

# **Decades of Distortion:**

## ***The Right's 30-year Assault on Welfare***

by Lucy A. Williams  
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In 1996, the Republican-controlled Congress passed and President Clinton signed the Temporary Assistance for Needy Families Block Grant of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996<sup>1</sup> — the “welfare reform” bill— which ended Aid to Families with Dependent Children (AFDC), a sixty-year old federal entitlement program. Often it seems that this attack on welfare (euphemistically called “reform”) is a new political phenomenon. Because it was so closely associated with the Newt Gingrich Congress, it is easy to see it as the brainchild of the New Right and the “new Republicans” who dominated the 104th Congress.

However, the targeting of welfare dates to the “Old” Right of the 1960’s— the movement headed by Barry Goldwater and identified with the John Birch Society. In the 30 years since the 1960s, right-wing think tanks and intellectuals have polished and refined the critique, and developed the policies that were captured in the current bill. Often the actors who advocate welfare reform represent different sectors of the Right, all converging in a multithematic, thus powerful, attack on welfare.

The AFDC or “welfare” program, which provides sub-minimal cash assistance for poor children and primarily their mothers,<sup>2</sup> was enacted in 1935 as part of the Social Security Act. Initially, it served primarily white widows and orphans— seen as the, albeit complicated, “deserving” poor, for whom society had a responsibility. Central to the recent welfare debate, however, were assumptions that AFDC was largely a program for African Americans and that a consensus existed that it needed to be thrown out, without recognizing that the current “consensus” was in large part the result of a concerted attack by the Right. How did such a dramatic change in public perception occur?

This article will track the ideological evolution and policy developments that have led us to this point. It situates the Right’s attack on welfare within the broader framework of the agendas of the submovements of the Right, analyzes the confluence of the themes targeting welfare recipients as responsible for societal problems, and discusses how these various submovements have over 30 years transformed their discourse into mainstream discourse culminating in President Clinton’s signing of the “welfare reform” bill. Underlying this transformation is the powerful coincidence of two events: the growth of the Right’s attack on welfare, and the arrival of African Americans and other people of color on the welfare rolls.

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Prior to the 1960s, a number of states had found methods to exclude large numbers of African Americans from the AFDC program. In the early 1960s, several factors contributed to opening the rolls to people of color, although the vast majority of recipients continued to be white.<sup>3</sup> The evolution of a right-wing critique of welfare in the early 1960s coincided with this shift in the racial composition of the AFDC population.<sup>4</sup>

The Old Right’s critique associated the War on Poverty with communism, particularly focusing on the AFDC program as a case study of how “liberalism” destroys society.<sup>5</sup> At the same time, the Old Right used explicit racism to promote its message that the civil rights movement was resulting in the breakdown of law and order. By combining these two messages, it becomes possible to single out a vulnerable sector of the population, welfare recipients (increasingly seen as African American and Latino), as scapegoats to perpetuate an agenda of limited government and rugged individualism.<sup>6</sup>

In the 1970s, the New Right updated the Old Right’s focus, shifting it from anti-communism and explicit

racial segregation to social issues. This shift in political priorities—a brilliant marketing strategy—opened new possibilities in the attack on welfare. It allowed the New Right to develop and elevate the stereotype of the “welfare queen,” which was then skillfully used to full political advantage by Ronald Reagan.<sup>7</sup> This resulted in a singular, non-normative, and non-contextualized image of the welfare recipient as a socially deviant woman of color (unwed teen parent, non-wage worker, drug user, long-term recipient). With shrewd use of dissembling imagery, exaggeration, and stereotyping, the New Right played to fears of the welfare recipient as “other.”

This rearranging of the agenda has diverted attention from the multiple economic, structural, and institutional factors which contribute to shifts in societal behavior and economic decline,<sup>8</sup> thus creating a discourse which connected many, if not most, societal ills to the presence and receipt of welfare.

## The Diversity Of Those Receiving AFDC

To understand how the Right cornered the debate, we must first understand how many of our own images and beliefs incorporate a carefully constructed singular portrayal of welfare recipients as socially deviant. Most of us care about certain definitions of teen pregnancy, crime, drug abuse, and child abuse, but somehow many of us have come to believe that the causal connection of the receipt of welfare and these social ills is a given and, in fact, a centrist position. Mainstream media and policy discussion discounts the welfare system as failed, without recognizing the complexities of such a critique. It is essential to our analysis that we understand how we have been duped into simplistically believing on some level that AFDC has fostered many of the “evils” of our society.

The population of families receiving AFDC is highly diverse; therefore any attempt to generalize results in an essentialized depiction which then leads to a rigid and narrowly defined, rather than comprehensive and nuanced, welfare policy.<sup>9</sup> However, a few basic statistics provide a backdrop for understanding the deception of the Right’s attack.

In 1994 (the most recent year for which data is available), 37.4% of AFDC families were non-Hispanic white, 19.9% Hispanic, and 36.4% were African American.<sup>10</sup> The average AFDC recipient has

1.8 children, slightly less than the number which the general population has. In 1994, 72.6% of all AFDC families had two children or less; the average AFDC family size had dropped 30% since 1969.<sup>11</sup> The poverty rate in nonmetropolitan areas was 16%, while the poverty rate in metropolitan areas was 14.2%, including 20.9% in the central cities only.<sup>12</sup> Depending on the method of calculation, 29-56% of all AFDC recipients leave the rolls within one year, 48-70% leave within two years, and only 7-15% stay on for eight consecutive years.<sup>13</sup> These percentages do not reflect an increasing “dependency” on AFDC. A 1952 nationwide study of AFDC found that 20% of families received AFDC for less than one year, only 11% received benefits for seven years, and only 3% received benefits for more than eleven years.<sup>14</sup> Sixty-four percent of young women who grew up in families that received welfare during their adolescence receive no welfare during young adulthood.<sup>15</sup>

Only 6.3% of AFDC families are headed by teens.<sup>16</sup> Of these, most are 18 or 19 years old. Only 1.2% of all AFDC mothers are less than 18 years of age.<sup>17</sup> Teen birth rates in fact are significantly lower than they were in the 1950s. In 1955, the adolescent birth rate (ages 15-19) was 90.3 per 1000 females.<sup>18</sup> It reached an all-time low of 50.2 in 1986, rose to 62.1 in 1991, and dropped to 59.6 by 1993.<sup>19</sup> Between 1970 and 1993, the total number of births to teenagers dropped from 656,000 to 501,000, with the birth rate per thousand women 15-19 years old dropping from 68.3 to 59.6.<sup>20</sup>

The increase in childbearing by unmarried women<sup>21</sup> cuts across class, education attainment,<sup>22</sup> and age lines. Most of this increase is in births to adult unmarried women, not adolescents.<sup>23</sup> Two-thirds of all women who give birth outside marriage are not living below the poverty level during the year prior to their pregnancy.<sup>24</sup> Most of them—teen and adult—are white.<sup>25</sup> Finally, teen mothers do not inevitably end up as long-term welfare recipients.<sup>26</sup>

Thus a reductionist view of welfare as an inner-city, long-term, intergenerational, teenage pregnancy, or illegitimacy problem does not capture the experiences of the vast majority of mothers and children who have been receiving those benefits. How has this disjuncture in the thinking of the American electorate come about?

