

A COMMUNITY OF SELF-RELIANCE*

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At times, the problems of dependency seem overwhelming. When one thinks of all the cash shortfalls, educational needs, crime-wracked surroundings, disabilities, and health needs among the thirty-three million poor—and of the inadequate education, inability to cope, self-defeating behaviors, and dispiritedness that some of them experience—it sometimes seems that problems of dependency are impossibly immense.

Yet one also recalls the many citizens who have triumphed over circumstance, and runs through one's mind the many resources American society already has in place for helping others to do the same. In such moments one may also see how things could be if the major institutions of American life were already doing their assigned jobs well. For example, education through elementary school and high school is free; attendance until age sixteen is mandatory. If such opportunities were being universally seized, so that every man, woman, and child in America were adequately educated in all the basic skills and ready to enter the world of work with the habits and aptitudes needed for employability, long-term dependency would be far less prevalent.

Almost two million new jobs are being created each year, and entry-level jobs are plentiful and open to all, as millions of immigrants are discovering. In some localities, labor markets are severely depressed, and thus economic growth is necessary. Where entry-level jobs are available, however, if all who were able to work took such jobs, stayed employed, and built up skills and proficiency, long-term dependency would be significantly reduced.

To develop sound habits and attitudes is crucial for success in every walk of life. If the nation's media—its rock stars, popular entertainers, and commentators on morals—sounded a drumbeat of hard work, responsibility, and a sound family life, parents' efforts to teach their children the basics of self reliance would be greatly strengthened. If religious institutions and schools taught self-respect and self-discipline and if local groups insisted on excellence and civility, then young persons, trying to meet the expectations of the adult world around them, would doubtless fulfill many more of their possibilities.

Having a low income is one thing when most of the poor have hope for a better life for themselves and their children and are trying to realize those hopes.

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It is quite another when millions, especially among the young, are passive in the face of opportunities available to them and fail to gain the skills to act productively, and when many nongovernmental institutions of American life are failing to provide the local, concrete leadership needed to break these self-damaging behaviors.

For such reasons, in the next round of assaults upon the problems of poverty, government assistance alone is not enough. All the institutions of American society will need to become engaged in supporting the struggle of the poor for self-reliance and participation in the common life. At every level—from those who help to shape the national ethos, to clergy, parents, and teachers in local schools who teach young people high morals, character, and determination—Americans must recreate the two-sided ideal of community and self-reliance. Our bonds to each other must be strengthened. Each must develop the skills required for independence.

What can our institutions do to bring this about? Some of the poor are elderly, disabled, or otherwise in need of income support. Providing income support to such needy persons has unintended consequences; still, compared with treating the problems of those whose dependency is behavioral, it is relatively straightforward. Others—the able poor of working age and their children—need skills, habits, and attitudes through which to achieve independence and make the productive contributions society needs from them. Still others have deeper problems, such as drug abuse. Because of the unusually large numbers of behaviorally dependent people today, this Article concentrates on that group rather than upon the traditional vulnerable ones such as the elderly and the disabled.

Income support, when families and private sources cannot provide it, is mainly government's responsibility; dependency and dysfunction require much more than that—and from the whole society. This added attention cannot be given impersonally. Most of it must be given by concerned individuals: parents, teachers, clergymen, fellow parishioners, employers, journalists, medical assistants, and other citizens. Community groups, sensitive to local needs and able to draw upon resources not available to any government, must give encouragement and concrete assistance to persons seeking to better their own condition.

But government, too, must wisely target its own expenditures on income support and on the educational, health, and human services it offers to its citizens. The federal government alone is spending more than \$400 billion annually for such purposes, although mostly (and most successfully) for retirees. State and local government also spend billions of dollars. Government must be certain that the present design of its programs is actually achieving its own good intentions. This requires a transformation of the nation's flawed entitlement-based system into a system that emphasizes the mutuality of assistance and obligation.

Like other institutions, government is a limited and less than perfect instrument. Like medicine, it should not make things worse for those it means to help. And it should frequently look afresh at its own work, tailoring new initiatives upon careful reflection of past results. However, government is not the only institution that must play a part in reducing dependency that perpetuates poverty; that is a job for every institution of American life.

The Foundation: A Growing Economy

In principle, no one will disagree that the foundation of successful welfare reform is *economic growth*. Economic growth is indispensable to an atmosphere

of hope, to economic opportunity, to the creation of jobs, and to growing public revenues. As Alice M. Rivlin has written:

The experience of the postwar period indicates that overall economic growth is a powerful means of reducing poverty. Programs to provide education and job skills for low-income people have little chance of success if there are few jobs available and little prospect of a better income. Even if some proportion of those in poverty cannot be expected to participate in income growth, the provision of resources for their support is easier with a growing economy.¹

As we learned the hard way during the mid-1970s and during the recessions of 1980 and 1981-1982, when the economy goes badly, little else goes well, especially for the poor and the dependent.

