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**Welfare Reform in the United States:
Disconnecting Children from Parents**

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In 1994, I was privileged to spend five months in South Africa as a Fulbright Lecturer at the University of Durban-Westville (now part of the University of KwaZulu-Natal). Before coming to South Africa, I had been immersed as a teacher, scholar and advocate in issues affecting women, including gender bias in courts, violence against women and disparate treatment of men and women in family law.

One of the many lessons I learned in South Africa was that my understanding of women's issues was too narrow; I had not focused enough on women's poverty and economic opportunity. Poverty is widespread in South Africa, as we well know, but that does not mean that it is ungendered, either in its origins or in the responses or resistance strategies of those affected by it. One way that gender is impressive in relation to poverty – in both the United States and South Africa -- is how mothering differs from fathering as a foundation for poverty. When I returned from South Africa, and largely because of my experiences here, I began to focus on women's poverty in my scholarly activity as well as in my teaching and advocacy.

In this forum, we are talking about the rights, interests and needs of children. It has been my project for over a decade to consider how the rights, interests and needs of children cannot happily be separated from the rights, interests and needs of women who are mothers and others who fulfil mothering roles. I call my train of thought "interdependency theory," by which I mean that society, parents or caretakers and children have interdependent needs and interests. At its most basic level, interdependency theory demands recognition of

the fact that society depends on parents or other caretakers to raise children, to do the job of mothering. Children are dependent on those adults. To enable those adults to do the job we need them to do for the children, we have to take care of the adults. When we ignore the interdependent relation of children with their parents or caretakers, we run a great risk that the rising generation will be worse off and unable to take their places as adults.

When policy is aimed at women who are mothers, whether beneficially or coercively, the policy inevitably impacts the children. And, vice versa, if policy is aimed at children, whether beneficially or not, the policy inevitably impacts the mothers of those children. In practice, interdependency theory would require policy makers to accept the dual targeting of their projects and demand an assessment of whether a policy that seems beneficial to a woman, for example, becomes detrimental because she is a mother who has responsibilities both to herself and to her dependent children. Similarly, a policy that appears to benefit children might seem more questionable once it is seen in the context of the dual impact of that policy on the child and the child's caretaker.

For the last decade, I have been attempting to put my thinking about interdependency into play in the arena of welfare reform in the United States. In 1996, the United States abolished the entitlement to welfare that previously had been held by most extremely poor families with minor children. The entitlement was replaced with Temporary Assistance for Needy Families, or TANF, under which each state was given a limited pool of funds to use for any of four purposes.

Although one of the four purposes is providing cash assistance to poor families, states are not required to provide such aid. If states decided to do so, they must limit its availability. In general, adults qualify only if they participate in work activities, assist in the collection of child support and receive assistance for no longer than five years. Violation of these eligibility and durational requirements should lead to sanctions or terminations of benefits.

Among the many claims made in support of TANF is one that stands out for interdependency theory purposes: since most mothers now work for pay, mothers who are getting welfare should move from welfare to work. The claim omits all mention of the children. Under interdependency theory, it is assumed that whatever changes the life of the parent or caretakers necessarily affects the child in her care. There, the question must be asked, what did policy makers think would happen to the children when they removed the guarantee of minimal financial support from parents heading very poor families and replaced it with aid conditioned on a variety of work-oriented requirements? There seem to be three possibilities:

1. They believed that children's lives would improve when their mothers entered paid work.
2. They believed that children's lives would get worse when their mothers entered paid work.
3. They did not think it relevant what happened to children when their mothers entered paid work; their sole concern was with affecting the behaviour of

women, especially but not exclusively women in poverty, with respect to fertility, labor force participation and willingness to marry.

Policy makers, of course, made claims aligning with the first possibility. Since 1996, however, what has been learned is that the second possibility has been closer to the truth and that the third possibility is what was actually on the minds of many of the policy makers.

First, what do we know about the wellbeing of the children? Few empirical studies have been done as of yet.¹ Research is difficult because, under TANF, the fifty states (and a few other jurisdictions under United States governance in one way or another) have substantial program flexibility. The limited data so far gives reason to worry. One conclusion seems firm: positive results for children occur, generally, in situations where the parent becomes employed and the household's income also increases substantially, usually through the payment of a cash assistance salary supplement.

A substantial improvement in household income does not appear to insulate all adolescents from negative outcomes as the result of welfare reform. Where a parent is subject to a work requirement, some adolescents were found to suffer negative outcomes. Researchers speculate that the issues may relate to the parent-child relationship. That is, adolescents need more parental supervision than they could get once their mothers were made to participate in work activities or accept employment.