## The Deserving Poor

The United States has always been ambivalent about assisting the poor, unsure whether the poor are good people facing difficult times and circumstances or bad people who cannot fit into society. Public welfare programs in the United States originated as discretionary programs for the “worthy” poor. Local asylums or poorhouses separated the deserving poor, such as the blind, deaf, insane, and eventually the orphaned, from the undeserving, comprising all other paupers including children in families, with wide variation and broad local administrative discretion.<sup>27</sup> “Traditional” family values have always been part of the discourse. They were part of the debate in the early 20th century about the undermining of initiative and dignity by outdoor relief, the aspect of the reformists’ movements that tried to control the behavior and “better” immigrant poor women, and in the 1971 Supreme Court discussion of the plaintiff welfare recipient in *Wyman v. James*.<sup>28</sup> There have always been those who thought poverty was caused by individual fault and that the receipt of any governmental assistance was debilitating.

The Social Security Act of 1935 emerged from the Great Depression, when the massive unemployment of previously employed, white male voters made it politically impossible to dismiss the poor as responsible for their own situation.<sup>29</sup> The AFDC program, only a small part of the Social Security Act, covered children living with their mothers.<sup>30</sup> The legislative history of the Social Security Act allowed the states, which administered the AFDC program, to condition eligibility upon the sexual morality of AFDC mothers through suitable-home or “man-in-the-house” rules.<sup>31</sup> These behavioral rules were often intentionally used to exclude African Americans and children of unwed mothers from the rolls.<sup>32</sup> One Southern field supervisor reported:

The number of Negro cases is few due to the unanimous feeling on the part of the staff and board that there are more work opportunities for Negro women and to their intense desire not to interfere with local labor conditions. The attitude that “they have always gotten along,” and that “all they’ll do is have more children” is definite.... There is hesitancy on the part of lay boards to advance too rapidly over the thinking of their own communities, which see no reason why the employable Negro mother should not continue her usually

sketchy seasonal labor or indefinite domestic service rather than receive a public assistance grant.<sup>33</sup>

However, in the 1960s, the civil rights and welfare rights movements resulted in the inclusion of many who had been excluded from the original AFDC program.<sup>34</sup> Aggressive lawyering on behalf of poor people removed many of the systemic administrative barriers used to keep African American women off the welfare rolls.<sup>35</sup> As a result, the number of African Americans on the AFDC rolls increased dramatically, by approximately 15% between 1965 to 1971, although the vast majority of those receiving welfare continued to be white.<sup>36</sup>

## Highlighting The “Undeserving” Poor

The Republican candidacy of Barry Goldwater for President in 1964 was a turning point for the Old Right.<sup>37</sup> During that campaign, many of the themes which later would form the multiple bases for the New Right’s attack on welfare were explicit; rightist publications attacked the welfare state for undermining rugged individualism and private property, fostering immorality and non-productive activity,<sup>38</sup> contributing to crime (particularly associated with urban riots and the Civil Rights Movement), and ultimately leading to Communism.<sup>39</sup>

The Old Right drew a classic parallel between conditions in the US and the decline of the Roman Empire,<sup>40</sup> drawing especially from the work of neoclassical economists like Friedrich Hayek, Ludwig von Mises, and Milton Friedman. Hayek’s *The Road to Serfdom* warned of the consequences of collectivism and that Western civilization was abandoning “the foundations laid by Christianity and the Greeks and Romans.”<sup>41</sup> In its 1959 founding documents, the John Birch Society warned of how the Roman Empire died from the cancer of collectivism.<sup>42</sup> Believing that the welfare state destroyed individualism and supported the growth of collectivism,<sup>43</sup> Goldwater stated “government policies which create dependent citizens inevitably rob a nation and its people of both moral and physical strength.”<sup>44</sup>

More militant Christian groups further to the right expressed the same equation more bluntly. *Destiny* magazine stated in a 1961 article that “[o]ne has only to read history to mark the awful price exacted from the nation whose people followed a course that

destroyed individual initiative and ambition [the welfare state].” In 1962 *The Cross and the Flag* saw the welfare state as “taxing away the rewards for responsible behavior.”<sup>45</sup> The welfare state would leave to socialism and socialism would lead to communism.

Receipt of welfare was also seen as encouraging behavioral problems. The John Birch Society *Bulletin* stated that governmental welfare programs led to “the subsidization of illegitimacy, laziness, and political corruption.”<sup>46</sup> Goldwater stated “I don’t like to see my taxes paid for children born out of wedlock.”<sup>47</sup>

The racism in the Right’s rhetoric of this period was blatant in many subject areas,<sup>48</sup> including welfare. Thus laziness and immorality were frequently explicitly tied to an image of AFDC recipients as African American, e.g., the immoral sexual practices of a “growing horde of lazy Negroes” living off the public dole,<sup>49</sup> “the unmarried Negro women who make a business of producing children...for the purpose of securing this easy welfare money.”<sup>50</sup> Goldwater stated that welfare “transforms the individual being into a dependent animal creature,”<sup>51</sup> evoking traditional European American caricatures of African Americans.<sup>52</sup> Distribution of welfare was designed to buy votes at the taxpayer’s expense,<sup>53</sup> with the implication that recipients were African American voters.<sup>54</sup>

Crime was seen as an individual, rather than a social, problem, and was another opportunity to raise the theme of individual responsibility. “The Conservative excuses nobody.”<sup>55</sup> Therefore the welfare state would not alleviate the “lawlessness” which our nation was experiencing; only a return of respect for authority could accomplish that.<sup>56</sup> Goldwater stated “on our streets we see the final, terrible proof of a sickness which not all the social theories of a thousand social experiments has ever begun to touch.”<sup>57</sup> Indeed by teaching that “the have nots can take from the haves” through taxation, Goldwater portrayed the welfare state as contributing to crimes of property and riots.<sup>58</sup>

After Goldwater’s defeat, the Right consciously focused<sup>59</sup> on the “white backlash,” particularly in the South,<sup>60</sup> as a means of exploiting the racial tensions of the 1960s for political gain.<sup>61</sup> Thus, at this critical time when welfare rolls were finally being opened to African Americans, AFDC, along with street crime, non-discriminatory housing, deteriorating neighborhoods, declining property values, school busing, and affirmative action, became banners which could popularize the Right’s agenda.<sup>62</sup>

An example of the evolution of this strategy can be seen by following the coverage of welfare in *Human Events*, a leading Old Right publication which began in 1944 as a voice of the reactionary wing of the Republican Party. In the early 1960s, articles in *Human Events* routinely attacked many aspects of the War on Poverty, arguing that it took power away from local governments, brought with it all the associated problems of big government, contributed to business investment decline, and created counter-productive behavior on the part of recipients.<sup>63</sup>

The Johnson Administration’s Great Society programs were accused of leading to “the virtual extinction of local government except as a minor bureaucratic instrumentality of federal power,” and would “impose coerced conformity” instead of free enterprise, individuality, and personal freedom.<sup>64</sup> Poverty programs would result in consolidated power in the hands of a few men who might abuse the system.<sup>65</sup> The programs were portrayed as inefficient,<sup>66</sup> primarily creating high salaries for bureaucrats,<sup>67</sup> and resulting in political corruption.<sup>68</sup>

Therefore, federal grants to states for relief should be reduced or eliminated, and those who receive benefits should not be allowed to vote until they paid back the “loan.”<sup>69</sup> Government had only three legitimate duties: national defense, personal freedom from attack by another, and “certain functions that it is not in the interest of any single individual or small group of individuals to undertake.”<sup>70</sup>

