERCOME?

Much of what has been said at this juncture seems to suggest that dissensus among the intellectual elites was overcome, most notably due to the natural experiment that occurred within the various states. “Between January 1987 and August 1996, 46 states had received approval for waivers to experiment with AFDC and welfare-to-work programs,” and this undoubtedly convinced legislators that a work focus was required in federal welfare reform.⁶⁴ But, it was the effects of these waivers and demonstration projects that moved the nation’s elites to converge on the content of reform. As has been described, work requirements in Wisconsin led to increased self-sufficiency, falling poverty rates, and positive self evaluations among former cash-aid recipients.⁶⁵ These effects mattered for the elites. Intellectuals such as Charles Murray, William Julius Wilson, David Ellwood, and Mickey Kaus all were proposing alterations or even alternatives to AFDC in their research in the 1980s and early 1990s, and most of them agreed that entitlement cash-aid did little good for the country’s poorest members.⁶⁶

⁶³ Wiseman, “Welfare Reform in the United States,” p. 634.

⁶⁴ Zuckerman, “Welfare Reform in America,” p. 596.

⁶⁵ Mead, *Government Matters*.

⁶⁶ See their books, respectively: *Losing Ground*; *The Truly Disadvantaged*; *Poor Support*; and, *The End of Equality*.

The “intellectual renaissance” of the elites, sparked by experiments in the states and political repositioning among the Democrats through the Progressive Policy Institute and the Democratic Leadership Council, permitted liberals in particular to move away from cash-aid and to embrace “a work- and family-oriented philosophy of welfare.”⁶⁷ On the right, the same hoary maxim of “move to the center” obtained as well. One example is the American Enterprise Institute’s *The New Consensus on Family and Welfare*, which advised lawmakers to pass welfare reform along the lines of the Wisconsin example, thereby reflecting what Teles deems as a “culturally integrative worldview.”⁶⁸ For instance, it held the position that “no person should be involuntarily poor without having assistance from others” and “[n]o able adult should be allowed voluntarily to take from the common good without also contributing to it.”⁶⁹ These positions were all the more crystalized by the time comprehensive welfare reform had a shot of passage in the summer of 1996. While it is true that the “illegitimacy” issue came from right-field, almost upending the chances of PRWORA’s passage, the commitment to work and adequate assistance was fairly clear among the mainstream members of both the Republican and Democratic parties. It was political convergence in the summer of 1996 that helped to push through welfare reform, where intellectual consensus had left off. So, where Teles concludes in early- to mid-1996 that welfare was doomed to the state governors’ waivers because the intellectual elites had insufficiently rallied behind the Republican’s congressional plan, we can see in hindsight that the consensus was strong and persistent enough to motivate Clinton to honor it by the end of the summer.⁷⁰

⁶⁷ Teles, *Whose Welfare?*, pp. 149-50.

⁶⁸ *Ibid.*, p. 150.

⁶⁹ *The New Consensus on Family and Welfare*, Michael Novak, ed. (Washington, D.C.: American Enterprise Institute, 1987), p. 121.

⁷⁰ Teles, *Whose Welfare?*, pp. 162-3.

“Negotiating Welfare Reform: A Conventional Narrative Re-Visited”

Chapter IV: Negotiating Reform: Advocates, Congress, and the White House

Chapter II examined the congressional politics involved in settling on a welfare reform bill that could be included in the Republican Leadership’s ‘Contract with America’ before the run-up to the 1994 midterm election. As was explained, this proved to be a difficult task, given the division within the Republican party about what the content of reform should be. Generally, these policy-makers disagreed about whether the bill should emphasize *work* or target the increases in “illegitimacy” (or unwed pregnancy). The Democratic coalition fared no better, as Clinton’s welfare taskforce muddled through with the assignment of sufficiently departing from the AFDC status quo without moving too far to the political right as to lose the support of the Democratic party. The chapter suggested that the congressional and electoral dynamics are important in understanding the *backlash* theory, which holds that the Republicans’ monumental victory in achieving majorities in both houses (the first Republican Congress since the 80th of 1947-48) provided the necessary validation – and requisite numbers – to pass conservative welfare reform. However, it was argued that this theory is incomplete because it does not account for the more complex dimensions of policy formation – how the 250 pages of Public Law 104-193, with its diverse features, came to pass.

Chapter III posited the slightly altered theory of Steven Teles in order to account for the passage of PRWORA: that the dissensual conflict of the intellectual elites was overcome by virtue of the consensus-building process of policy research. In other words, the waivers authorized by the Department of Health and Human Services of the Reagan, Bush, and Clinton Administrations gave way to innovative state demonstrations, which contingently gave way to

policy examination and eventual ‘political learning.’ Such learning helped to narrow the range of acceptable measures involved in welfare reform, as this learning also helped to build upon, yet ultimately transcend, the ‘new consensus’ of the 1988 FSA. What was clear from the chapter is that the intellectual elites disagreed based on the interaction of their cultural perspectives, but I suggested that the intellectual space of their conflict was much more tapered as it pertains to welfare reform: on collectivist-liberalist grounds about proper societal commitment.¹ I argued that, over time, the intellectual elites aligned on the centrality of *work* in improving the welfare program, for which the ultimate goal (of course) was supporting its low-income clients.

Despite this, the contention of this thesis on how we can view the politics of passing welfare reform needs refinement still. To begin with, the forceful extent to which the elites coalesced behind the content of the 1996 welfare law is true insofar as some sort of work requirement was deemed crucial by mainstream participants. This cannot be argued so boldly for the time-limitation provision (which importantly ended the entitlement nature of the program) or the measures to reduce “illegitimacy,” such as the Murray Light provisions of the ‘family cap’ and teenage mother exclusion from welfare benefits, or even the direction of devolving the program to the states by means of a block grant. These measures were fiercely disputed, and this can be seen most clearly vis-à-vis the conflict between the advocacy elites,

¹ By ‘proper “societal” commitment,’ I mean several things. First, ‘proper societal commitment’ refers to the normative space about the extent of the modern welfare state. Second, it includes federalism considerations, such as the proper role of the federal or national government as well as those of the various states. And third, ‘societal commitment’ works in reverse as well: in exchange for state support, what should be required of the citizen or, more specifically, the recipient and/or beneficiary? Please note that I use the modern word ‘societal’ in lieu of the traditional word ‘social’ because I believe the former has taken on a meaning more precise and more useful (for my purposes) than the latter. I am indebted to K. Karamanakis for forcing me to consider my words carefully, and to hone my meaning. Cf. *Body Politics: What’s the State Got to Do With It?*, J.A. Pino & K. Karamanakis, eds. (Chestnut Hill, MA: Eagle Print Collegiate Press, 2017), esp. “Ch. I: Editors’ Preface.”

especially before congressional committees, during the course of welfare reform's policy formation.

This is only one refinement among many. Chapter IV endeavors to clarify the central argument of this thesis, which is the following: The passage of PRWORA was not merely a product of conservative currents, nor was it a bipartisan convergence on a brand new welfare consensus. Rather, the 1996 reform bill was informed by a panoply of actors, all of whom apprehended three contentions: (1) the status quo was insufficiently defensible, and thus program alteration was a given; (2) some sort of *work* requirement would be involved in any reform proposal, as the evidence suggested this was the best course-of-action for the program and its cash-aid recipients; and, (3) the additional features of reform would result from *negotiation* and *bargaining* between the actors involved, especially important after the Republicans won back the congress. In short, contention (3) is the focus of this chapter. It is too general to suggest that the elites converged, in a bipartisan manner, on the contents of the reform legislation – reform itself was a relational process whereby the measures proposed by policy-makers responded to (and built upon) each other.² This refinement is clarified in the proceeding.