Despite the recent long-lived economic recovery, some experts have contended that an expanding economy is not helping the large numbers of the poor who live in distressed areas where jobs are not likely to be plentiful. Granted, areas of concentrated poverty are clearly in evidence. Yet in recent years, the American economy has generated millions of new jobs, including many in communities (such as the old mill towns of New England and the small cities of the South) for which hope had been all but abandoned just a few years earlier. Similarly, the high rates of employment found among recent immigrants suggest that entry-level positions even in high-poverty areas are not lacking; and the fact that only a minority of the poor report that work is unavailable tends to confirm that point.

Nonetheless, a significant proportion of the poor are not benefiting sufficiently from recent economic growth. The number of single-parent families without income earners (or only low earners) has grown quite large during the past fifteen years; and young singles are remaining outside the labor force in proportions seldom seen before. Such individuals and families seem unable to take advantage of the new opportunities. By not working, such citizens deny themselves full personal development, a sense of responsibility, and the satisfactions of self-mastery; and the community is denied the positive contributions they could make.

Yet the only solid foundation on which the poor can be helped is economic growth. Since economic growth is not sufficient to meet the problems of dependency and dysfunction which are at the roots of the present crisis, however, further measures must be taken.

Dealing with Behavioral Dependency

The most baffling problem is how to help those adults who in principle *should* be earning their own way out of poverty but who now lack the capacity to help themselves. They may be of sufficient age, health, and objective capacity; yet, nonetheless, they are not coping. Possibly, their own basic institutions—families, schools, churches, neighborhoods, the economy, or even the ethos informing their knowledge of life—have failed them. Or, possibly, they have failed to live up to the standards of those institutions that have tried to help them. Some of the poor find it too easy to interpret current welfare programs

1. ECONOMIC CHOICES 3 (A. Rivlin ed. 1984).

as an offer of cash and assistance, on condition that they choose to have children and not to marry.

For whatever mixture of reasons, circumstantial or personal, there seem today to be significant numbers of citizens whose own behavior is putting them, and keeping them, dependent upon the public purse—and worse still, in an inward dependency, which prevents them from coping well with responsibilities even to themselves. Alcoholism and drug abuse are obvious manifestations; others are dropping out of school, regarding work (beyond hustling or street crime) as foreign territory, or failing to pursue long-term goals of self-development. Some young people are begetting children out of wedlock and before they are ready for the responsibilities of parenthood, thus involving many innocents in cycles of vulnerability. For such persons, low income is in a sense the least of their problems; a failure to take responsibility for themselves and for their actions is at the core.

In a free society, a broadly diffused *sense of personal responsibility* is an essential component of a vital public life. Without it, the institutions of a free society could no longer function, and individuals would fail to live as free men and women.

But how do most citizens learn the sense of self that comes from assuming responsibilities, setting goals, accomplishing first one task and then another, and thus enjoying the pleasures of self-determination? And what can other citizens do to help those who face difficulty in taking such steps? Mostly, we do not think about these things, because the institutions that surround us teach them to us so effectively that we hardly notice. It is only when this basic teaching breaks down that we recognize what we once took for granted. To meet this breakdown, a multifaceted approach is required.

First, the *family* occupies a pivotal point in social life in many ways—in developing children, in developing sound habits, in assisting with schoolwork, in earning income, and in supporting work. During a child's formative years, family life profoundly influences whether the practice of personal responsibility is reinforced or undermined. When families exhibit deficiencies, the work of other institutions, trying to make up the deficits, is more difficult and more complex.

Second, in complex societies such as ours, *education* in school and continuing in later life is critical for personal development, for growth in the habits of citizenship, and for self-mastery.

Third, for able adults, *work* is the basic route to self-reliance and a sense of dignity; it is also one of the chief ways by which individuals contribute to the common good of all.

Fourth, *voluntary social institutions* play crucial public roles: in shaping the social ethos within which citizens learn to exercise their responsibilities, in establishing the environment within which the government operates, and in conducting the main activities of civilized peoples: commerce, science, the arts, civic discourse, play, and worship. The scope of voluntary social institutions is larger, and more basic, than the scope of government—clearly so in the realm of conscience, ideas, and information; in the world of work; and even in the actual carrying out of public policy.

Nonetheless, *the federal government, state governments, and local governments* have been assigned fundamental tasks that, although strictly limited, are

indispensable to the common good. These various levels and forms of government best work in partnership, without usurping one another's proper spheres. Of course a degree of potential conflict has deliberately been built into the system, for the sake of creativity and for checking abuse, sloth, and other faults to which institutions are prey.

All these basics—personal responsibility, family, education, work, voluntary social institutions, and every level of government—are crucial in eliminating the behavioral dependencies that keep too many able adult citizens from acting on their own behalf—and thus keep them dependent upon the public purse and unable to cope on their own. Government alone cannot solve these problems. But government can show leadership by focusing upon them candidly and realistically, by inspiring all citizens and all institutions of society to focus their talents and resources upon desperate needs, and by helping to set in place the conditions that may lead to steady and sound progress in reducing them. The existing problems are deep, difficult, perhaps to some extent intractable. Thus, reducing dependency will require working together as a national community to increase the numbers of self-reliant citizens.