A 1965 *Human Events* article argued that business expansion within the free market structure is the appropriate method to fight poverty and unemployment.<sup>71</sup> The reliance on Keynesian economic theory in development of Great Society programs is misplaced.<sup>72</sup> Poverty can be conquered by individual responsibility and thrift: e.g., if the \$20 billion spent each year on liquor and tobacco, not to mention gambling, were invested in US industrial development.<sup>73</sup>

The theme that receipt of benefits creates counter-productive behavior recurs. Programs for high school dropouts encourage teens to leave school.<sup>74</sup> The rise in the numbers receiving welfare is attributed to “illegitimate children fathered by men who wander from woman to woman, unworried about who will care for their offspring because they know that Aid to Dependent Children payments will.”<sup>75</sup> In criticizing New York Governor Nelson Rockefeller’s welfare plan for women with children with “no male member

of the household,” the author comments that “[I]t certainly does seem that most of the aid recipients are skilled enough to know every trick of the trade in getting relief and staying on it.”<sup>76</sup> People receiving welfare don’t want to work.<sup>77</sup>

However, the tenor of the articles begins to shift in 1966. A connection between poverty programs and the rise of the Civil Rights/Black Nationalism/anti-Vietnam War Movements becomes a theme, playing to the fears of many whites.<sup>78</sup> While discussion of waste, corruption, and political patronage still form the basis for some of the discourse,<sup>79</sup> urban riots and poverty programs are directly linked. *Human Events* reports: “Evidence suggests that part of the reason for the riots are militant ‘anti-poverty’ officials and Negro agitators preaching hatred against the whites.”<sup>80</sup> Grants to “questionable” African Americans are increasingly reported.<sup>81</sup> This “army of welfare warriors,”<sup>82</sup> has strong ties with labor unions<sup>83</sup> and organizes partisan voter registration drives, often in African American neighborhoods.<sup>84</sup> While socialism was blamed for much of the world’s poverty by “paralyzing human initiatives,”<sup>85</sup> articles document the connection between War on Poverty programs and staff and communism.<sup>86</sup> In addition, the populist notion of giving a voice to people receiving the benefits is criticized.<sup>87</sup>

*Human Events* articles begin to portray poor people in more derogatory terms. A typical example is the story of a Puerto Rican poverty program trainee who failed to keep regular hours and when fired “flounced away, but only after having told Syd’s workers they were fools to stay on the job when they could take the first subway to the Bronx and ‘make as much money from the Program for half the work you’re doin’ here.”<sup>88</sup> An AFDC mother demonstrating for children’s clothing allowances complains that her son is “deprived of even a cotton undershirt to go to school,” while smoking a cigarette.<sup>89</sup>

At the same time, the “marketing of dissemblance” is evident, as *Human Events* articles begin to undermine the validity of the existence and extent of poverty.<sup>90</sup> In critiquing a judicial decision that struck down residency requirements for receipt of welfare, unnamed “experts” are cited to underscore the ludicrousness of the “long-time judicial activist,” and “liberal” judges’ majority opinion:

Court decrees that welfare residency requirements are “unconstitutional” are not only absurd, say judicial experts who believe there is no constitutional right to welfare

whatsoever, but will heavily penalize those states and localities which provide substantial welfare for the poor.<sup>91</sup>

Thus the Old Right constructed a message based on the confluence of poverty, race, labor unions, violence and communism. In this way, the Old Right was able to promote its agenda of lower taxes and reduced government by beginning to use welfare and the War on Poverty<sup>92</sup> to capture the increasing racial fears of much of white America at a time when African Americans were asserting their rights in new ways. This increasing use of welfare as a means of crystallizing and legitimating racism was a particularly successful ploy in breaking open the Democratic white South.<sup>93</sup>

## Racism And Wage Work

The impact of this rhetoric and its racist underpinnings is evident in the 1967 amendments to the Social Security Act, which for the first time placed mandatory work requirements on AFDC recipients. As more white women moved into wage work, at least on a part-time basis, and that became more acceptable,<sup>94</sup> and as the states were finally required to open the welfare rolls to women of color,<sup>95</sup> the image of “productive” became more complicated. In the rhetoric of the Right, “good” (i.e., white) women were still relegated to their calling as mothers and homemakers;<sup>96</sup> although for many “liberal” women, their self-definition and the resulting partial societal understanding of them now included a career.

However, African American women had always been expected and required to do wage work in US society, predominantly as domestic and agricultural workers.<sup>97</sup> Thus as the new image of welfare recipient was constructed as African American, it was only to be expected that they (unlike white women) should be required to work.<sup>98</sup> Note the assertion in *Human Events* that relief recipients were not willing to take crop picking work in California.<sup>99</sup>

Thus the images in the Congressional debate were of unmarried illiterate women with a massive number of children and a lack of appropriate parenting skills.<sup>100</sup> Most of these women lived in inner-city slums, particularly the largely African American neighborhood of Harlem.<sup>101</sup>

This is only one example of the Right's two-sided attack on women. On one hand, a woman's "natural place" is in the home; she finds dignity and security beneath the authority of her husband;<sup>102</sup> and day care is opposed because it keeps children away from their mothers.<sup>103</sup> On the other hand, a woman without a man (i.e., a single mother welfare recipient) should be in wage work. The implications of these two arguments, as manifested in welfare policy, are racially based.<sup>104</sup> A similar tension exists between the Right's commitment to limited government intervention in individual's lives and the recommendations regarding welfare policy as a mechanism for economically mandating "intact marriages."<sup>105</sup>

## The Role Of Neoconservatives

It is important to distinguish between the rhetoric of the *Human Events* branch of the Right and the incipient Neoconservative movement during the 1960's.<sup>106</sup> While each contributed to the building of contemporary welfare discourse, they did so from different perspectives. The Neoconservative movement, comprised largely of intellectuals with roots in the Democratic Party, were initially "moderately liberal" in domestic policy but hard-line anti-communist in foreign policy.<sup>107</sup> Out of this complex ideology evolved much of the rhetoric of the breakdown of the African American family, constructing a racial pathology which obscured economic inequality.<sup>108</sup> This portrayal contributed to the demise of AFDC, by connecting the receipt of welfare to the rise of a behaviorally deficient African American "underclass."

In 1965, Daniel Patrick Moynihan softened the ground with his controversial "Report on the Black Family," which contributed to the credibility of the Right's racist portrayal of poverty and indolence by tying African American male unemployment to a perceived break-up of the African American family, and drawing a correlation between male African American unemployment and AFDC cases opened.<sup>109</sup>

*The Public Interest*, a leading Neoconservative public policy journal edited by Irving Kristol, had more balanced discussions of the welfare system in the 1960s than those of *Human Events*. However, some articles reinforced the erroneous impression that African Americans were the majority of current recipients of welfare. In a 1969 *Public Interest* article discussing how big government is not necessarily

strong government, Peter Drucker connected race and welfare:

Our welfare policies were...perfectly rational--and quite effective--as measures for the temporary relief of *competent people* who were unemployed only because of the catastrophe of the Great Depression.... And small wonder that these programs did not work, that instead they aggravated the problem and increased the helplessness, the dependence, the despair of the Negro masses.<sup>110</sup>

In another *Public Interest* article published in 1969, Edwin Kuh discusses opposition to welfare plans:

Much of the white backlash, centered in the ranks of blue-collar workers, has been of this character. "Why," such workers ask, "should they (the poor Blacks) make nearly as much money as I do without working while we have to work?"<sup>111</sup>

And in a *Public Interest* article which ultimately gives modest support to the concept of a negative income tax, Edward Banfield cites to the Moynihan report and from that draws his own conclusion that "it is high AFDC rates that are causing the breakup of the poor and hence the Negro family."<sup>112</sup>