Firstly, this chapter presents and considers testimonies before congressional committees to illustrate what actors (and evidence) influenced law-makers in the policy formation process. Of course, as Weaver notes, the influence of actors such as child advocacy organizations or social conservative lobbyists “depends as much on the gatekeeping power of

² Of course, Ron Haskins contends that the final legislation was in fact “highly bipartisan” and became “very popular among elected officials.” He also suggests that PRWORA’s formation reflects something just short of an elite consensus or convergence. See: Ron Haskins (2001), “Liberal and Conservative Influences on the Welfare Reform Legislation of 1996,” in *For Better and For Worse: Welfare Reform and the Well-Being of Children and Families*, Greg J. Duncan and P. Lindsay Chase-Lansdale, eds. (New York, NY: Russell Sage Foundation), pp. 17-9, 25.

elected officials in Washington as on changes in group involvement and group power.”³ In other words, the growing influence of social conservative testimony, for instance, partially reflects the preponderance of Republican power on committees such as Ways and Means. This chapter seeks to isolate the factors that were of significance during welfare reform’s formulation. It does so by considering the nature of the testimony first, and then it examines advocacy organizations.

And secondly, this chapter documents the extensive negotiations that occurred within Congress and between it and the White House (in conjunction with various interest groups). Up until the early summer of 1996, many thought that welfare reform would remain an election issue. It was due to a convergence of politics, as well as steady bargaining, that Clinton signed the legislation into law. Many within his administration, such as the Assistant Secretary of Health and Human Services for planning and evaluation, Peter Edelman, urged Clinton to veto the Republican reform law for a third time.⁴ Instead, Clinton achieved a number of alterations to the bill so as to make it palatable for his ‘New Democratic’ approach. One of these measures was expanded federal childcare funding, which fit snugly into the priorities for welfare reform as articulated in the Democratic Leadership Council’s *Mandate for Change* (e.g., require welfare recipients to work, ‘make work pay’ through an expanded Earned-Income Tax Credit, and *increase access to health care and childcare, as well as enhance child support enforcement*).⁵ By signing, Clinton honored his campaign promise, but his administration

³ R. Kent Weaver (2000), *Ending Welfare as We Know It* (Washington, D.C.: Brookings Institution Press), p. 217.

⁴ *Ibid.*, p. 202. Recall that the first two reform bills that the Republican Congress sent to Clinton’s desk were vetoed for various political reasons. See esp.: Jordan A. Pino, “Negotiating Welfare Reform: A Conventional Narrative Re-Visited,” Ch. II. Also, see: Ch. IV, § NEGOTIATING REFORM.

⁵ Elaine Ciulla Kamarek and William A. Galston (1993), “A Progressive Family Policy for the 1990s,” in Will Marshall and Martin Schram, eds., *Mandate for Change* (Berkeley Books), pp. 153-78; my emphasis.

responded with varying degrees of satisfaction (Edelman promptly resigned, for instance).⁶ The chapter seeks to close in on the date of passage – August 22, 1996 – and more clearly explain the nature of the elite convergence and the extensive negotiation that occurred to make welfare reform a reality.

COMMITTEE TESTIMONY AND REFORM

In a study prepared for delivery in 2006 to the American Political Science Association (convened in Philadelphia), Lawrence Mead analyzes the congressional politics involved in the “welfare revolution” of 1996. Specifically, his study tracks the witnesses who appeared before congressional hearings during the policy formation process, and he documents the way in which they framed the agenda for reform. Also, the study records the issues that the witnesses stressed as well as their positions. Significant for my contention is Mead’s following assertion:

The results reveal a shift away from ideological combat over the scale of government towards a cooler, more practical debate about how best to arrange welfare reform programs. Less dramatically, opinion also shifts to the right on these issues. Of the three theories of welfare reform politics, elitism appears strongest.⁷

The following table (Table I) records the number of individuals within each group who appeared before such committees as the House of Representatives Committee on Ways and Means and the Senate Committee on Finance during six welfare reform periods. The legislation acronyms should be recalled from Chapter I.⁸ Often times, members of these groups

⁶ Weaver, *Ending Welfare as We Know It*, p. 202.

⁷ Lawrence M. Mead (2006), “Welfare Politics in Congress: Hearings” (Philadelphia, PA: Address to American Political Science Association), § ‘Abstract.’

⁸ ‘SSA’ refers to the social service amendments of 1962, which increased federal funding for services that could reduce dependency, such as childcare. ‘WIN’ refers to the Work Incentive amendments of 1967, which created

would appear before smaller committees, such as the Subcommittee on Human Resources of the Committee on Ways and Means, that focus on more particular topics.

Table I
Number of Groups Represented in Each Welfare Reform Period

<i>Type of group</i>	<i>SSA</i>	<i>WIN</i>	<i>FAP</i>	<i>PBJI</i>	<i>FSA</i>	<i>PRWORA</i>	<i>Total</i>
Administration	2	3	8	10	9	9	41
Members of Congress	6	8	20	8	38	80	160
Local and state government	5	9	26	17	22	17	96
Social welfare agencies	29	22	28	22	27	39	167
Academics	0	1	5	6	8	17	37
Think tank	0	0	6	6	9	30	51
Labor union	2	3	13	8	4	3	33
Business	2	2	12	1	3	7	27
Activist	2	4	14	23	28	59	130
Civil rights	0	2	4	2	0	2	10
Ideological	0	1	2	2	0	1	6
Religious	0	2	13	5	5	10	35
Advisory	0	0	2	0	0	0	2
Other	1	0	7	9	2	10	29
Total	49	57	160	119	155	284	824

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One significant feature of these numbers is the extent to which other members of Congress were involved in the deliberations as witnesses. Nearly 30 percent of witnesses were other members during PRWORA’s formation. Just over 20 percent of witnesses were activists, and just over 10 percent drew from think tanks. This is important due to the large increases from the previous reform period (FSA, 1987-8), during which such representations were half as large. This signifies, I would suggest, how critical this round of reform was – law-makers

the first work “requirements” through the instituting of stronger work incentives. ‘FAP’ refers to the defeated Family Assistance Plan of 1969-72 that the Nixon Administration proposed for the ‘working poor’ in order to raise benefits. ‘PBJI’ refers to the defeated Program for Better Jobs and Income of 1977-8 that the Carter Administration proposed in order to expand AFDC, federalize it, and move it closer to a work requirement orientation. ‘FSA’ refers to the Family Support Act of 1986-8, which expanded welfare-to-work programs and enhanced child support enforcement. And, of course, ‘PRWORA’ refers to the Personal Responsibility and Work Opportunity Reconciliation Act of 1994-6 – the subject of this thesis. See: *Ibid.*, p. 14.

⁹ Please note: these figures and the table representation are taken from Lawrence Mead; see: *Ibid.*, p. 18.

wanted to settle the problems of AFDC by ‘getting it right,’ so to speak. And so, they ensured that many authorities were involved, including welfare recipients themselves.¹⁰

Additionally, Mead notes that welfare reform during the 1980s and 1990s was different from that of the 1960s and 1970s, in that the latter displayed parties that were diverse ideologically. This is because Congress was very seriously divided about poverty issues and the nature of the AFDC program. Over time, he suggests, the parties became more cohesive ideologically, yet the critical difference between the two platforms became starker. The division, especially between the two chambers, ensured that a wide variety of witnesses was called before the interested committees to testify about welfare reform. This is important because it meant that a wide variety of *views* and evidence became a part of the public record.¹¹

Mead’s study codes the oral statements of every witness during the welfare period; it omits those of the committee members as well as their colloquies with the testifier.¹² The study concludes that, over time, the agenda changed in a particular way: ‘paternalist’ subjects increased in frequency as well as significance, and eventually overtook (what he calls) the “progressive”¹³ issue of scale-of-government. (Recall that I suggested this matter is what had divided the elites and contributed to dissensual politics – their conflict on collectivist-liberalist grounds about proper societal commitment and the role of the federal government.) So, for the FSA, the ‘new consensus’ on welfare was about crafting effective work programs, ensuring adequate social services, and enforcing child support collection, for instance. These paternalist

¹⁰ See: Sandra O’Donnell, “Involving Clients in Welfare Policy-making,” *Social Work* 38.5 (Sept. 1993), pp. 629-35.