Major Agents of Change: Family, Schools, Neighborhoods

1. *The home environment for young children in impoverished families should be the primary location for preventing future dependency.* During the crucial early years, the family is the most favorable place in which to show the young how to become conscientious, cooperative, and self-reliant citizens. When families lack that capacity, other institutions must come to their assistance. Some poor families have abundant capacity to give their children a nurturing environment and, by the same token, some wealthier families lack this capacity. The challenges all parents face, however, are generally more burdensome for those who have inadequate incomes. That is why the large number of children in poverty—especially those in single-parent families—gives rise to deep concern. Some impoverished families, such as those concentrated in high-poverty urban areas and sometimes referred to as the “underclass,” endure especially severe deficits.

With all these needs in view, the following steps seem important:

■ Religious institutions, schools, and voluntary institutions should make the moral, cultural, and educational enrichment of home life a primary focus of efforts to reduce dependency. Classes in child care, handbooks designed for parents who seek help in doing better, and outreach services should be developed.

■ Parental responsibility for the support of children should be reinforced. Although the nation pays considerable homage to the notion that parents are responsible for the support and upbringing of their children, our practice in recent decades has fallen increasingly short of that ideal. Public policies have failed to support the exercise of this responsibility.

■ The fathers of out-of-wedlock children receiving AFDC should be identified by mandatory paternity findings; all fathers should be held to child-support obligations, and efforts should be made to collect from them; and community leaders ought to hold up for esteem only those fathers who fulfill their family responsibilities.

■ Young mothers receiving AFDC benefits should be required to complete their high school degrees or equivalency and then seek work.

■ Voluntary institutions should help these young mothers through classes in child care and child education, while preparing them for employment. Such initiatives are under way in several states.

■ In regard to young teen-age mothers, welfare policy should not confuse their legal status as parents with their physical and emotional standing, which may be less than adult. Simply allowing teen-agers to establish their own homes does not enable them to exercise parental responsibility. Consequently, unless there is a finding that their safety so requires, welfare benefits should not be paid to recipients under age eighteen living in independent households. Rather, recipients should be aided either in the homes of their own parents or in supervised congregate homes, such as those now being run by voluntary civil, religious, or other social service groups.

■ Child abuse and child neglect are serious national problems. There is a tendency, however, to treat the symptoms of poverty as a form of "child neglect" and thus remove children from their homes. A large number of poor children now being placed in foster care could be left safely with their parents.

■ Support should be given to organized private efforts such as one recently announced by a national coalition of black churches to encourage their members to open their homes for the adoption of parentless black children who would otherwise be sent to state foster care.²

■ Parent-teacher associations should develop materials and counseling services especially designed for parents in high-poverty areas to help them to strengthen the educational environment of the home, to design home study areas, and to prescribe hours for homework.

■ Schools should instruct students in the probable long-term effects of illegitimacy and early parenthood upon both children and their unprepared parents, lest irresponsible pregnancies contribute to long-term dependency.

2. *Schools should impose high standards of achievement, behavior, and responsibility on all students.* Few public policy developments in the past twenty years have been as ruinous for the poor as the well-documented decline in the quality of American public schools. In the past, schooling was a powerful engine of upward mobility, enabling the young to overcome the disadvantages of impoverished backgrounds and to rise to heights their parents had barely imagined. Still today, there is a strong association between the completion of high school and the avoidance of lengthy periods in poverty. A large proportion of students, however, do not finish high school at all, and for students from low-income homes drop-out rates are particularly high.

Ironically, the decline in educational quality comes just at the time in which educational research has begun to identify the key ingredients in successful schools. These ingredients were recently summarized by former Secretary of Education William J. Bennett:

[Successful] schools have outstanding principals who lead and inspire and bring out the best from a dedicated, motivated teaching staff. These schools reach out

2. Black children, who make up about forty percent of the foster-child population, tend to spend much longer waiting for adoption than whites. Yet some organizations have achieved considerable success at placing parentless black children in homes. For instance, in Brooklyn a nonprofit agency called the Miracle Workers has placed 671 children in 473 black foster homes during the past two years. See *Nobody's Children*, TIME, Oct. 9, 1989, at 95.

to parents and establish an alliance among the parents, the community, and the school: an alliance dedicated to the nurture, protection, and education of children.

These schools concentrate on the basics—the basics of good behavior and the basics of academic achievement. They set rigorous standards for students. They nurture character and transmit clear standards of right and wrong. These schools reward all forms of achievement by students, and they provide regular assessments of students' progress so the children get the help and the support they need.³

Federal, state, and local funds alone cannot buy effective schools, because parents participating in the education of their children is indispensable. Nonetheless, along with other institutions of American society, government at all levels should concentrate on improving the effectiveness of local schools. A sound basic education secures for children the surest escape from cycles of dependency.

■ Communities should be encouraged and assisted in setting high standards for their schools. They must recognize that critical factors include dedicated principals, an orderly but not rigid school atmosphere, a schoolwide commitment of resources to and focus on basic skills, a highly visible expectation that every child can learn, and frequent monitoring of the performance of each student.

■ Great care should be taken in choosing and training principals, and rewards should go to those who are particularly successful in setting high standards and in leading students to achieve them.