Child outcomes also improved where the welfare program paid attention to the mother's experience of domestic violence. In other words, maternal safety was important for child wellbeing.

Simply eliminating cash assistance payments and adding work requirements does not improve the situation of elementary age children on the measures used by the researchers, and adolescent children experiences some negative effects, perhaps caused by their experiencing more time without parental supervision.

If increasing income is important for the well-being of the younger children and ensuring adequate parental time is key for adolescents, and enhancing maternal safety is important for all children, then a child-oriented welfare program should pay attention to achieving these results. For example, where employment alone does not produce enough income for household income to increase substantially, programs should provide a cash assistance salary supplement for as long as the parent's earnings remain relatively low.² Where a family includes adolescents, parents could be encouraged to consider parttime work and cash supplements should be available to make up the lost earnings. And where a mother is being abused, the program should provide a protective response. Unfortunately, the opposite has occurred: under TANF, states are not given federal assistance to pay for cash assistance to employed families after the maximum period of 60 months. If a state wants to provide the benefit, it must pay for it out of state funds. Work activity requirements do not discriminate based on the age of the child in the household, unless the child is an infant and child care

is unavailable. States are allowed to provide special treatment in cases of family violence, but few have identified or assisted many families.³

The failure of welfare reform to regard the interdependence of women and children is reflected in statistics that demonstrate that families with children are falling deeper and deeper into poverty. At the same time, government is doing less and less to prevent that from happening because it is, simultaneously, limiting access to public benefits while not reforming market-based practices to make them family-friendly.

In 2003, over half of children under six living in a mother-headed household were living in poverty,⁴ up from less than 35% in 1995.⁵ More than 40% of all poor people were experiencing “deep” poverty in 2003, that is, incomes below half of the poverty line.⁶

TANF cash assistance benefits are now being paid to only a fraction of families that experience great financial need. In August of 1996, 4,404,508 families in the United States were receiving cash benefits under the AFDC program; by September of 2001, the number had dropped to 2,102,608, a decline of 52.3%.⁷ In my home state of Maryland, the number dropped from 70,665 families in August of 1996 to 27,207 in September 2001, a decline of 61.5%. The “winning” state was Wyoming, where the rolls declined from 4,312 to 478, 88.9%. Not surprisingly, Minnesota, where mothers were provided with cash to supplement their wages, and a program that pays attention to the issue of domestic violence, the rolls declined far less, only 30.9%.⁸

The minimum wage has not been raised since 1996, so workers in the kinds of jobs taken by women leaving welfare must either accept a decline in the standard of living their earnings can provide or work many more hours a week.⁹ Increasing work hours means increasing the hours young children spend in child care and the hours older children spend without parental supervision. Both are poor outcomes from the child's perspective.¹⁰

When a parent becomes unemployed due to family responsibilities, she is unlikely to get temporary wage replacement because the rules governing unemployment insurance have not been reformed to take into account the increasing numbers of women in the labor force with young children.¹¹

If helping impoverished children and their families is not the goal of welfare reform, then what is? More than likely, the actual goal is to get the federal government—and probably government at all levels—out of the business of helping families in poverty. The solution for poverty, under this theory, is more “personal responsibility,” more self-reliance, more marriage, more responsible sexual activity, and, when they deem it necessary, more involvement from locally-based charities and religious institutions. In other words, the relief of poverty is a local, family and charitable or religious enterprise, not one for government.¹²

I take a different view. My sense is that taking care of children must in part be a collective responsibility because we are all dependent on the children becoming success participants in the society that we share. We do not carry out this responsibility collectively: we entrust it primarily to the women who give birth

to the children, and secondarily to the families in which they reside. If we take care of those women, that is, if we ensure that they have the resources and support they need for themselves and their families, then we can justify our reliance upon them to raise children in ways that, for most children, will help them become productive adults. If we abandon the women to whom we entrust this essential task, then we have little reason to hope that the adults of tomorrow will be productive members of society.

Of course, families must play a huge role in this enterprise. So must charitable institutions and religious groups. Employers cannot escape responsibility, nor can schools and other people in a community who interact with parents and children, such as medical providers and sports organizations. Without government aid, however, these efforts will not be adequate.

Even if government aid were not required for economic security of children, a government role is essential for validating the importance of the effort and the work. Where government's message is that everyone can do for themselves whatever they need, other societal institutions that want to encourage the collective approach needed by parents find the going much much harder.