¹¹ See: Mead, “Welfare Politics,” p. 17.

¹² *Ibid.*, pp. 15-7.

¹³ Mead uses the terms ‘progressive’ or ‘progressivism’ to indicate scale-of-government, or otherwise the space in which the questions ‘How much should the government do?’ or ‘What role should the federal government have in *x* matter?’ arise. I do not use this term, as it is often held as equivalent, in the popular lexicon, to the word ‘liberal’ or at least convokes the appearance of a politically left perspective. To avoid confusion, I replace ‘progressive’ with the clearer signifier of ‘scale-of-government.’

matters were the central focus of the FSA and PRWORA reforms; however, scale-of-government concerns “rebounded” in the 1996 policy formation process due to the sharp divergence of the federal government’s role in welfare by virtue of proposals for the program to become a block-grant to the states.¹⁴

Also, elite-level opinion with respect to the agenda changed. Mead’s study codes the witnesses’ positions according to a left-right ideological spectrum, as being the easiest way of tracking positions over time. The analysis notes that testimony during the SSA through the FSA reform phases was resolutely to the political left, even while a diversity of ideological representation existed among the testifiers. This changed in the PRWORA reform phase: nearly 50 percent of witnesses took a position ‘to the left’ on the lead issue cited; just under 50 percent of witnesses took a position ‘to the right.’ Mead clarifies that opinion changes are less clear than agenda changes because the shifts depend on the issue type identified (i.e., paternalist versus scale-of-government, for example). However, what is clear is that “left [scale-of-government] stances decline over time, while conservative paternalist positions grow.”¹⁵ Moreover, the overall percentage of witnesses who emphasized paternalist issues versus scale-of-government issues grew steadily over time, reaching a high of 85% during the FSA reform phase, slightly decreasing during the PRWORA phase. The more ideological groups, such as activist, civil rights, and religious organizations, tended to emphasize scale-of-government considerations consistently, but even they paid increasing attention to paternalist issues between the FSA and PRWORA reform phases. Academics, think tanks, and administrators gave paternalist matters the most attention.¹⁶

¹⁴ *Ibid.*, p. 19.

¹⁵ *Ibid.*, p. 23. Also, see: *Ibid.*, pp. 20-5.

¹⁶ See: *Ibid.*, pp. 27-9.

TESTIMONY SAMPLING

Consider these trends according to a few, specific examples. The first is a hearing before the Subcommittee on Human Resources, which occurred during the second session of the 103rd Congress on May 2, 1994. The hearing was entitled “Florida’s Efforts to Reform Welfare,” and the members of the subcommittee went into the field and met in Tampa, Florida.

This hearing is significant for at least two reasons. First, it illustrates the trends above that have been documented by Mead’s study – for example, that paternalist issues of program improvement attained greater focus in the PRWORA reform phase (1994-96). Second, though, is that the hearing demonstrates a central contention of Chapter III: evidence from the states was instrumental in effectuating a convergence on the necessity of work as a condition of cash assistance. This example illustrates the centrality of work participation for program administrators in Florida, but also it demonstrates the keenness of national policy-makers in learning from state demonstrations.

The hearing reviews Florida’s initiatives to reform welfare programs through the “introduction of new job training and placement programs for AFDC recipients.”¹⁷ Testifying before the subcommittee were seven witnesses: two administrators of the Florida Department of Health and Rehabilitative Services, two legal advocates of Florida Legal Services as well as Bay Area Legal Services, two former welfare recipients, and one state legislator. I will not attempt to code their public remarks, but in broad characterizations, each spoke to the nature of the welfare program within the state as well as to its improvement. Assistant Secretary

¹⁷ U.S. Congress, House of Representatives, Subcommittee on Human Resources of the Committee on Ways and Means, *Florida’s Efforts to Reform Welfare: Hearings before the Subcommittee on Human Resources of the Committee on Ways and Means*, 103rd Cong., 2nd sess., May 2, 1994. DOI: <http://congressional.proquest.com.proxy.bc.edu/congressional/result/congressional/pqpdocumentview?accountid=9673&groupid=107819&pgId=e93fe3ca-0aff-4682-a7ee-cf5465823d82>

Albertine McDaniel testified to the successes of ‘Project Independence’ – an FSA initiated JOBS program that was being evaluated by the MDRC. Assistant Secretary McDaniel stated that “[t]he first year study with Project Independence actually showed that we improved the earning power of the treatment—Project Independence—group by about 11.2 percent over those who were not involved in Project Independence.”¹⁸ We cannot say with certainty that the committee members took the testimony of such actors, and the presentation of such evidence, as particularly significant; however, it is likely that the committee members were genuinely interested in discovery. As the first and second focus points for the hearing of Chairman Harold Ford’s press release make clear, the members (perhaps the Democrats more so) were interested in state experiments in order to consider Clinton’s welfare reform proposal in particular:

(1) What does Project Independence tell us about the effectiveness of a JOBS program that focuses on immediate job placement, compared with other approaches? What role does human capital development play in Project Independence? Based on experience under Project Independence and the two-county demonstration, are most welfare parents job-ready?¹⁹

(2) The Clinton Administration is considering phasing in its forthcoming time-limited welfare reform plan, starting with young welfare families. What information is available thus far from Project Independence or the two-county demonstration that would shed light on this possible phase-in strategy?²⁰

This subcommittee hearing should ground the general points cited above from Mead about the nature of welfare politics in the PRWORA phase. The witnesses, perhaps due to the fact that this was a field hearing, all narrowly addressed matters related to paternalism – they were

¹⁸ *Ibid.*, p. 9.

¹⁹ *Ibid.*, p. 3.

²⁰ *Ibid.*

interested in the cold particulars of program improvement, such as the features of this JOBS program. None focused their remarks exclusively on scale-of-government concerns.

I present two additional examples that further illustrate Mead's contention, which occurred in Washington, D.C. on welfare reform proposals, such as H.R. 4605, and the later proposals of 1995. The first is again before the House Subcommittee on Human Resources, and it occurred over the course of July 14, 26-28, 1994. The second hearing is before the Senate Committee on Finance, and it occurred on March 9, 1995.

The former hearing focused on examining welfare proposals of mid-1994, such as H.R. 4605, the Work and Responsibility Act, which was proposed by the Clinton Administration after many months of planning and delay. Appearing before the subcommittee were 11 witness panels. I will not list each witness, but it bears mentioning here that over 20 members of Congress, several state and local bureaucrats, notable academics (such as Mary Jo Bane and David Ellwood), and senior administration officials (such as Secretary of the HHS Donna Shalala) all testified. The subcommittee was convened in order to consider provisions for comprehensive reform of the welfare system, such as those to: "[r]equire states to develop for each welfare recipient the fastest possible plan to attain lasting employment and self-sufficiency, and establish a two-year limit on cash assistance not contingent on work" as well as "[p]rovide grants to schools and community organizations to develop pregnancy prevention programs for unwed teens" and "[r]evise child care subsidies, earned income tax credits, and AFDC income disregards for JOBS/WORK program participants, and increase child care funding for working poor families."²¹ These are just three of several objectives. It should be

²¹ U.S. Congress, House of Representatives, Subcommittee on Human Resources of the Committee on Ways and Means, *Welfare Reform Proposals, Including H.R. 4605, the Work and Responsibility Act of 1994: Hearings before the Subcommittee on Human Resources of the Committee on Ways and Means*, 103rd Cong., 2nd sess.,

noted also that they reflect not only typically Republican concerns, but also those of Democrats. It is interesting that this was the focus of the hearing even though the agenda was formally controlled by Democrats, who were in the majority – Representative Sam Gibbons (D., FL) served as the Acting Chairman. The purpose was to examine the administration’s welfare reform plan – the focus on work should again serve to emphasize how crucial the requirement was to all involved in the process.