■ Fear of lawsuits claiming the violation of "student rights" has deprived some school officials of a spirit of initiative and has led others to take the course of least resistance, for example, by not enforcing behavioral policies that they know have been violated. Federal law should be amended so that, within appropriate limits, principals have greater good-faith discretion in setting and enforcing schoolwide standards of behavior, without fear of law suits.⁴

■ Since there is abundant evidence that family life has a profound—even decisive—impact on what a child learns, educators must make a more serious and sustained effort to involve parents in the education of their children. To be successful with disadvantaged children in particular, schools must involve families

3. Address by Secretary of Education William Bennett, Texas Education Conference (Jan. 16, 1987).

4. Excessively broad interpretations of student rights may make it difficult for school officials to perform their duty of inculcating decent behavior and a sense of responsibility. Student right disputes have centered around three areas.

One is freedom of speech, with the Supreme Court declaring in *Tinker v. Des Moines Indep. Community School Dist.*, 393 U.S. 503 (1969), that students do not "shed their constitutional rights to freedom of speech or expression at the schoolhouse gate." *Tinker*, 393 U.S. at 506. See, e.g., Note, *The School as Publisher: Hazelwood School District v. Kuhlmeier*, 67 N.C. L. REV. 503 (1989); and Note, *Administrative Regulation of the High School Press*, 83 MICH. L. REV. 625 (1984).

A second major area of dispute has been due process and the suspension of students. The Supreme Court has held that a student may not be suspended from school without a prior hearing. *Doss v. Lopez*, 419 U.S. 565, 573 (1975). A particularly important issue today is the constitutionality of school officials conducting searches of students, especially searches for drugs, including urinalysis of students. At least one court has found such urinalysis a violation of the Fourth Amendment's prohibition on unreasonable searches and seizures. *Odenheim v. Carlstadt-East Rutherford Regional School Dist.*, 211 N.J. Super. 54, 510 A.2d 709 (Ch. Div. 1985). See, e.g., Note, *Dragnet Drug Testing in Public Schools and the Fourth Amendment*, 86 COLUM. L. REV. 852 (1986); and Note, *School Searches Under the Fourth Amendment: New Jersey v. T.L.O.*, 72 CORNELL L. REV. 368 (1987).

in the day-to-day business of education: doing homework, specifying expectations, maintaining intellectual and physical discipline, and monitoring performance. In addition, parents must ensure that the climate at home complements and reinforces that at school. Both of these together reward solid achievement and excellence.

■ An important step in this direction, consistent with racial integration and systemwide order, would be to give parents a greater measure of choice regarding which public schools their children attend, as is now done with "magnet" or specialized schools. Similarly, a voucher or open enrollment plan may be implemented, giving poor parents more of the flexibility and freedom of choice that others already have. This would also make the public schools more accountable for their performance.

■ Teen-age pregnancy is a significant cause of high school dropouts (as well as a future of welfare dependency). Some evidence suggests that pregnancy rates are most likely to decline when teen-agers have a strong sense of self-esteem and are optimistic about the future. If so, one of the most effective steps schools can take is to give teen-agers confidence in their own education and in their preparation for careers. Similarly, answers to questions of sexuality should reinforce the values important in reducing behavioral dependency: the married-couple family, personal responsibility, preparation for parenthood, and a respect for social obligations.

In summary, for schools to demand less of the children of the poor would be tragically wrong. Only by insisting on a high standard for all students can schools convey society's expectation that the poor are as competent as others and, given the strength of some in the face of adversity, sometimes more competent.

3. *The rights of the poor to integrity of life, limb, and property should receive equal protection under law.* Crime and civic disorder are among the worries of most Americans, but they are a part of daily life for the poor. The neighborhoods in which the poor live—especially the inner-city enclaves, not least in large public housing projects—are often wracked by violence and vandalism.

Such conditions have a profound effect on residents who are seeking to escape from poverty, and not just because their lives and property are always in danger. In troubled neighborhoods, small stores and businesses—an important source of entry-level jobs—cannot flourish, and discipline in the schools breaks down. Those who do manage to get ahead move out as soon as possible, depriving those who remain in the community of leaders and role models. Despair and resignation are in the air, not the faith and optimism needed to sustain the quest for advancement. New directions are thus necessary:

■ Innovative methods of policing, aimed at maintaining order, not just solving crimes, should be introduced.

■ Court procedures, particularly with regard to bail, sentencing, and parole, should be tightened.

■ Government can act directly and effectively to better neighborhood conditions by amending the rules regarding public housing. At present, these regulations make it extremely difficult to exclude or to evict tenants who do not meet minimally acceptable standards of conduct. This situation should be remedied.

■ Public policy should encourage neighborhood crime patrols, sanitary code enforcement drives, school associations, and the like. Most communities,

when challenged, do possess the leadership to sustain such activities; but beyond attaining immediate goals, successful local self-organization aids in developing habits of social imagination and perseverance. In some places, groups of public housing residents have been able to organize and enforce standards that have dramatically improved living conditions and safety.

Granted, recommendations such as these raise justifiable concerns about their potential for violating individual rights or unduly infringing upon conventional behavior. As in other areas of public policy, a wise balance must be struck. Since in recent years public policy may have gone too far toward protecting personal rights of those who ignore community responsibilities, more concern must be given to the well-being of the large numbers of poor and dependent, whose chances for achieving a decent standard of living are undermined by the flagrantly disruptive conduct of irresponsible neighbors.