In the United States, it goes without saying, the dominant ideology is capitalism with a capital I for individualism. That philosophy, taken to something of an extreme degree, animated welfare reform. The claim was that welfare reform was essential to stop people from continuing to be dependent on government. Rarely in the debates surrounding welfare reform does one hear, at least from the more conservative policy makers, a recognition that the people

they were talking about were women caring for minor children, and not single individuals responsible only for themselves. For women with children to be responsible at home and at work demands a different lifestyle, and that lifestyle limits the degree to which anything other than children can come first—whether that be an employer, a partner or a community.

Welfare reform is an example of a public policy that denies all collective responsibility for children to receive the time, attention and resources that they need from their families. That policy was probably acceptable to many in the United States because it directly affected only the poorest children. Poor children, however, are the very children who are most in need of expressions of collective responsibility: they are often fragile physically or mentally; they often live in neighborhoods that are harsh; and their parents often are employed in family-hostile jobs. By accepting the claim that society generally owes no responsibility to help the parents of the most vulnerable children, we run the risk that we will accept the claim that society generally owes no responsibility to any child's family. Once that claim is accepted, it is hard to sustain a sense of responsibility for schools or for playgrounds, much less for child care and family subsidies. It is indeed a slippery slope, and welfare reform in the United States has placed our families firmly upon it.

Endnotes

¹ Karen Syma Czapanskiy, *Parents, Children, and Work-First Welfare Reform: Where is the C in TANF?*, 61 Maryland Law Review 308 (2002); MDRC Child Briefing Summary, <http://peerta.acf.hhs.gov/pdf/mdrc.pdf> (site visited on Mar. 8, 2005); US Department of Health and Human Services, Administration for Children and Families, *Welfare Reform and Children: A Synthesis of Impacts in Five States*, http://www.acf.hhs.gov/programs/opre/welfare_employ/ch_outcomes/welfare_reform_children/welfare_reform (site visited on Mar. 8, 2005).

² There are many additional ways to substantially increase household income of welfare recipient families. For example, welfare programs might attempt to educate welfare recipients about the possibilities of unionization and other legal protections for employees, might encourage the development of jobs near areas of high poverty concentrations, or might help recipients move to high-employment neighborhoods, etc. See Czapanskiy, *Where is the C in TANF?*, *supra*.

³ Karen Syma Czapanskiy, *Domestic Violence and the Maryland Family Violence Option*, 11 American University Journal of Gender, Social Policy and the Law 447 (2003).

⁴ United States Department of Commerce, Income, Poverty, and Health Insurance Coverage in the United States: 2003, <http://www.census.gov/hhes/www/poverty03.html> (site visited Mar. 12, 2005)

⁵ United States Department of Commerce, Poverty in the United States: 1995 (P60-194), <http://www.census.gov/hhes/poverty/pov95/povest1.html> (site visited Mar. 12, 2005).

⁶ Margy Waller, *The Federal Welfare Debate: Is Congress Deserting Working Families?* (March 4, 2005), www.brookings.edu (site visited Mar. 7, 2005).

⁷ <http://www.acf.hhs.gov/news/stats/afdc.htm> (site visited Mar. 1, 2005).

⁸ *Id.*

⁹ Economic Policy Institute, Figure 1: Real Value of the Federal Minimum Wage, 1950-2004, <http://www.epinet.org/issueguides/minwage/figure1.gif> (site visited Mar. 12, 2005).

¹⁰ Czapanskiy, *Where is the C in TANF?*, *supra*.

¹¹ Karen Syma Czapanskiy, *Unemployment Insurance Reform for Moms*, 44 Santa Clara Law Review 1093 (2004).

¹² A concomitant claim is that cash assistance to families with children should be unnecessary where both parents engage in paid labor and provide appropriate amounts of money to the household in which the child lives. If the parents do not cohabit with the child, the monetary support of the noncoresident parents takes the form of child support.

Transfers in the form of child support, however, are not likely to satisfy the claim for two reasons. First, even if a mother is among the half to two-thirds of women who are employed for money after leaving welfare, her earnings are generally quite low: around \$1,000 a month. The difference between the mother's earnings and the child's economic security needs might be made up by the child support transferred to the household in the form of child support. The noncoresident fathers, however, are generally low earners. As determined under one of the most generous formulas for child support used in the US, his child support transfer would be inadequate to make up the difference. See Karen Syma Czapanskiy, *ALI Child Support Principles: A Lesson in Public Policy and Truth-Telling*, 8 *Duke Journal of Gender Law and Policy* 259 (2001).