Adding to the complexities of the Right's various movements and the lack of a single coherent agenda, note that the negative income tax concept originated with Milton Friedman, a self-styled libertarian,<sup>113</sup> and was the centerpiece of Richard Nixon's Family Assistance Plan which failed to pass Congress in the late 1960s and early 1970s.<sup>114</sup> One of the justifications for a guaranteed income<sup>115</sup> was that it would reduce government interference in the lives of the poor, and would simplify the governmental system.<sup>116</sup>

Despite the many differences between the Old Right and Neoconservatives, these sectors of the Right sometimes reinforce one another: in 1969, *Human Events* reported that Moynihan "was the darling of the liberals until he began speaking out for himself."<sup>117</sup> In reviewing a book of Moynihan's, the article states:

Mr. Moynihan's book goes far beyond this [documenting waste and misuse of poverty funds], to the root error of the anti-poverty program and to results of that error with which we shall have to exist for years to come. If Mr. Moynihan's thesis is correct, then much of the violence and disorder which has marked these last years has stemmed from policies of social activism espoused by those who ran the poverty program and gave it its direction under President Johnson.<sup>118</sup>

Thus, since the 1960's, the Right has united its cultural or social populist conservatives with its free market advocates and right-wing libertarians, around an ideology that unites social conservatism with economic libertarianism.<sup>119</sup> This unity, or "fusionism,"<sup>120</sup> was nurtured through an attack on welfare and defense of the work ethic.<sup>121</sup> The Democrats were targeted as a party of affluent whites and minorities who did not care about bread and butter issues.<sup>122</sup> As the power of old Democratic machines (often working class Catholic or Protestant Southern evangelicals) was being challenged by 1960's New Left radicals and liberal reformers,<sup>123</sup> welfare was a pivotal symbol of Democratic Party acquiescence to African Americans at the expense of the white working class—a symbol to be constructed and manipulated by the New Right.

## Refining The Critique

In the post-Vietnam era, the Neoconservative and libertarian movements were swelled with recruits (many with staunchly liberal backgrounds) reacting to the turmoil of the 1960s.<sup>124</sup> Another source of recruits after 1976 was large segments of the working class who also blamed the federal government for creating inflation.<sup>125</sup> At the same time, conservative Christians began to emerge as a political force, mobilized around issues of morality and family values.<sup>126</sup> The political rise of the Christian Right during this period was spurred by events which appeared to legally sanction an assault on the "traditional American family"—for example, the Supreme Court's 1973 *Roe v. Wade* decision legalizing abortion, and the passage by Congress of the Equal Rights Amendment.<sup>127</sup> Welfare, portrayed as linked to "family dissolution," continued to provide an issue on which conservative Christians could align with Old Right, Neoconservative, and other Right groups, albeit from different perspectives.<sup>128</sup> As the Right was able to trust more

and more people to vote conservatively, right-wing strategists developed a "new found appreciation for populism."<sup>129</sup>

In the early 1970s, President Richard Nixon was attacked by *Human Events* authors, who criticized Nixon's Family Assistance Plan (FAP) as an extraordinarily costly expansion of the AFDC program. They argued that the work requirements would not succeed and attacked the guaranteed income concept.<sup>130</sup> Skyrocketing caseloads<sup>131</sup> and lax administration<sup>132</sup> are regularly highlighted. (Again note the implicit connection to the rise in African Americans on the rolls).

Daniel Patrick Moynihan, as Nixon's principal counselor on FAP, was vilified as deviously rigging data to support FAP's enactment.<sup>133</sup> The anti-FAP message was graphically promoted by showing pictures of various appliances with the headline "Have you been saving for one of these?" and the reply: "If Mr. Nixon's new welfare plan passes Congress, *you may pay* to have one of these items delivered. Not to you, but to one of American's 12 million *new* welfare 'clients' (or one of our 10 million old ones)."<sup>134</sup>

In contrast with the Nixon plan of the early 1970s, the "welfare reform" of California Governor Ronald Reagan is touted as "a program that would save nearly three-quarters of a billion dollars, put many welfare recipients to work and eliminate the chiselers,"<sup>135</sup> and California is cited as one of the states which had done "belt tightening."<sup>136</sup>

Politicians are intimidated - squeamish about resisting its [the welfare establishment's] demands. Gov. Reagan is almost the sole exception, and he is feeling its wrath.<sup>137</sup>

Reagan is quoted as "being horrified" at the implications of the Nixon Administration's FAP program for California,<sup>138</sup> and as urging that the key to reform is state and local control.<sup>139</sup>

In the same spirit, conservative economics journalist Henry Hazlitt, in his book titled *Man Vs the Welfare State?*, states:<sup>140</sup>

We have to ask, for example, whether liberty, economic progress, and political stability can be preserved if we continue to allow the people on relief—the people who are mainly or solely supported by the

government and who live at the expense of the taxpayers— to exercise the franchise.<sup>141</sup>

The advertisement for this book in *Human Events* calls its thesis “a daring idea which could reverse the trend that is destroying us....”<sup>142</sup>

Further developing the general critique of welfare, a number of articles in *Human Events* during the early 1970s cited to behavior (rather than poverty) as the welfare recipient’s “problem,”<sup>143</sup> and continued to report on waste and fraud within the poverty programs themselves.<sup>144</sup> *Human Events* articles described recipients as “bums, parasites and leeches,”<sup>145</sup> and discussed recipient fraud<sup>146</sup> and immorality.<sup>147</sup> During this period, the ongoing gender-role tension over whether mothers should be in wage work (as Reagan’s proposal advocated), or at home, reemerged.<sup>148</sup> As evidence of this tension and confusion, a portion of Nixon’s FAP which would provide child care for welfare recipients was criticized, along with other child care bills, as “social engineering programs for children.”<sup>149</sup>

In the mid-1970s, *The Public Interest* once again aired some of the more complex of the Right’s arguments against welfare. Nathan Glazer, stating that welfare is an “attractive alternative to work” and that there is “a dynamic interplay between welfare availability and attractiveness and family breakup”, argued that making work more competitive with welfare could be done through health insurance, children’s allowances, more vacation time, and unemployment insurance coverage for all jobs.<sup>150</sup> Chester Finn, legislative assistant to Senator Daniel Moynihan, wrote a scathing review of *All Our Children: The American Family Under Pressure*, a study by the Carnegie Council on Children, in which he attributes the deterioration of the American family to “this society in which no one is truly accountable for his own behavior, culpable for his own shortcomings, or responsible for his own well-being,” rather than considering economic explanations, such as poverty.