The witnesses during this subcommittee hearing emphasized both paternalist and scale-of-government issues. Of course, Secretary Shalala, Dr. Bane, and Dr. Ellwood all focused their remarks on the merits of the administration’s welfare reform plan, and how it could address a number of problems with the contemporary system. The later witnesses, especially the Republican members of Congress, noted scale-of-government concerns, especially Representative Bill Archer’s (R., TX) early points in the hearing about mid- to long-term growth in federal spending on welfare. Representatives Rick Santorum (R., PA) and E. Clay Shaw (R., FL), in their capacities as witnesses, both sought to address these matters by highlighting H.R. 3500 – the Republican welfare reform plan that later became H.R. 4, one of the ten pillars of the Contract with America.

The final hearing that I discuss here occurred in early 1995 before the Senate Committee on Finance. It serves to demonstrate Mead’s contention about the shifts in welfare politics, especially as it relates to the intellectual elites. I utilize *this* hearing as an example, as opposed to one that illustrates the politics of the advocacy elites, because it shows clearly the division of opinion among the think tank policy wonks in this reform phase, and also because

July 14, 26, 27, and 28, 1994. DOI: <http://congressional.proquest.com.proxy.bc.edu/congressional/docview/t29.d30.hrg-1994-wam-0027?accountid=9673>.

the advocacy elites tend to substantiate Mead's contention less because they focus more narrowly on their particular interests (children, for example). Appearing before the committee were Michael D. Tanner of the Cato Institute, Robert L. Greenstein of the Center on Budget and Policy Priorities, Robert E. Rector of the Heritage Foundation, and (naturally) Lawrence M. Mead of Princeton University. Not surprisingly, each spoke to program improvement; effectuating a work orientation was a principal concern in all of the remarks. However, Tanner tended to focus his remarks on the need to return the welfare program to the states, for which his remarks should be seen as principally about the scale-of-government. Rector tended to focus more on the "illegitimacy" matter, and less on the need for reform to be about requiring work. Greenstein agreed with Mead insofar as he thought welfare reform should be about "promoting work" (my emphasis) and "requiring responsibility of both parents," but he stressed the typically Democrat position that reform must also maintain the "safety net for poor children."²² Mead's remarks should be no surprise at this juncture: they focused on instituting nationally what he thought had been achieved in Wisconsin (a work orientation with sufficient state support).²³

While the testimonies of these witnesses serve to illustrate the partisan nuances of welfare reform, by no means should they substantiate a view that the perspectives were locked in irreconcilable conflict, even at this juncture. Each commented on the need to improve the program in a particular regard (paternalist concerns), and each advocated a work requirement. As Haskins comments, "after 1992 the debate was about the amount of work required, the specific conditions of work[,] and the consequences for individuals and states of not working":

²² U.S. Congress, Senate, Committee on Finance, *Broad Policy Goals of Welfare Reform: Hearings before the Committee on Finance*, 104th Cong., 1st sess., March 9, 1995, p. 6. DOI: <http://congressional.proquest.com.proxy.bc.edu/congressional/docview/t29.d30.hrg-1995-fns-0049?accountid=9673>.

²³ See: *Ibid.*, pp. 1-11.

the debate occurred within a fairly circumscribed intellectual space.²⁴ Yes, scale-of-government was a recurring theme, as were “illegitimacy” matters and ‘hard’ versus ‘soft’ sanctions (e.g., a time limitation for benefits); but, scale-of-government should not be considered the dominant theme of scrutiny. As Mead summarizes, “it is far from the whole story.”²⁵ He continues: “National politics moved to the right, but more important, policy experience and research encouraged a more practical and less ideological stance toward poverty.”²⁶ Congressional hearings in this period should demonstrate that welfare reform politics had shifted, as had the agenda and elites’ opinions. No longer were mainstream participants seriously debating expanding the welfare program, nor could they seriously expect to eliminate it. Instead, “scale issues were mostly set aside in favor of pursuing the work goal, which the public strongly favored. Most groups involved in advising Congress shared in that change. Welfare became less of an ideological battle and more of a problem to be solved.”²⁷

THE INFLUENCE OF ADVOCACY ELITES

This chapter has characterized broadly the shifts in committee testimony, and again this thesis has engaged with elite-level opinion. A more thorough engagement with the advocacy elites is still required, however. This is not least because the advocates failed to demonstrate Mead’s thesis to a considerable extent – they were, nevertheless, involved in the policy formation process. I suggest that particularly important in the politics of welfare reform were two groups, which I consider here in turn. Yet, the impact of their influence is disputed.²⁸

²⁴ Haskins, “Liberal and Conservative Influences,” p. 17.

²⁵ Mead, “Welfare Politics in Congress,” p. 37.

²⁶ *Ibid.*

²⁷ *Ibid.*, pp. 37-8.

²⁸ Weaver, for instance, characterizes the influence of interest groups in the PRWORA welfare reform period as ‘ambiguous’ at best. See: Weaver, *Ending Welfare as we Know It*, pp. 217-21. Sufficient evidence exists to argue both that specific groups exercised an influence and that they did not. Certainly, though, it can be argued

First, I examine the influence exercised by social conservative groups or ‘pro-family’ groups or, some may characterize, the “religious right.”²⁹ In short, these groups tended to see welfare reform as an opportunity to reverse American moral and social “decay” by (1) focusing on reducing “illegitimate” births and teen pregnancy in especial and (2) increasing the powers (flexibility) of the state governments vis-à-vis a block grant that would cap federal spending on the AFDC program. Certainly, these groups were keen on limiting aid to two years, enforcing a work requirement, and stiffening child support enforcement as well – but they did not focus on these matters over the former. Second, I review the influence of the child advocacy network in the policy formation process of PRWORA. This entails a consideration of the Children’s Defense Fund, which requires an analysis of its failure to significantly alter the debate. The degree to which it negotiated successfully is muted in this period of social policy reform.

Social conservative groups became especially involved in welfare reform in the 1990s, perhaps because they sensed an opportunity to expand the reach of their significance beyond the issues of abortion and school prayer. Indeed, it was the former executive director of the Christian Coalition (a social conservative organization with a particularly strong local and state chapter base), Ralph Reed, who had urged other organizations to “cast a wider net” with their agendas.³⁰ Additionally, of course, such organizations demonstrated their collective concern about the “breakdown of two parent families,” the “corrosive effects of out-of-wedlock births,” and “the broader process of social decay in America.”³¹ Groups such as the Christian

that interest groups exercised a degree of influence on the proceedings at moments during the process. This is explored in the proceeding.

²⁹ Weaver, *Ending Welfare as We Know It*, p. 211.

³⁰ Ralph Reed, Jr., “Casting a Wider Net,” *Policy Review* 65 (Summer 1993), pp. 31-5. Also, see: Weaver, *Ending Welfare as We Know It*, p. 212.

³¹ Weaver, *Ending Welfare as We Know It*, p. 212.

Coalition, the Family Research Council, Focus on the Family, the Traditional Values Coalition, and Concerned Women of America began to rally behind deterrence-oriented welfare reform measures as solutions to the problems mentioned above. They also believed that private charities and religious organizations, such as the Catholic Church, would be instrumental in promoting the “moral regeneration” required to change the lives of welfare recipients.³² Thus, they argued that their roles should be increased if any reform would have a meaningful impact.³³

While social conservative groups were drawn towards welfare reform, their unity as a *coalitional* interest was undermined by the Murray Light deterrence strategies of the family cap and teenage mother exclusion from benefits. This is to say that these positions were not universally accepted among social conservative organizations. For example, the National Right to Life Committee opposed both of these measures. NRLC believed that strong anti-illegitimacy measures would increase the rate of abortions – a possibility the organization could not sanction.³⁴ While this threatened fissure, social conservative groups were adept at working together because their policy shops were small, they all knew each other, and they had frequently worked together on issues of common interest and concern.³⁵

Of most importance is that these groups (besides the NRLC) successfully fought to keep Murray Light provisions in contention during the 103rd and (part of the) 104th Congresses. These organizations strengthened their ties to the most conservative Republican law-makers, and the former provided ammunition with which the latter could defend themselves. For

³² *Ibid.*, p. 213. See, too: Ellen Reese (2007), “The Causes and Consequences of U.S. Welfare Retrenchment,” *Journal of Poverty* 11.3, p. 54.