The Vital Sector: Voluntary Institutions

Government can help create an economic and social climate that is conducive to self-reliance, but only private institutions can inculcate the values and habits, and establish the local supports, that enable people to achieve it. Laws and administrative regulations can enforce civic obligations and standards of good conduct, but only the support and encouragement of private institutions can make them a matter of internalized volition.

Indeed, one of the worst handicaps of poverty-stricken communities is a breakdown in their own capacity to form associations of mutual support. All assistance to them should be designed in ways that evoke their own strengths, and not by assuming that these strengths do not exist.

If the nation's revived interest in reducing poverty and dependency is to succeed, then raising the confidence of the poor in their own innate strengths, values, and habits is of the highest priority. When society expects too little of each citizen, it encourages a habit of dependency.

4. Since voluntary associations have a public character and public responsibilities, they should focus their power on reducing behavioral dependency.

■ The mass media, for example, have vast (but not unlimited) power to shape the national ethos and to focus public awareness on important problems, as they have done successfully with regard to world famine, fitness, smoking, and other issues. In the values they transmit, in the heroes they hold up for public acclaim, and in other ways the media can help nourish a moral environment in which the habits crucial to exiting from poverty are socially reinforced. The media must lead the way to a new national commitment to reducing dependency if that commitment is to succeed. Some of the young are more likely to derive their cultural heroes from the media than from their parents, teachers, religious traditions, or other local authorities.

■ Since many of the poor, as well as the nonpoor, are devoutly religious, religious institutions are among the most effective institutions in impoverished communities, and have the potential to provide considerable personal guidance and practical help. Few institutions can better inculcate those habits of cooperation and self-reliance, of responsibility, self-control, and community service that best express human dignity. Few can better address the current breakdown of religious ideals of marriage, fidelity, and commitment, which is not only wreaking un-

precedented devastation among the poor, but also steadily increasing the number of poor (even during periods of economic growth).

■ Religious social agencies should help to focus the resources of society upon the moral dimensions of dependency. But at the same time, working from principles different from those of government officials, they should challenge the poor and empower them through spiritual determination, inner strength, and community involvement.

■ Religious institutions should inspire the nonpoor to reach out to the poor in private and local ways. Whereas making up for income shortfalls is necessarily a task in which government must play by far the larger role, religious and other voluntary institutions can focus both philanthropy and charity on the family life of the vulnerable, the personal development of youth, and social cooperation of neighborhoods.

■ Voluntary and professional associations, such as fraternal organizations, foundations, service clubs, citizens' committees, neighborhood organizations, and businesses in their civic and philanthropic roles, should strive to make up for the inevitable limitations of public policy.

■ Lawyers and medical professionals have special obligations to the homeless, many of whom are clearly incapable of self-reliance and in need of medical treatment. Using private initiatives, bankers, builders, and realtors should address the housing needs of low-income families and encourage the private upgrading and improvement of the existing housing of the poor. An example of such a project is sponsoring neighborhood teams of craftsmen—who might not otherwise find credit—to purchase, rehabilitate, and resell or rent older buildings. As some are already doing, food distributors in metropolitan centers should devise private sector ways to make otherwise wasted food available to food banks for the hungry.⁵

■ Last, but not least, is the important role of specific organizations of ethnic and racial minorities. Although blacks and Hispanics have a disproportionately large representation among the dependent, it is less plausible today than it was a generation ago to assert that poverty is especially connected with race. Today, nonetheless, the scholars, leaders, and rank-and-file members of black and other minority-group organizations are speaking frankly about behavioral dependency and devising realistic ways of dealing with it. Their leadership is indispensable to the social progress of all groups.

In summary, voluntary institutions play a broader and deeper role than government. Interventions from government alone are likely to deepen the poor

5. A problem for many such donors of food is that they may be liable in tort for negligence if the donated food proves to be adulterated. State statutes that limit the liability of food donors, thus, may encourage food donations. One such statute is New York State's:

Notwithstanding any other provision of law, a good-faith donor of any canned or perishable food or farm product, apparently fit for human consumption, to a bona fide charitable or nonprofit organization, for free distribution, shall not be subject to criminal penalty or civil damages arising from the condition of the food, if the said donor reasonably inspects the food at the time of the donation and finds the food apparently fit for human consumption and unless the donor has actual or constructive knowledge that the food is adulterated, tainted, contaminated or harmful to the health or well-being of the person consuming said food.

N.Y. AGRIC. & MKTS. LAW §71(z) (Consol. 1989).

in dependency unless other citizens reach into their lives and draw them into the ethos of cooperation and self-reliance. Yet voluntary institutions alone, apart from government, cannot do all that is needed if dependency and dysfunction are to be reduced.

Federal, State, and Local Government

Not all Americans can support themselves, and the general population should not expect that they will support themselves. Our society will generously provide for those without other means. Yet unease has grown in recent years about the consequences of welfare programs. Across the political spectrum, concerns that we have not been doing enough have been eclipsed by fear that we may be doing the wrong things—and thus worsening (or at least, ineffectively responding to) the condition of the poor. As a result there has been a resurgence of interest in redesigning public assistance programs, with the aim of providing more adequate aid to the poor without inducing the values and habits characteristic of prolonged dependency.