In 1978, Martin Anderson of the Hoover Institution<sup>151</sup> published *Welfare*, an attack on the concept of a guaranteed income, or a negative income tax, based on the premise that people’s lives are governed exclusively by rational economic decisions.<sup>152</sup> By documenting a high effective marginal tax rate for the poor entering wage work, he argued that, as a matter of economic theory, a guaranteed income would bring about a reduction in work effort and labor supply.<sup>153</sup>

In addition, this economic incentive would bring about other social consequences, such as wives leaving marriages to which otherwise they were financially bound.<sup>154</sup> He lauds the welfare reform programs implemented by Reagan as governor of California in 1971, as “‘purifying’ the welfare rolls of those who were ripping off the welfare system”, and urges “a return of responsibility for welfare to state and local governments and to private institutions.”<sup>155</sup>

In criticizing President Jimmy Carter’s Program for Better Jobs and Income (PBJI), which would have cut benefits to AFDC recipients with children over the age of six,<sup>156</sup> Anderson says, “The states would, of course, not allow benefits to be cut for ... mothers with small children.”<sup>157</sup> Yet his reform proposals are based on cutting benefits to the non-needy or to certain “unworthy” categories, eliminating fraud and enforcing a strong work requirement.<sup>158</sup>

One year later, Jack Kemp, who has been described as representing “big government conservatism,”<sup>159</sup> published his *An American Renaissance*, articulating many of the same themes: criticizing the negative income tax as creating less work effort, discussing the high effective tax rate of the poor, and urging a return of control to local governments.<sup>160</sup> Assuming economic motivation for all acts, he argues that “tax reform” will change behavior.<sup>161</sup> While arguing for tax cuts, however, he does not see those cuts as inevitably leading to cuts in poverty programs.<sup>162</sup>

It is useless to argue, as some libertarians do, that we do not need redistribution at all. The people, as a people, rightly insist that the whole look after the weakest of its parts.<sup>163</sup>

Kemp’s solutions are based on the need to reward savings and work instead of consumption and leisure.<sup>164</sup> Tax cuts, he argues, would encourage welfare recipients to do wage work;<sup>165</sup> “the positive approach of income incentives and growth has the effect of reducing the welfare rolls and federal spending without lowering the safety net.”<sup>166</sup> Thus, Kemp rests his theories on pure economic motivation. However, he differs from the social scientist Charles Murray, who several years later based his influential reform proposals on benefit reductions rather than on incentives and growth.<sup>167</sup>

In the late 1970s, a number of articles in *The Public Interest* attacked the concept of redistribution as not only inefficient, but immoral.<sup>168</sup> In a review of Anderson’s *Welfare*, John Bishop joined Anderson in opposing the idea of a guaranteed income, but stated

that Anderson's ideas for reform basically condoned the current welfare system and therefore had not gone far enough in "reducing dependency."<sup>169</sup> Other authors discuss how those who are more productive are "blessed with greater natural ability."<sup>170</sup>

In the mid-1960s, the Libertarian Movement split with the traditional conservative movement over the draft and the Vietnam War, which libertarians opposed.<sup>171</sup> However, in the 1970s, libertarians joined with other conservative movements over opposition to welfare. Their message was threefold: few people in the United States are really in poverty,<sup>172</sup> the government should not tax those who work to give money to those who don't work,<sup>173</sup> and, consistent with their position that government should not control people's lives, "the welfare system is as arbitrary and demeaning to the recipient as to the unwilling donor."<sup>174</sup> The libertarian magazine *Reason* erroneously reports that AFDC "accounts for a large portion of today's huge welfare bill,"<sup>175</sup> and "encourages unemployed and low income fathers to desert their families and avoid work,"<sup>176</sup> focusing on the harm of government intervention rather than striking a moral tone.

## The Heritage Foundation Weighs In

Although several Rightist think tanks had been in existence during the early 1960s, they proliferated in the 1970's.<sup>177</sup> In 1973, the Heritage Foundation was founded by a group of conservative legislative aides, to serve as a "talent bank" for Republicans while they were in office, a "tax exempt refuge" when they were out of office, and a nationwide communications center among Republicans.<sup>178</sup> Heritage decided early on to target members of Congress and their staffs, producing everything from one-page executive summaries and twelve-page Backgrounders to full-length books.<sup>179</sup>

The Heritage Foundation journal *Policy Review* quickly became an influential publication within policy circles of the Right. In a 1977 article, conservative economist Walter E. Williams argued that an African American and Latin underclass was being created because of excess government intervention (direct income transfer programs, as well as indirect costs in racial hiring quotas and busing), unions (labor support of income transfer programs disguises "true effects of restrictions created by unions... by casting a few 'crumbs' to those denied

jobs in order to keep them quiet, thereby creating a permanent welfare class"), and minimum wage laws (by giving firms an incentive to only hire the most productive).<sup>180</sup> Williams asserts that one of the "best strategies to raise the socioeconomic status of Negroes as a group is to promote a freer market."<sup>181</sup> Earlier in 1977, *Policy Review* author John A. Howard had struck a similar theme of rugged individualism is his critique of the welfare state.<sup>182</sup>

Other *Policy Review* authors develop complementary themes, such as the argument that the welfare state, by providing disincentives to produce in both employers and employees, keeps resources in low-productivity, and out of higher-productivity, uses.<sup>183</sup> In criticizing capital gains and progressive taxation, *Policy Review* authors cite back to Martin Anderson's description in his book *Welfare* of the work disincentive created by the high marginal tax rates of the poor, and connect this welfare/tax policy to a self-interested theory of "power maximization by government."<sup>184</sup> The authors then tie Anderson's argument to many traditional Rightist themes:

Tax reforms strengthen the power of government relative to citizens generally when they destroy private wealth and lead to the creation of income claims that are dependent on government transfers....Substantial effort under the guise of promoting justice has gone into promoting guilt over economic success, but what the elimination of poverty really requires is a strong dose of middle class values....Nothing but widespread individual success can constrain the power of government.<sup>185</sup>

Anderson himself, writing in the pages of *Policy Review*, argued that Carter's Program for Better Jobs and Income would have expanded the welfare rolls to assist families earning between \$5000-10,000 (called "higher-income classes), and would have given earned income tax credits to families earning between \$10,000-15,000.

This is not welfare reform. This is a potential social revolution of great magnitude, a revolution that, if it should come to pass, could result in social tragedy.<sup>186</sup>

He, along with others, made the now-familiar arguments that poverty statistics are faulty, poverty did not stop declining in the late 1960s, and there are few poor people in the United States<sup>187</sup> when one counts the value of in-kind benefits, such as health insurance (which is not counted for wage workers' earned income) or housing subsidies (received by only a quarter of families receiving AFDC).<sup>188</sup> Other *Policy Review* articles in the 1970s argued that unemployment statistics are inflated because many government benefit programs (e.g., AFDC and Food Stamps) require recipients to register for work "individuals who are either largely unemployable or have no need or desire to work".<sup>189</sup>

And finally, Heritage publications argue that "the need for day care was grossly exaggerated by its supporters and the presumed benefits of day care to the recipients were not proven because the data were inadequate."<sup>190</sup> Informal day care, neighbors or older children, should be able to provide the services.<sup>191</sup> The day care lobby was comprised of day care providers who are advocating for their own interests.<sup>192</sup>

Two Heritage "Backgrounders," written by Samuel T. Francis and published during the 1970s, attack Carter's PBJI, asserting that there was no need to create jobs, because if there were a demand for jobs, "the private sector would already have created them",<sup>193</sup> that the training component may not train for needed skills, resulting in failure to become employed "with possible dangers to public tranquillity",<sup>194</sup> and that the concept of a guaranteed annual income violates "the American tradition of individual responsibility and the personal quest for opportunity and upward mobility".<sup>195</sup>

Racial imagery is then subtly tied to this "danger." In discussing how the guaranteed income concept does not differentiate between geographical regions, Francis says:

A Southern Black may judge an adequate income and a successful lifestyle very differently from a Northern Black, not to speak of an American Indian or a Southwestern Mexican-American.<sup>196</sup>

Finally, Heritage published a monograph by Charles D. Hobbs, a principal architect of Reagan's California welfare reform programs,<sup>197</sup> highlighting a theme later used during the Reagan presidential years. By again overstating the value of benefits by including

multiple programs which only some poor people receive some of the time, Hobbs concluded:

Many welfare families are better off financially, by their participation in several programs, than are the families of workers whose taxes pay for the welfare....The key issue of welfare reform is the conflict between work and welfare, personified by the resentment of the tax-paying worker toward his welfare-collecting neighbor.<sup>198</sup>

Thus we see the continuing framing of subtle themes and twisting of information to appeal to white working class resentment of the gains of the civil rights movement and fears of inflation, that ultimately divert "populist anger from Wall Street and the rich."<sup>199</sup>

## The Think Tank Presidency

Under Ronald Reagan's Presidency the Right's anti-welfare themes were sharpened and the message of personal responsibility (as opposed to communal support) became more pronounced. Reagan built on racial conflicts by popularizing the disingenuous image of the African American "welfare queen" who is a rich con artist.<sup>200</sup>

The Reagan administration's public policy initiatives were substantially shaped by and dependent on New Right think tanks. Reagan's policy regarding AFDC was largely influenced by three books, each a product of these think tanks.  *Losing Ground*, by Charles Murray,<sup>201</sup> and *Wealth and Poverty*, by George Gilder,<sup>202</sup> both were financially supported by the Manhattan Institute for Policy Research. *Mandate for Leadership* was published by the Heritage Foundation.<sup>203</sup> All three echoed the themes developed in the 1960s and 1970s — that the receipt of public assistance creates immorality and dependence, undermines values, and increases poverty.

George Gilder's *Wealth and Poverty*, edited by Neoconservative Midge Decter, was distributed to members of the Reagan cabinet as "intellectual ammunition."<sup>204</sup> Best known for its supply-side economics theme, *Wealth and Poverty* described in great detail why the existence of AFDC is the root cause of poverty because, among other reasons, it destroys the father's key role and authority within the

family.<sup>205</sup> Gilder describes the "life of the poor" as "characterize[d] everywhere" by "resignation and rage, escapism and violence, short horizons and promiscuous sexuality."<sup>206</sup>

Charles Murray, in his 1984 book *Losing Ground*, popularized the idea that poor people are motivated primarily by economic incentives, and used the economic decisions of a hypothetical couple, Phyllis and Harold, to "prove" how illegitimacy, crime, and family deterioration are caused by AFDC payments and rules.<sup>207</sup> In what at the time was viewed as a radical proposal, Murray advocated the abolition of AFDC.<sup>208</sup> Ten years later, his prescient words were cited by the libertarian Cato Institute in urging President Clinton to "end welfare as we know it."<sup>209</sup>

Although Murray's use of data and his conclusions were quickly destroyed by other researchers,<sup>210</sup> he has become a leading policy spokesperson on welfare issues since his book's publication. This is true largely because of a concerted marketing strategy on the part of the Manhattan Institute,<sup>211</sup> which kept the book in the public eye for many months.<sup>212</sup>

The Heritage Foundation's *Mandate for Leadership* is a 1000-page tome that was presented to the Reagan transition team one week after Reagan was elected.<sup>213</sup> The success of this book as a Washington, D.C. best seller involved weeks of pre-marketing: advance briefings with sympathetic reporters and leaks of portions of the book to journalists.<sup>214</sup> While it did not contain detailed recommendations advocating for reductions and restrictions in most welfare programs, it discussed fraud, waste, and abuse in the Food Stamp program, the school lunch program, and all the programs operated by the US Department of Health and Human Services (including AFDC), often implying that "non-needy" individuals were receiving benefits.<sup>215</sup> It emphasized the importance of maintaining the distinction between "worthy" and "unworthy" poor in administering welfare programs versus social insurance programs.<sup>216</sup> Finally, it set the stage for Reagan's reliance on the Heritage Foundation for policy guidance.<sup>217</sup>

In this role, the Heritage Foundation developed and marketed many of the welfare reform ideas adopted by the Reagan Administration. For instance, Stuart Butler, in a 1980 article, bolstered Reagan's imagery specifically connecting welfare and race. In discussing the removal of government intervention in urban "slums", and advocating Enterprise Zones in order to reverse the decline of American cities,<sup>218</sup> Butler stated that over half of the country's Black

population now lives in the large cities, compared with only 25 percent of white Americans, and that over 20 percent of urban families are headed by women. The South Bronx, which has lost 20 percent of its residents during the last 10 years, has lost less than 3 percent of its welfare cases.<sup>219</sup>

Also in *Policy Review*, a group of New Right and Reagan Administration authors, asked to consider an imaginary utopian conservative state, conclude that "the ideal conservative state keeps interference with our lives to a minimum because that maximizes our freedom to be whatever it is we are *intended to be*...individual rights come from God and the purpose of government is only to secure those rights."<sup>220</sup> Yet in this utopia, welfare payments must be coupled with incentives to follow "traditional" values.<sup>221</sup> Further, the authors judge that our current "materially successful society" wants to give recipients more than they think they need themselves.<sup>222</sup> And again, showing a vast ignorance of the complexity of family relationships, as well unquestioned patriarchal assumptions, the authors state:

In a conservative utopia, every man would have the opportunity to earn enough money to buy a home and enable his wife to be a full-time mother to their children. No laws or taxes would discriminate against the family or provide disincentives to the care of children by the family.<sup>223</sup>

## Changing The Behavior Of Women

Using the momentum of his early days in office, Reagan propelled through Congress major welfare revisions contained in the Omnibus Budget Reconciliation Act. By revising the way in which earned income was counted and removing many work incentives, most recipients in wage work were terminated from receiving supplemental AFDC benefits.<sup>224</sup> The result was that some wage earning poor now were economically poorer than they had been when they had received their AFDC supplement and Medicaid<sup>225</sup> and were not able to augment their wages with benefits, a situation which allowed the Right to play to hostility and frustration against AFDC recipients who at that moment were not in wage work.<sup>226</sup>

In addition, by both constructing a racist stereotype of AFDC recipient as an African American "welfare queen" and by playing to the historically contingent understanding on the part of many whites that African

American women should be in wage work, Reagan was able to begin persuading even many “liberal” white women who now were in wage work, and advocating for the right to do wage work that welfare recipients should not receive AFDC as a means of allowing them to parent. Thus Reagan’s revisions, which increased the work requirements begun in 1967 in both the AFDC and Food Stamp Programs, found broader acceptance among the public.<sup>227</sup>

Although the Reagan (with Heritage Foundation guidance) welfare reductions were ostensibly designed to reduce government interference and return control to state and local governments, they laid the groundwork for the late 1980s and 1990s government intervention to change poor women’s behavior.<sup>228</sup> In 1989, *Policy Review* published:

The heart of such a position [the historic gains of the Reagan budget as holding a line on social spending] should be that the nation now spends enough on social programs and that the idea of “entitlements” should be supplemented, and in some cases replaced, as the underlying principle of American social policy, by the idea of benefits contingent on responsible behavior.<sup>229</sup>

Rightist publications attacked the media for unjustly criticizing the Reagan welfare cuts.<sup>230</sup> After Bill Moyers’s CBS Report, “People Like Us,” which was “relatively sympathetic” to welfare recipients, Reed Irvine’s *Accuracy in Media* listed the sponsors of the show and urged readers to voice their disapproval.<sup>231</sup> Milton Friedman attacked *Newsweek* coverage in his column in that magazine.<sup>232</sup>

## The New Right Advances Its Agenda

As the Neoconservatives divided between the Democratic and Republican parties during the 1970s, Republican Neoconservatives initially remained committed to aspects of the welfare state and to the civil rights tradition:

In economic and social policy, [neoconservatism] feels no lingering hostility to the welfare state, nor does it accept it resignedly, as a necessary evil.<sup>233</sup>

However, by the 1990s, most Republican Neoconservatives had rejected their liberalism in economic and civil rights issues.<sup>234</sup>

Further swelling the ranks of those opposing welfare were increasing numbers of religious evangelicals and fundamentalists, who were emerging as the political force known as the Religious Right.<sup>235</sup> The “pro-family” agenda was particularly appealing to this submovement; secular humanism was blamed for a multitude of social ills, from teen pregnancy to high divorce rates.<sup>236</sup> Welfare became a magnet for framing the debate and constructing an image of a coherent right-wing agenda.