³³ Weaver, *Ending Welfare as We Know It*, pp. 212-13.

³⁴ See: *Ibid.*, p. 213.

³⁵ *Ibid.*, pp. 213-5.

example, the Family Research Council published a number of short policy memoranda that conservative Republicans used to establish that the family cap would not lead to an increased number of abortions, as a state demonstration in New Jersey seemed to suggest.³⁶ When the 104th Congress came to session, social conservative organizations continued their support for deterrence strategies to reduce “illegitimacy”; however, Weaver notes that the coalition was only one interest (albeit a strong one) among many. He is not as sanguine as others on these organizations’ collective influence.³⁷ Indeed, they were ultimately *placated*, Weaver thinks, with increased abstinence education funding and rewards for states that could reduce the out-of-wedlock birth rate without any uptick in abortion rates – provided that social conservative organizations accept, without protesting to their multi-million-person base, the family cap becoming a state option.³⁸ According to Weaver, the compromise offered to these organizations ultimately had to be accepted by virtue of the reality that their power lay at one extreme of the Republican party. Social conservative organizations had the capacity to keep strong deterrence measures in contention, but could not ultimately control the agenda. The point raised at the beginning of the chapter bears repeating: the influence of this coalitional interest group “depends as much on the gatekeeping power of elected officials in Washington as on changes in group involvement and group power.”³⁹ It should be added that the power of social conservative groups also depends upon the relative power of other interests. In this case, the Republican Leadership’s interests in passing reform while retaining office is a forceful one.

³⁶ *Ibid.*, p. 214.

³⁷ Cf. Reese, “The Causes and Consequences”; Diana M. Zuckerman (2000), “Welfare Reform in America: A Clash of Politics and Research,” *Journal of Social Issues* 56.4.

³⁸ Weaver, *Ending Welfare as We Know It*, pp. 216-8.

³⁹ *Ibid.*, p. 217.

Another interest group that will be considered here is the Children's Defense Fund. The CDF is chosen for both proxy and idiosyncratic reasons. At this time, it was one of the most powerful advocacy organizations from the progressive wing of the Democratic party; however, as was mentioned above, its influence in PRWORA's formulation was especially muted. This is not simply because of the midterm election results in 1994. The CDF exercised limited influence because it was one of the few organizations that retained its commitment to both welfare benefit *entitlement* as well as a limited *work* orientation. Due to the CDF's predominant interest in advocating on behalf of children, any sanctions on parents (reflecting the recurring 'dual-clientele' trap) were suspect. In fact, any material alteration that stood to reduce a family's benefits was opposed. This frustrated meaningful reform, even in the first two years of Clinton's presidency, when the Democrats controlled the significant policy-making committees in this regard. And, from the perspective of moderates in both parties, the CDF's unwillingness to compromise (as the Democratic Leadership Council was viewed to have done) further relegated the group to the sidelines.

Historically, though, politicians pay attention to research and advocacy organizations in order to understand the impacts that proposed legislation would have on their constituencies. In the past fifty to sixty years, however, there has been an explosion in the number of interest groups, which has *forced* politicians to incorporate such organizations into the policy-making process, at least partially. Some of these organizations consider themselves to be 'public interest' groups, while some are more precise about their concentrations. Nevertheless, all such groups remind law-makers about the power they wield – their ability to cast politicians in

a particular light to influence elections. Simply, law-makers cannot ignore interest groups, especially when they organize into an effective coalition.⁴⁰

When Republicans took back control of the Congress in 1994, they limited the entrée granted to progressive organizations in the policy formation process. As the head of the Food Research and Action Center noted, some Republicans were “willing to dance with us, but the decisions to cut [had] already been made.”⁴¹ Progressive organizations continued to appear before Congress by virtue of the Democrats on the related committee, but their involvement in the day-to-day writing of welfare reform proposals was curtailed. This is true for the more research-oriented groups to the political left, such as the Center on Budget and Policy Priorities as well as the Center for Law and Social Policy, as it was true for the advocacy-oriented Children’s Defense Fund.

The CDF emerged in the 1970s out of a coalition of groups all interested in children’s development issues. Marian Wright Edelman set the agenda and brought these groups under one administration. (The CDF takes no government funding, but instead relies upon the donations of wealthy individuals as well as foundations; it has an affiliated 501(c)(4) that grants it additional flexibility, such as for lobbying activities.⁴²) In comparison to the CBPP and CLASP, the CDF had an operating budget in 1996 of almost four times that of the former two, combined.⁴³ However, the organization could exercise a limited influence with respect to mounting a publicity campaign when its suggestions in the policy formation process were

⁴⁰ See: *Ibid.*, pp. 197-8.

⁴¹ Robert Fersh, quoted in Barbara Vobejda and Judith Havemann, “Traditional Welfare Constituencies Put Out by Lack of Input in Reform,” *Washington Post*, May 21, 1995, p. A4; also, see *Ibid.*, p. 201.

⁴² Weaver, *Ending Welfare as We Know It*, p. 202.

⁴³ *Ibid.*, p. 204.

ignored. Simply, it lacked the resources to work successfully in the position occupied – within a “reactive, defensive, and negative role.”⁴⁴

For example, the CDF focused on preventing the end of welfare as an entitlement to families, and it attempted to frustrate the effort to convert the program into a block grant. Because Republicans controlled the agenda after the 1994 elections, and these measures were on it, the CDF could only attempt to mitigate the perceived effects of these measures, such as by fighting for adequate child care funding or by weakening Murray Light provisions.⁴⁵ With respect to this last element, interestingly the CDF established linkages with the NRLC and Catholic Charities, USA in order to increase its influence and advocate dropping the family cap.⁴⁶ Despite ultimate success in this regard, Weaver observes that the CDF was doomed to the sidelines, once Democrats lost the driver’s seat on welfare reform, for a few reasons. First is the obvious point that Democrats no longer enjoyed a majority in either chamber of congress. Second, the CDF could not muster a robust grassroots campaign to significantly alter welfare reform legislation. And third, the CDF lacked reliable political allies at the notable policy-formation ‘choke points’ – the related committees of the House of Representatives and the Senate as well as the White House.

With respect to the latter, recall that the president was committed to enacting some sort of reform on welfare. This produced an awkward reality for Marian Edelman, whose husband served in the Department of Health and Human Services. This close personal linkage between the Edelman’s and the Clinton’s (additionally, Hillary Clinton was a former chairman of the CDF’s Board of Trustees) seemingly should have resulted in greater effect. When the

⁴⁴ *Ibid.*

⁴⁵ *Ibid.*, p. 203.

⁴⁶ *Ibid.*

Congress sent Clinton its third welfare reform bill, Marian Edelman urged the president to veto it again. She protested, after his signature, that the legislation “makes a mockery of his pledge not to hurt children. ... It will leave a moral blot on his presidency and on our nation that will never be forgotten.”⁴⁷ Perhaps the CDF’s failure to exercise significant influence is due, in part – as Weaver notes about the dominant opinion among Republican policy-makers – to Edelman’s “tone of moral superiority.”⁴⁸ She and Senator Daniel Patrick Moynihan (D., NY) made the ultimate welfare reform legislation about morality, support for it a Manichean choice between ‘good’ and ‘evil.’⁴⁹ For compromise-oriented moderates – like President Clinton, Representative Shaw, and Senator Lott – this perspective must have been nauseating.