5. *Recipients of welfare should be required to take part in work (or time-limited training programs) as a condition of obtaining benefits.* For those who are able to become self-reliant, welfare policy should be designed to help them do so. Though somewhat controversial a decade ago, this principle is now widely accepted; states and localities throughout the country are experimenting with ways of implementing it through work and training programs. Many issues, however, remain to be addressed.

First, who should be considered “able to become self-reliant”? It seems that work programs should be broadly inclusive and have uniform standards of eligibility. Not even mothers of preschool children should be exempt, since a majority of their counterparts who do not receive welfare are in the labor force at least part time.⁶ Further, those who delay entry into the labor force will find it more difficult later.

A second issue concerns the type of work or training that should be undertaken by those who are expected to participate. Among existing work programs, the range of activities is broad, extending from elaborate social and educational services to rudimentary “work experience” assignments. Such diversity is desirable, since to be successful a program must be designed to accommodate the differences found among the poor and dependent. Further, such diversity adds to our remarkably incomplete information about what does in fact work.

Whatever the case, it is essential that all able recipients should be enrolled in work, duration-limited education, or short-term training programs in return for collecting welfare benefits.

■ Young mothers should be required to complete high school (or its equivalent) and prepare themselves for future employment. Similarly, older mothers with previous experience in the labor force should be expected to find work

6. Fifty-seven percent of mothers with children under the age of six are in the work force. *Eureeka's Castle: New Niche for Preschoolers*, N.Y. Times, Sept. 3, 1989, at 21. Indeed, more than half of all mothers of children under the age of one now work outside the home. *A Generation of Day-Care Children*, Christian Science Monitor, Sept. 11, 1989, at 18.

in the private sector or (as a last resort) to accept an assignment in the public sector.

■ A minimum of emphasis should be placed on public service jobs; the overriding emphasis should fall on personal responsibility for finding jobs in the private sector. Social service agencies, with strong political leadership, should develop programs to involve private sector employers in placement efforts. Jobs in government should be accepted reluctantly and only in areas so depressed that there are clearly insufficient jobs of any kind.

6. *The implementation of work programs should move forward cautiously and in graduated steps.* Over the past twenty years the experience of federal job training programs has been less than impressive. Although the current wave of innovative workfare experiments is of considerable social value, even these promise modest results. The danger is that excessive eagerness to move ahead with an idea that seems to work may put in place an expensive program that does not lessen dependency. Therefore, programs should be neither massive nor designed for swift results, but designed to increase steadily the number of the employable engaged in constructive work. Various states and localities have already become laboratories of this approach.⁷

The funding formula between states and the federal government should maintain the incentive of states and localities to reap the benefits of the savings gained by moving the dependent from passive reciprocity to productive work. The formula should place a high premium on local leadership to match individual job seekers with individual employers. If too large a portion of funding flows from the federal government, the incentives for state and local governments shift. Instead of husbanding their own hard-earned resources wisely and actually helping the dependent to gain independence, administrators may spend, less carefully, the money on which they are themselves dependent.

In candor, the numbers of persons moving from dependency to work are likely to be modest at first, and some of those who do begin to work may have families too large to support without additional assistance. Nonetheless, even modest gains are not to be dismissed lightly; the benefits to each individual and family make important differences to their morale and sense of dignity. But more crucial still is the broader aspect of public policy. Public policy establishes a moral climate as well as an economic one; it sets goals for citizens and incites efforts. Thus an effort to require work by recipients is worthwhile if it establishes throughout society the essential notion that an individual's benefits are conditioned on the meeting of social obligations, even if the actual numbers brought into such programs are at first small and progress is gradual.

7. *Cash benefits should be transitional.* Public assistance is intended as a temporary form of aid, providing help until the recipient—a mother recently widowed or divorced, for example—can become self-supporting. For many current recipients that is exactly how welfare operates. But for a large number of others, AFDC has become a long-term support, often leading to habits of dependency that make attaining self-reliance progressively more difficult. Thus, public assis-

7. See, e.g., MANPOWER DEMONSTRATION RESEARCH CORPORATION, *WORK INITIATIVES FOR WELFARE RECIPIENTS: LESSONS FROM A MULTISTATE EXPERIMENT* (1986).

tance should be restored to its original function. Some, though not all, of the necessary steps are clear:

■ For women of mature age thrown into temporary poverty by divorce or separation, transitional aid is in line with the purposes of AFDC. Many such women possess the educational resources, skills and determination to enable them to become independent within a short time. Programs assisting them, accordingly, should not compromise their independence.

■ Those, however, who need preliminary training in personal habits and work skills should be required to enroll for a time in work-training programs or, if necessary and appropriate, to complete work for their high-school diploma or equivalent.

■ After a specific time limit (such as two years), a recipient of AFDC should be required, as a condition of further assistance, either to find employment or to accept employment in a public job.

8. *Clear and fair sanctions should be imposed on able recipients of benefits who fail to work without good cause (such as a serious physical or mental disability).* The integrity of AFDC as a transitional program must be upheld. No proposal to reform welfare is worth considering seriously unless it establishes clear sanctions for noncompliance.