New Right single issue groups, such as Phyllis Schlafly’s Eagle Forum, Rev. Donald Wildmon’s American Family Association, or Rev. Louis Sheldon’s Traditional Values Coalition, do not necessarily place welfare reform at the center of their agendas,<sup>237</sup> but they frequently cooperate and overlap ideologically with groups that do. For example, while rarely discussing poverty and welfare, Eagle Forum’s *Phyllis Schlafly Report*<sup>238</sup> demonstrates the tension over the role of women *vis-à-vis* work and home that exists within the rhetoric of the Right.

Schlafly argues that fathers should support their children (thus the importance of child support enforcement),<sup>239</sup> mothers should be at home (thus her attacks on feminism, the Equal Rights Amendment, federal child care legislation, and comparable worth legislation, as well as tax code discrimination against “traditional” families),<sup>240</sup> and AFDC is “a conduit to redistribute income from taxpaying Americans to nontaxpaying Americans”<sup>241</sup> and a disincentive for fathers to support their own children. She claims that government is subsidizing non-traditional families, while at the same time creating disincentives for the formation of the traditional family, which then results in more children in poverty.<sup>242</sup> And, according to Schlafly, economic issues cannot be separated from moral issues; the Great Society social spending programs were “morally wrong.”<sup>243</sup>

Consistent with the agenda of federal government downsizing and decentralization of programs,<sup>244</sup> the Reagan Administration in the early 1980s proposed to convert AFDC into a wholly state-run and state-financed effort,<sup>245</sup> funded by block grants. When this failed to win Congressional approval, Reagan announced a total revamping of the AFDC program through “state-sponsored, community-based demonstration projects.”<sup>246</sup> A limited federal waiver statute<sup>247</sup> (a waiver is a grant of “permission” by the

federal government for states to ignore specific federal requirements in programs that are partially federally funded) had previously been used primarily to allow state administrative innovations to improve the service delivery of the program or small projects extending social services. However, the Reagan administration began to grant states waivers from many of the federal entitlement eligibility criteria, allowing the states to terminate previously eligible welfare recipients.

In order to do this, the Reagan Administration established the Low Income Opportunity Advisory Board (LIOAB) to expedite requests for waivers of multiple programs.<sup>248</sup> Waivers were to be consistent with the policy goals of the 1987 report issued by the Domestic Policy Council Low Income Opportunity Working Group, which specifically put forth the idea of withholding welfare as a means of controlling behavior.<sup>249</sup> In addition, waivers were to be cost neutral.<sup>250</sup> As Stuart Butler of the Heritage Foundation stated: “[t]hrough the Board has attracted scant press and public attention since its creation in 1987, it is one of the most important gains for federalism in recent years.”<sup>251</sup>

The first waivers<sup>252</sup> included Wisconsin’s Learnfare program, which reduced AFDC benefits for families whose teenagers did not attend a sufficient number of days of school. For the first time, a waiver was granted that allowed a state to reduce AFDC benefits solely to affect “deviant” behavior of welfare families outside of a labor market context. Subsequent waivers allowed the denial of increased benefit for additional children conceived while receiving AFDC (Family Cap or Child Exclusion), reduced benefits for children not immunized, and reduced benefits for families who moved from one state to another.<sup>253</sup>

In previous articles, I have documented how the premises upon which the waivers were based were flawed, relying not on the complexity of welfare recipients’ experiences, but on the Right’s ideologically driven reductionist, misleading, and racist political rhetoric.<sup>254</sup> For example, seventy-six social scientists with varying political viewpoints issued a joint statement that previous research does not support the conclusion that welfare is a primary cause of rising non-marital births.<sup>255</sup> Yet, the “Report From the White House Working Group on the Family,” headed by Gary Bauer, now director of the Family Research Council, stated:

Statistical evidence does not prove those suppositions [that welfare benefits are an

incentive to bear children]; and yet, even the most casual observer of public assistance programs understands there is indeed some relationship between the availability of welfare and the inclination of many young women to bear fatherless children.<sup>256</sup>

Thus right-wing analysis increasingly focused the debate on issues of “immoral” behavior, rather than on an understanding of the complexities and nuances of poverty. In this way, illegitimacy became the primary cause of poverty—not issues such as unequal bargaining power in labor markets or poor educational systems. Since welfare causes illegitimacy, welfare is the cause of poverty. The majority of New Right groups coalesced around this ideological formulation—that welfare causes the breakup of the American family, and decreases individual initiative and personal responsibility.<sup>257</sup>

In 1988, a major welfare reform bill, The Family Support Act, was enacted, providing additional requirements for job participation and child support enforcement.<sup>258</sup> The Act’s primary sponsor, Daniel Patrick Moynihan, articulated a rationale consistent with his previous “Report on the Black Family.”

Unlike the problems of children in much of the world; age-old problems of disease, new problems of ecological disaster, the problems of children in the United States are overwhelmingly associated with the strength and stability of their families. Our problems do not reside in nature, nor yet are they fundamentally economic. Our problems derive from behavior.<sup>259</sup>

However, not surprisingly, at the same time that rightist policymakers were targeting the minuscule AFDC budget as the cause of major systemic problems of poverty, states were not spending even the money appropriated under this Act to implement job programs to move AFDC mothers into wage work.<sup>260</sup>

The passage of the Family Support Act coincided with the release of *Issues ‘88: A Platform for America*, a three-volume study of “a political platform for a stronger America” jointly published by the Heritage Foundation and the Free Congress Foundation. The authors opposed “high” welfare payment levels which would bring welfare recipients to or above the poverty level, advocated for

mandatory, full-time workfare programs, and strongly supported the “right” of women to work at home on cottage industry piecework.<sup>261</sup>

Rather than limit government regulation, this platform proposed an enormous intervention in the lives of adults, supporting restriction of divorce, and advocating for school prayer and routine testing of schoolchildren for HIV and drugs.