NEGOTIATING REFORM

In the remainder of the chapter, I explain the final passage of PRWORA by paying attention to the negotiation and bargaining that occurred in the final year and a half of policy formation. Certainly, I cannot cover all of the details of the legislation’s formulation. What’s more: it would remain irrelevant to my argument if I attempted to do so. Instead, this section focuses on the role of the state governors in promoting and then reviving welfare reform. It should be noted that the Republican Governors Association (RGA) and the National Governors Association (NGA) became key players (and negotiators). This section shows how welfare reform was a relational process whereby all of the interested parties (Congressional Democrats and Republicans, the White House, the state governors, &c.) responded to each others’ positions, in a back-and-forth manner, in order to achieve a palatable product. The enormous

⁴⁷ See: Christopher Conte, “Welfare, Work and the States,” *Congressional Quarterly Researcher* 6.45 (Dec. 6, 1996), p. 1072.

⁴⁸ Weaver, *Ending Welfare as We Know It*, p. 202.

⁴⁹ *Ibid.*

degree of bargaining between the actors should reveal a timeless tendency of American politics: legislation is the result of negotiation and compromise.

When the Republican leadership settled on the Contract with America, of which the Personal Responsibility Act (H.R. 4) was a crucial element, Republican policy-makers were trying to achieve a variety of goals. Overall, the Contract with America reflects an ideological commitment to reducing the size of the federal or national government, especially the vast array of its welfare programs. So, the *modus operandi* of the ‘Republican Revolution’ was, of course, deficit reduction and balanced budgets. The Republican leadership (Speaker Newt Gingrich, personally) was influenced by the writings of welfare analyst, Robert Rector, of the Heritage Foundation, who argued that the entire spectrum of means-tested programs (75 in total) should be considered together as “welfare.” He believed that these programs’ total spending of \$5.4 trillion (1993 dollars) since 1963 represented the failure of the ‘Great Society’ initiative, since poverty had not changed in step. Regardless of whether this claim is believed, Republicans seized on his figure, and reform of the AFDC program became a proxy issue.⁵⁰

Since the Clinton Administration’s welfare initiative failed in the summer of 1994, the field of reform was open to H.R. 4, what became the *Personal Responsibility Act of 1995*. It reflected a more conservative vision of welfare reform, partly because the Republicans who were involved in its formulation had moved to the political right in order to differentiate their bill from the president’s.⁵¹ The PRA included provisions that would have ended the entitlement status of the program, imposed an aggregate spending cap, and permitted states to convert their AFDC grants into block grants to design their own programs to serve low-income families. It also included a number of new mandates, with which many of the state governors

⁵⁰ R. Kent Weaver (Summer, 1996), “Deficits and Devolution in the 104th Congress,” *Publius* 26.3, pp. 52-3.

⁵¹ *Ibid.*, p. 53.

took issue. For instance, under the PRA, states would be required to exclude from eligibility of AFDC benefits (1) all children for whom paternity had not been established, (2) all children born to mothers under the age of 18, and (3) all children born to mothers who were receiving AFDC benefits at the time of pregnancy. Additionally, states were required to meet escalating ‘work participation rates’ for certain welfare recipients, and for these expensive new work programs only \$10 billion of new funding would be devoted, at the federal level. Single-parent recipients were required to work for at least 35 hours, and states were expected to help provide assistance for transportation, supervision, and child care – all costly expenses.⁵²

As Republican Governor John Engler of Michigan quipped, “[c]onservative micromanagement is just as bad as liberal micromanagement.”⁵³ The governors – particularly Republican governors such as Tommy Thompson of Wisconsin, John Engler, and Bill Weld of Massachusetts at this stage – objected to the limited discretion and funding accompanying an increased set of demands on state governments. The governors were worried about micromanagement, but also about across-the-board cuts to federal funds, which would affect states and populations indiscriminately.⁵⁴ While the PRA contained provisions to extend a degree of flexibility to the states, it was actually rather close to being “the states’ worst nightmare”: it added a number of new mandates, some expensive, while capping funding for AFDC and other programs.⁵⁵ As Weaver put it, the incentives were very high for the governors to push welfare reform in a direction other than the PRA.

⁵² H.R. 4, *Personal Responsibility Act of 1995*, 104 Cong., 1 sess., introduced January 4, 1995; *Ibid.*, pp. 54, 57.

⁵³ See: Lori Montgomery, “In Welfare Debate, Engler Is Both a Model and a Maverick,” *Detroit Free Press*, January, 20 1995, p. A1.

⁵⁴ Weaver, “Deficits and Devolution,” p. 58.

⁵⁵ *Ibid.*

And, the governors were able to exercise a decisive influence in transforming the PRA into a bill more broadly acceptable to a coalition of interests. At first, as was indicated above, the Republican governors led the way because a bipartisan position could not be achieved by the NGA. Rather, the RGA took a more involved role in working with the Republican Congress on altering the PRA. House Republicans also had strong incentives themselves to secure the consent of governors, who could “ease passage of their ambitious program,” which extended beyond just reform of AFDC.⁵⁶ So, House Republicans and Republican governors began negotiating the contents of the welfare reform law in Williamsburg, Virginia shortly after the election of 1994. They were able to agree on several alterations. The resulting bill achieved “more flexible work requirements,” in exchange for “a basic family assistance block grant with no increases in nominal funding levels.”⁵⁷ This reflects the governors’ interests in achieving greater discretion, and the Republican congressional interests in limiting federal spending growth. While the governors and the Republican leadership struck this agreement, Ron Haskins notes that the normal operation of policy-making still applied: “no matter what the governors or Gingrich or Dole might propose, Shaw and Archer controlled the drafting and would not accept any bill that would not keep our various factions united.”⁵⁸ This complicated matters. Work requirements were ‘ratcheted up’ as the bill moved through the House, while both parties castigated each other for being ‘weak on work.’⁵⁹ This seems to reflect that work was central to meaningful reform. In March of 1995, the House of Representatives passed a

⁵⁶ *Ibid.*, p. 59.

⁵⁷ *Ibid.*, p. 60.

⁵⁸ Ron Haskins (2006), *Work Over Welfare: The Inside Story of the 1996 Welfare Reform Law* (Washington, D.C.: Brookings Institution Press), p. 272.

⁵⁹ Weaver, “Deficits and Devolution,” p. 60.

bill that retained the contours of the agreement between the Republican governors and congressional leadership.

The bill proceeded much more slowly in the Senate, where the Republican governors' "desire for more discretion" was expected to fare better.⁶⁰ Interestingly, because President Clinton had refused to comment on whether he would veto a bill that dropped the individual entitlement status of AFDC, advocacy groups stopped fighting for it and began a pivot towards bargaining for increased child care funding for women subjected to a work requirement.⁶¹ Other debates raged on in the many months during which the Senate underwent the markup process. Conservative senators and social conservative groups, such as those examined above, continued to lobby for provisions to reduce "illegitimacy"; large-states' senators worried about the specifics of the funding formulae by which their constituencies would receive matching federal monies. Finally, in a series of floor votes in September of 1995, these matters were settled, and the Senate legislation passed 87-12 – due in part to a tip-of-the-hat from Clinton, that he might approve welfare reform along the lines of the Senate product.⁶² Importantly, the Senate version of welfare reform retained the block grant nature of the new program as well as the stronger work requirements, imposed a time limitation, but dropped the "illegitimacy" measures to state options. It also honored the requests of some politically left advocacy organizations, Democratic senators, and the White House on a strengthened maintenance-of-effort requirement for state spending, a more generous "rainy day" fund for states encountering recession, and greater child care funding.⁶³

⁶⁰ *Ibid.*

⁶¹ *Ibid.*, pp. 60-1.