Sanctions are important both as signals of the basic values of a free society and as guides to self-development. A welfare policy without clear incentives and sanctions promotes disorientation about values and thus does injustice to those it would help. Sanctions may be constructed positively or negatively, either offering incentives in the form of rewards or denying benefits unless obligations are met. In any case, the welfare system must be infused with a sense of obligation in order to build a sense of reciprocal bonds among the members of the civic community.

Accordingly, care must be taken not to allow welfare programs to be governed by a misdirected compassion, in which benefits are offered without reciprocity. That would undermine the humanity of able recipients and would treat them with lesser dignity than other citizens.⁸ Some states have reported that the fact of insisting on work has brought significant reductions in the number of applications for benefits; this suggests that some adults were in fact able to care for themselves without depending on the public purse. Others, obliged to work, have reported greater satisfaction in working than they had in their earlier passivity.

Insistence on clear sanctions, however, is bound to present hard cases that test the seriousness and the wisdom of administrators. There will be cases, for example, in which cutting off the benefits of a parent or parents who do not fulfill their obligations will result in "punishing" the children. Such cases are undeniably difficult. But three considerations must be kept in mind in resolving them: (1) to keep children at risk by allowing their parent or parents to act irresponsibly may harm the children even more grievously; (2) to make flagrant

8. "Compassion . . . is a miserable basis for liberal politics. It carries the unmistakable implication of dependence and piteousness on the part of those on the receiving end of the sentiment . . . Compassion . . . provides no principle to tell us when our abstract compassionate impulses should stop . . . Compassion makes few distinctions." Kaus, *Up from Altruism*, NEW REPUBLIC, Dec. 15, 1986, at 17.

exceptions undermines the system as a whole; and (3) to allow parents to use their children as hostages invites massive abuse, while confirming the parents in the hypocrisy of their ways.

How could it possibly help recipients to reward them for irresponsibility? Consistency concerning obligations is the best compassion, both for individuals and as a universal signal.

Granted, since the administration of incentives and sanctions is subject to the counterstrategies of recipients, it almost always involves unintended consequences and unanticipated patterns of behavior. Yet that is why experimentation is needed, in different circumstances and among diverse populations of the needy, to discern what works best in reducing behavioral dependency. In administering sanctions, some have suggested the need for sophisticated "case management" systems, run by professional social workers; others have proposed a system of "contracts" between recipients and welfare agencies, specifying mutual responsibilities periodically renegotiated; still others have argued that existing arrangements can be adapted to meet the demands of more extensive work and training efforts.

In any case, the vast array of rules and procedures that have grown up around access to public assistance programs—frequently as the result of judicial action—must be critically reexamined. Some rulings seek one-sidedly to protect the rights of recipients to benefits, without giving due emphasis to the obligations that recipients have to the rest of society, including the duty to seek to become self-reliant. An insistence on public obligation through a strict work requirement as a condition for the receipt of benefits is consistent with the work ethic to which other citizens feel bound, and allows the able to have the same sense of dignity and self-reliance as others have.

9. *The working poor should not be taxed into poverty.* Few groups among the poor are more likely to command public sympathy than those in whose household one or more persons work full time while the family remains below the poverty line. Low wages, a large family, or other conditions may prevent such persons from earning an adequate income despite their best efforts. In the recent past many advocated "cashing out" in-kind benefits and giving such persons cash directly, on the basis of a test of need, to bring their incomes above the poverty line.

What is striking about the current discussion of welfare reform is how little serious support this idea now retains. This turnabout reflects the findings of experiments during the past decade, which revealed that supplementing the incomes of the working poor tended to erode precisely those efforts at self-reliance that many wanted to reinforce. In addition, the practical problems of designing a system of assistance that would provide adequate aid and still preserve incentives to work have proved insurmountable. Above all, such programs seem to undercut the dignity that comes from work, exposing some who do work to ridicule. Nevertheless, constructive steps can be taken:

■ At a minimum, taxes should not drive low-income workers below the poverty line. By raising exemptions and the standard deduction, the tax reform of 1986⁹ has essentially lifted the burden of the federal income tax from the

9. Tax Reform Act of 1986, Pub. L. No. 99-514, 100 Stat. 2085.

working poor. State and local income taxes should be adjusted similarly.

■ The working poor remain liable for payroll taxes for social security, which the earned income tax credit (EITC)¹⁰ only partially offsets. Raising the levels of EITC may be called for, but EITC should not be expanded without a detailed calculation of its costs and probable behavioral consequences.

■ Some health care programs can also lead to dependency. On the one hand, about 15 percent of the population, among whom are many who have worked their way out of poverty, lack medical coverage; on the other hand, there is evidence that some persons now stay on welfare primarily to keep Medicaid coverage.¹¹ Major programmatic experiments are now under way, and a sustained investigation of their results will shortly be in order.

■ Finally, the government's most fundamental methods to help the working poor begin by pursuing policies that foster economic growth, deal with labor market inefficiencies, improve education and job-related training, and lead to increased real incomes.