⁶² *Ibid.*, p. 61; Haskins, *Work Over Welfare*, p. 269.

⁶³ Weaver, "Deficits and Devolution," p. 61.

Despite this seemingly bipartisan achievement in the Senate, House Republicans were not content with some of the departures from their version of welfare reform. Ultimately, the reconciliation process resulted in a conference agreement that Clinton rejected ... twice. The legislation increased the burden on states to achieve welfare-to-work transitions, and it implemented a “classic congressional strategy” on the anti-illegitimacy measures of “splitting the difference”: states would have to opt out of family caps through a vote of the state legislatures, but could opt into teen mother exclusion from benefits. This unnerved the Administration. Clinton also protested that the bill was “designed to meet an arbitrary budget target rather than to achieve serious reform.”⁶⁴

After the breakdown in these negotiations, most thought that welfare reform was dead. However, as Haskins put it, a *deus ex machina* appeared in the form of the governors.⁶⁵ They were able to “breathe life” back into welfare reform. Whereas the winter 1995 meeting of the NGA failed to result in a bipartisan compromise on welfare reform, the February meeting was more successful. Republican and Democratic governors were able to agree on a package of reforms to AFDC as well as Medicaid.⁶⁶ This augured poorly for the Clinton Administration, which then would have less political clout in rejecting resultant legislation – it is difficult for an administration to reject the bipartisan position of the NGA. Largely, the governors’ agreement was a sketchy set of improvements on the previous conference package that Clinton had rejected. The package increased the monetary flexibility of the states: whereas the conference agreement was set to achieve federal savings of \$60.4 billion, the governors’ package would achieve \$43 billion of reductions. It also increased the flexibility of states

⁶⁴ See: *Ibid.*, p. 62.

⁶⁵ Haskins, *Work Over Welfare*, p. 270.

⁶⁶ *Ibid.*, pp. 270-1; Weaver, “Deficits and Devolution,” p. 62.

while raising the funds available to them (e.g., an additional \$1 billion contingency, “rainy day” fund). A notable dynamic in play here is that the governors were responding to the budgetary uncertainty that the breakdown in negotiations between the White House and Congress had caused – “for all governors, prolonged uncertainty meant that their own state budgets would be based on guesswork.”⁶⁷ This “governance dilemma” was unacceptable to Republican and Democratic governors alike.⁶⁸ Ultimately, the NGA provided the bargaining chip with which the actors could legitimize the “extreme” Republican welfare-reform package.⁶⁹ Democrats achieved increased child care funding, state maintenance-of-effort, and a larger contingency fund, among other provisions; Republicans were able to pass a block grant of a major welfare state program, time-limit benefits, and control federal spending for the course of the foreseeable horizon. Both sides were able to be ‘tough on work’ by requiring satisfactory work participation rates of the states as well as by providing for a work requirement as a condition of aid. Last, illegitimacy-reduction measures were subjected to the “Byrd rule” in the Senate budget reconciliation process.⁷⁰ In other words, they were dropped, forcibly, to state options.⁷¹

Haskins comments, from his vantage point on Ways and Means, that the large difference between 1995 and 1996 with respect to welfare reform is the “willingness of the two parties to cooperate in perfecting the bill.”⁷² He thinks that it was the NGA that exercised the decisive influence in reviving and promoting welfare reform, as House Democrats had

⁶⁷ *Ibid.*, p. 63.

⁶⁸ Also, see: Barbara Vobejda, “Government’s Fiscal Impasse Leaves State Budgets in Limbo,” *Washington Post*, January 14, 1996, p. A4.

⁶⁹ Weaver, “Deficits and Devolution,” p. 64

⁷⁰ *Ibid.*, p. 64. For an explanation of the ‘Byrd Rule,’ a device used to marshal order in budgetary debates and proceedings, please see: “Summary of the Byrd Rule,” House of Representatives, Committee on Rules, Majority Office, http://archives.democrats.rules.house.gov/archives/byrd_rule.htm.

⁷¹ See: *Ibid.*, p. 64.

⁷² Haskins, *Work Over Welfare*, p. 287.

difficulty maintaining partisan positions when influential leaders of the party appeared before the committees in support of the redesigned conference agreement.⁷³ Advocates also could not challenge the unified influence of the governors, even though they tried in the weeks after the February 1996 compromise. Republican governors tended to note the significance of bipartisan agreement; Democratic governors tended to follow the line of Florida Governor Lawton Chiles (D.) – “The perfect is always a problem for the good.”⁷⁴ We might see the dynamics in play as a matter not simply relegated to the realm of politics, however. There seemed to have been a fundamental, ideological coherence about the contours of the reform legislation, and other factors (such as greater funding or state discretion or “anti-illegitimacy” measures) could be negotiated. In this way, the direction of reform was set, but the road upon which it would travel needed to be built – piece by piece – in order to arrive at the date of Clinton’s signing the legislation into law: August 22, 1996.

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⁷³ *Ibid.*, pp. 285-7.

⁷⁴ See: Judith Havemann, “Advocacy Groups Take on Governors’ Reform Plan,” *Washington Post*, February 20, 1996, p. A3.

“Negotiating Welfare Reform: A Conventional Narrative Re-Visited”

Chapter V: Conclusion: Welfare Reform as Public-Elite Alignment

This thesis began by documenting the political and electoral currents that gave rise to the unexpected and, indeed, remarkable victory of the Republican Party in claiming both chambers of Congress in 1994. This was the first Republican Congress since the 80th of 1947-48, which meant that key committee chairmanships transferred parties, the agenda changed, and Republican policy-makers could shed the role of the opposition so as to finally legislate on their own terms. In Chapter II, the significance of the ‘Contract with America’ was examined and so was the political bargaining among Republicans to settle behind H.R. 4 (the tenth pillar of the contract) as the welfare reform bill to challenge the administration’s plan. While a difficult exercise among conservative and moderate Republicans to maintain unity behind one set of proposals, the bill’s “validation” by the electorate in the 1994 midterm election suggests the *backlash* account to understand the politics of welfare reform passage. In other words, ‘the Republican Revolution’ is what ensured that *conservative* welfare reform would transpire. I argued that while this theory is not wrong, it is incomplete: it fails to offer an adequate explanation of the more complex dimensions of policy formation. For instance, it is unable to account for the trends in committee testimony that Lawrence Mead documented in his 2006 study – ‘paternalist’ topics of program improvement were considered in greater proportion than during other welfare reform periods, and typically conservative positions were delivered before the committees in equal proportion as typically progressive positions.¹ Furthermore, all of the actors involved, including the intellectual and advocacy elites, were committed to a

¹ Lawrence M. Mead (2006), “Welfare Politics in Congress: Hearings” (Philadelphia, PA: Address to American Political Science Association).

stronger work requirement than the one instituted by the Family Support Act of 1988. This was noted as the substance of a barebones elite consensus.

Recall from Chapter III that Steven Teles argued: “If substantial change in AFDC does occur, it will be largely the result of a shift in the orientation of a portion of the nation’s intellectuals.”² He meant by this that welfare reform was embroiled in ‘dissensus politics’ whereby the elites – the nation’s intelligentsia, including its law-makers and interest group advocates – were stuck in an irreconcilable conflict due to their cultural orientations. Thus, the hierarchists opposed the reform formulations of the individualists and those of the egalitarians, and vice versa. I demonstrated how this conflict led to a widening chasm in the intellectual communities, in which progressive academics tended to cloister themselves within the universities and conservative thinkers were drawn to the increasingly active think tanks in Washington, D.C. Additionally, foundations started to take a greater role in funding research to align with a particular ideological perspective. This lack of agreement, under any permutation, meant that meaningful reform legislation, along the lines of what the public had endorsed for years, would never manifest. As was noted in the chapter, policy change occurs when elite consensus matches the public consensus.

However, as the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 attests, meaningful reform of welfare *did* manifest, and I argued in this thesis that it was due to the overcoming of ‘dissensus politics.’ Passage of PRWORA, by virtue of its occurrence, is not sufficient for the argument that dissensus politics was overcome; however, it is a necessary condition. Nevertheless, I suggested that state demonstrations were instrumental in forging the contours of a consensus (or otherwise building on the loosely-

² Steven M. Teles (1996), *Whose Welfare? AFDC and Elite Politics* (University Press of Kansas), p. 165.

contended ‘new consensus’ of the previously passed FSA of 1988). The waivers authorized by the department of health and human services of the Reagan, H.W. Bush, and Clinton administrations led to innovative programs in the various states, the ‘laboratories of democracy.’ These state demonstrations, due in part to evaluation authorizations under the FSA, were examined closely for results, and this process led to ‘political learning.’ For example, the Manpower Demonstration Research Corporation, under the leadership of Judith M. Gueron, conducted a number of evaluations that contributed to the policy literature about welfare programs that required work or subjected recipients to a time-limitation of aid. This vast repertoire of policy research was utilized heavily in the PRWORA’s formulation, but its greatest impact was in shaping elite opinion in the years before the legislation’s passage. Thereby, social science evidence fueled a convergence of sorts that narrowed the chasm mentioned above. I also noted, specifically, the impact of Wisconsin, which led the nation in developing, implementing, and evaluating innovative AFDC programs in the late 1980s and early 1990s. Wisconsin became the touchstone of the welfare reform policy formation process.

Chapter IV suggested that it was too bold, however, to assert that passage of PRWORA reflects a brand new consensus on welfare, although Ron Haskins contends that the passage of welfare reform should be seen as something ideologically coherent and near a consensus.³ Instead, I argued, the evidence suggests that the intellectual elites converged especially on the necessity of the work requirement for meaningful reform of AFDC. I cited think tank scholars and academics to establish this point, and I reviewed committee testimony that supported Mead’s study as well as my contention. Additionally, the political actors involved in the policy

³ Ron Haskins (2001), “Liberal and Conservative Influences on the Welfare Reform Legislation of 1996,” in *For Better and For Worse: Welfare Reform and the Well-Being of Children and Families*, Greg J. Duncan and P. Lindsay Chase-Lansdale, eds. (New York, NY: Russell Sage Foundation), pp. 17-9, 25.

formation process continuously castigated each other for being ‘weak on work.’ In this way, work requirements were incrementally ‘ratcheted up.’ This appeared to establish welfare reform’s centering on work.

Nonetheless, ending entitlement, altering federal funding formulae for matching state spending on the AFDC program, mandating strengthened state ‘maintenance of effort,’ increasing child care funding for women subjected to the work requirement, and other matters were all negotiated fiercely.⁴ I described two groups that exercised a degree of influence in shaping the reform legislation, but who ultimately could not control the agenda. The first were social conservative organizations, such as the Christian Coalition or the Family Research Council. During the welfare reform deliberations, these groups sought to emphasize out-of-wedlock births and the need to reverse America’s “social decay.” In defining the contents of reform, they seized onto “anti-illegitimacy” measures, such as the family cap or teenage mother exclusion from benefits. Ultimately, their influence waned as more moderate actors dictated the agenda.

The second group was defined by proxy – the more progressive advocacy organizations such as the Children’s Defense Fund. The CDF sought to resist the end of AFDC entitlement status and its transformation into *Temporary Assistance for Needy Families*. The CDF also fought for larger state contingency funds, in the event of recession, as well as higher federal funds to support child care. The influence of the CDF was particularly muted during formulation of PRWORA because the Democrats did not control the agenda, the president’s ‘New Democrat’ approach departed from the CDF’s governing philosophy, and the CDF did

⁴ For a brief summary of the provisions included in PRWORA, see: U.S. Library of Congress, Congressional Research Service, *New Welfare Law: The Personal Responsibility and Work Opportunity Reconciliation Act of 1996*, by Vee Burke, Joe Richardson, Carmen Solomon-Fears, Karen Spar, and Joyce Vialet, 96-687EPW (1996).

not reflect the dominant beliefs about the content of welfare reform. In the most decisive expression, the CDF was sidelined when President Clinton bucked the recommendation of the husband of the CDF president, Assistant Secretary of the HHS Peter Edelman, and signed PRWORA. Despite the ‘ambiguous’ influences of these two advocacy elites, I argued that we should see the final legislation as ultimately a compromise mutually palatable to the actors involved.

The chapter also stressed that it was the nation’s governors who resurrected welfare reform after the Clinton Administration and the Republican Congress reached an impasse on budgetary negotiations in early 1996. Tommy Thompson of Wisconsin, John Engler of Michigan, and Bill Weld of Massachusetts influenced the initial formulation of the welfare reform legislation by easing the impact it would have on the various state governments – these Republican governors were responsible for increasing state flexibility, reducing the new mandates of the bill, and ensuring deficit reduction did not mean an across-the-board cut to federal funds spent on AFDC. Later on, the influence of the Republican Governors Association was overtaken by the decisive influence exercised by the National Governors Association, which was able to endorse a slightly altered conference agreement that the Congress had endorsed, but President Clinton had vetoed, twice. This round of negotiations was critical to forging a compromise that would be mutually palatable at all of the ‘choke points’ of legislating. The NGA exercised the ‘decisive influence’ or the instrumental ‘bargaining chip,’ as I called it, due to the organization’s bipartisan nature. Its endorsement frustrated successive politics, especially so for House Democrats and the White House, both of which were unable to depart significantly from the NGA-altered conference agreement without appearing excessively partisan.

FINAL REMARKS

With these topics reviewed, what was the point of this thesis? The conventional narrative of the welfare reform legislation of 1996 has been that it was a product of conservative electoral revolution and also the convergence of political interests (i.e., President Clinton’s re-election calculation and Congressional Republicans’ desire to fulfill the ‘Contract with America’). In a final expression, this narrative is *incomplete*. It ignores the substantial convergence of the intellectual elites on the necessity of a work requirement for meaningful reform, and it also ignores the degree to which the ancillary contents of reform (such as child care funding, time limitation, contingency funding, &c.) needed to be negotiated among the actors involved. In addition, in this thesis, I credited the governors for exercising a decisive influence in ‘promoting’ and ‘reviving’ welfare reform. Their role should not be ignored, nor forgotten.

Lawrence Jacobs argued that “public opinion is most influential in directing policy deliberations when it is unambiguous and strong.”⁵ As we have seen, this *is* the case, but policy change cannot transpire without elite opinion aligning with public opinion. Sometimes the political parties in the United States have deeply-held philosophical differences, but as an American Enterprise Institute/Brookings Institution work group paper noted: “research also shows that the mere fact that one party proposes an idea can motivate partisans on the other side to dismiss it. And yet, points of agreement are emerging that could serve as a foundation for consensus.”⁶ On welfare reform, ‘dissensus politics’ was tamed and points of consensus brought into greater focus. What this will mean for contemporary politics I will leave for the

⁵ Lawrence Jacobs (1994), “The Politics of American Ambivalence Toward Government,” in *The Politics of Health Care Reform*, James Morone and Gary Belkin, eds. (Durham, N.C.: Duke University Press), p. 396.

⁶ Lawrence Aber et al., “Opportunity, Responsibility, and Security: A Consensus Plan for Reducing Poverty and Restoring the American Dream.” (Washington, D.C.: American Enterprise Institute for Public Policy Research/Brookings Institution, 2015), p. 9. <https://www.brookings.edu/wp-content/uploads/2016/07/Full-Report.pdf>.

reader to divine, but at the very least our refined narrative of welfare reform seems to suggest that: (1) government assistance must accord with the values of opportunity, responsibility, and security; and, (2) the *modus operandi* of American policy-making will always be *compromise* and *negotiation*.

* * *

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