10. *In the administration of welfare, the principle of federalism should be maintained, but policies should be adjusted to emphasize state and local innovation.* In trying to determine which level of government—federal, state, or local—should be in charge of administering and financing public assistance programs, much fruitless argument has removed attention from the actual condition of the dependent. Following the model of social security, some have argued that welfare should be entirely paid for and run by Washington. Others have urged total local control. Still others want more federal financing (“fiscal relief”) but less federal involvement in administration. No perfect and decisive resolution is ever in sight, nor should it be, since the vital balance should be allowed to shift from time to time as experience dictates.

State and local governments, however, should be given great latitude to experiment with methods of reducing poverty and dependency. This motivates states, counties, and local jurisdictions—each in a different way—to find the programs that work best for them. As long as the federal government and the

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10. I.R.C. § 32 (1988). The credit, available to low income taxpayers only for income derived from employment, is further limited to individuals who have children and who are either married, surviving spouses, or heads of household. The effect of the credit, first enacted in 1975, is that poor individuals who do not work pay higher taxes than individuals with the same income who do work. The Tax Reform Act of 1986 raised the maximum earnings allowed from \$11,000 to \$17,000 and the maximum credit from \$550 to \$800. I.R.C. §§ 32(a),(b). See Griffith, *Theories of Personal Deductions in the Income Tax*, 40 HASTINGS L. J. 343,388 (1989); Graetz, *The Troubled Marriage of Retirement Security and Tax Policies*, 135 U. PA. L. REV. 851, 860; and Note, *In Aid of the Working Poor: The Proper Treatment of Payroll Taxes in Calculating Benefits Under the Aid to Families with Dependent Children Program*, 52 FORDHAM L. REV. 1171, 1196 (1984).
 11. According to the Census Bureau's *Survey of Income and Program Participation*, 13.3 percent of the U.S. population had no health insurance coverage in the fourth quarter of 1985; 12.4 percent of whites were uncovered, 19.3 percent of blacks, and 27.0 percent of Hispanics. See R. Reischauer, *Welfare Reform and the Working Poor* (1987) (unpublished manuscript). Those who have no health insurance coverage are more likely to be working poor or near poor rather than fully dependent upon government. For instance, in 1984, an AFDC mother with two children had an average of \$1,700 spent on her family by the government for Medicaid coverage. See COMMITTEE ON WAYS AND MEANS, 99TH CONG., 2D SESS., BACKGROUND MATERIAL ON DATA ON PROGRAMS WITHIN THE JURISDICTION OF THE COMMITTEE ON WAYS AND MEANS 255 (1986).

states share costs, the states have a strong incentive to seek their own most effective combination of programs.

This also means that the federal government should be sure that its own rules and regulations do not unnecessarily complicate or limit state and local initiatives in welfare reform. Thousands of such rules and regulations have grown up around income support programs such as food stamps and public housing, as well as around more general issues such as due process. Some derive from the courts, not from Congress. To deal with behavioral dependency, obligations should be specified as far as possible in law. But a certain amount of discretion is necessary in dealing with individual cases, which excessive regulation may prevent.

A frequent criticism of American public assistance policy has been that benefits are not uniform across the country, even though the current package of assistance (including in-kind benefits such as food stamps) has created a *de facto* floor, held down by only a few very low-benefit states. Having this floor standardized across the country, possibly at about two-thirds of the poverty line, could solve this problem. Yet the poor in the United States are extremely diverse; neither their behaviors nor their circumstances are uniform. Thus a standard benefit level might be inconsistent with a social policy that aims to meet individual needs without creating dependency. Raising the floor could therefore expand dependency, diminish the flexibility of the states, and give precisely the wrong moral signal.

In any case, standards for aid to the poor should reflect local living conditions and diverse circumstances since, to cite an obvious example, the nature of poverty is different in rural Iowa and in inner-city Chicago and since labor market conditions vary widely in various localities.

CONCLUSION

What does it mean, "to help the poor"? The poor have diverse needs. Some are elderly, disabled, or otherwise in need of income support and personal services.¹² Others—the young and able poor—need income supports less than they need instruction in the skills, habits, and attitudes through which to achieve independence and to make the productive contributions society needs from them.

Thus, low income and behavioral dependency are two quite different problems and should be met by different remedies. No person should be involuntarily poor without having assistance available from others to help them rise above the poverty level. At the same time, no able adult should be allowed voluntarily to take from the common good without also contributing to it.

Indeed, a free society demands the self-reliance of each of its able citizens, so that each may contribute productively to the well-being of all. The United States is a community of a special sort, made up of free, self-determining persons: a community of self-reliance, in which independence is made possible by mutual cooperation and in which community is aimed at self-development.

12. According to a General Accounting Office study using the government's 1982 long-term care survey, 1.1 million elderly said they had some help with basic activities but needed more. Another 168,000 lacked regular help with one or more fundamental activities. See *Daily Needs Not Met for Many Elderly*, Washington Post, Jan. 17, 1987, at A1.

Concerning both poverty and behavioral dependency, the entire nation can do better. Many now agree on the basic principles for doing better. What we need is to put these principles into concrete practice, at every appropriate level and in every locality. The children of the needy, especially, depend on us.