Thus, rather than supporting the job training programs outlined and funded through the Family Support Act (with matching grants from the states), conservative think tanks such as the Heritage Foundation were designing and lobbying for many of the contemporary and still current behavior modification proposals.<sup>262</sup>

At the turn of the decade, a number of right-wing spokespersons were articulating a new theory of “empowering the poor”—freeing the poor from the shackles of their poverty and the demoralization of bureaucratic control through federal government incentives.<sup>263</sup> As the threat of communism and the Right’s opposition to additional growth of big government ebbed as issues around which the Right could effectively mobilize, the Right adopted a particularly American value-oriented brand of populism, with welfare as a central wedge issue.<sup>264</sup> Thus the justification for the elimination of federal social programs shifted; they should be defunded not because they tax our pay checks, but because they destroy recipients’ character.<sup>265</sup>

## The Right’s Cornering Of The Debate

In documenting the threads of right-wing rhetoric on welfare, I have largely focused on newsletters, journals, and think tank publications. I am unable in this article to fully document the multiple ways in which the rhetoric was then marketed. However, others have noted this marketing in great detail: the use of direct mail scare tactics, the use of the media through televangelists and talk shows,<sup>266</sup> the process of “selling” its propaganda,<sup>267</sup> the rightist critique of media as “liberal,”<sup>268</sup> the pressuring of mainstream media through boycotts of advertisers’ products and letter-writing campaigns,<sup>269</sup> the encouraging of think tank staff and “scholars” to write op-ed pieces<sup>270</sup> — all toward the goal of “stirring up hostilities” and “organizing discontent.”<sup>271</sup>

By the 1990s, the Right’s “misinformation” on AFDC recipients and poverty had become mainstream discourse. While rightist Lawrence Mead<sup>272</sup> in his book *The New Politics of Poverty* was stating as truth that “[t]he main cause of poverty today...is the reluctance of increasing numbers of the poor to work,”<sup>273</sup> Democratic D.C. Mayor Marion Barry was advocating mandatory Norplant injections for welfare recipients.<sup>274</sup> As the Right’s rhetoric on welfare became reputable, rather than fringe, Right spokespersons became regular media stars<sup>275</sup> and newspaper columnists.<sup>276</sup> Forums, conferences and briefings are held for members of Congress,<sup>277</sup> with direct results in terms of Congressional proposals and debate.<sup>278</sup> “Researchers” are asked on a regular basis to testify before Congressional committees on “welfare reform.”<sup>279</sup> The Heritage Foundation, and other New Right think tanks have been centrally involved in the development of Republican welfare policy and negotiations around the terms of various bills.<sup>280</sup>

Central to the Right’s current success on cornering the welfare “debate” is the selling of the American public on the notion that dramatic increases in illegitimacy is a central problem in the US, particularly among African Americans, and that the existence of AFDC is largely responsible. The “selling” has been led in large part by Charles Murray, notably in his influential op-ed in the *Wall Street Journal*.<sup>281</sup> This argument gave the Right a cover to discuss race.<sup>282</sup>

Within the black community, the increase in the proportion of births to single mothers has been particularly dramatic: from 23 percent in 1960 to 28 percent in 1969, to 45 percent in 1980, to 62 percent at the beginning of the 1990s.<sup>283</sup>

Yet as Michael Lind, in his recent book *Up From Conservatism*,<sup>284</sup> has pointed out, this portrayal of illegitimacy statistics produces a deceptive impression. Census Bureau data documents that four-fifths of the increase in the proportion of illegitimate births result from married, employed African American women deciding to have fewer children, and that “the rate of babies being born to unwed black teenagers—about 80 per 1,000 unmarried teenagers—remained virtually the same from 1920 through 1990.”<sup>285</sup> Still, Heritage’s Robert Rector highlights “America’s No. 1 social problem: the catastrophic rise of illegitimacy.”<sup>286</sup> And Adam Wolfson, in the Neoconservative journal

*Commentary*, cites to William Bennett for the proposition that illegitimate birth rates rose 400 percent since 1960.<sup>287</sup>

Thus a hoax, not an error,<sup>288</sup> has been perpetrated on white Americans; the “conservative disinformation apparatus” used an African American illegitimacy “epidemic” to further culture war politics.<sup>289</sup>

For weeks after the publication of his *Wall Street Journal* op ed, Murray himself appeared on numerous TV networks and his ideas were regularly referred to by other commentators.<sup>290</sup> After deciding that the Republican “welfare reform” bill currently being debated was “too timid,” William Bennett (Heritage Foundation fellow and co-director of Empower America) and others wrote follow up op eds which appeared in 25 major newspapers, and Bennett appeared on Rush Limbaugh’s show discussing “welfare reform.” Representative James Talent (R-Missouri), who proposed an alternative bill, ascribes the success of Murray’s ideas both to the relative “moderate” status of Murray and Bennett (as opposed to Pat Buchanan or Senator Jesse Helms), and to at least a partial endorsement by President Clinton.<sup>291</sup>

Building on that momentum, when President Clinton released his “welfare reform” plan in June 1994, Neoconservative Irving Kristol (who had played a central role in translating Murray’s ideas into political action) orchestrated a Capitol Hill press conference featuring Bennett and Congressional conservatives to denounce the plan as “marginal tinkering” and “half joke-half fraud.” Over the next week, Kristol, Bennett and others were media stars, presenting a vision of AFDC as responsible for the country’s moral decay.<sup>292</sup> Representative Talent, Heritage’s Rector, and the Christian Coalition were credited with driving the campaign against illegitimacy in the House.<sup>293</sup>

By articulating a definition of poverty that associated it explicitly with illegitimacy, then associating illegitimacy with race, the Right made it acceptable to express blatantly racist concepts without shame.<sup>294</sup> For example, when Charles Murray wrote *The Bell Curve* ten years after *Losing Ground*, he argued that welfare should be abolished, not simply because of the economic incentives it creates, but because it encourages “dysgenesis,” the outbreeding of intelligent whites by genetically inferior African Americans, Hispanics, and poor whites.<sup>295</sup>

When the Republican welfare bill was being debated in Congress in 1995, Representative John L. Mica (R-

Florida)—holding up a sign that read “Do Not Feed the Alligators”—stated:

We post these warnings because unnatural feeding and artificial care creates dependency.<sup>296</sup>

Representative Barbara Cubin (R-Wyoming) compared welfare recipients with wolves.<sup>297</sup> Representative E. Clay Shaw, Jr. (R-Florida) said that poor teen mothers were “children you wouldn’t leave your cat with on a weekend”.<sup>298</sup>

When a Latina mother in Massachusetts was charged with child abuse, her story became a cause celebre, not for expansion of child protection programs, but for welfare cutbacks.<sup>299</sup> Governor William Weld sent all state legislators copies of the *Boston Globe* article about her family.<sup>300</sup> He discussed the story with Jack Kemp and William Bennett (who “started to foam at the mouth”).<sup>301</sup> Months later, when he spoke at the conservative American Enterprise Institute, he began his keynote address with a description of this family as the symbol for all welfare recipients.

## The Think Tank Factor Continues

The marketing of misleading and reductionist information continues to be a prominent part of the Right’s attack on welfare. For example, in September 1995, the Cato Institute, a right-wing Libertarian think tank,<sup>302</sup> issued a report concluding that welfare pays far more than a low-wage job in every state in the nation:

The value of the total package of benefits [received by AFDC recipients] relative to a job providing the same after-tax income ranges from a high of \$36,400 in Hawaii to a low of \$11,500 in Mississippi. In eight jurisdictions...welfare pays at least the equivalent of a \$25,000 a year job.<sup>303</sup>

However, in calculating the benefits that AFDC recipients receive, Cato counted WIC benefits<sup>304</sup> which more than 80% of children receiving AFDC do not receive, housing assistance which three-quarters of AFDC families do not receive, and low-income energy assistance (LIHEAP) for which no reliable data exist on the correlation between receipt of the two programs.<sup>305</sup> Even in computing those benefits,

levels of food stamps and LIHEAP are overcalculated.<sup>306</sup> In addition, Medicaid is counted as *income* for AFDC families in the Cato study, although benefits from this program go directly to health care providers.<sup>307</sup>

The reverse occurs in the undercounting of income of low-wage families in wage work. Cato does not include employer-provided health insurance or Medicaid although census data show that 62 percent of children living in working poor families receive these benefits. It does not include Food Stamp benefits paid to two million working poor families (80 percent with children), and does not factor in the percentage of working poor who also receive WIC, energy assistance, and housing assistance.<sup>308</sup>

In spite of these distortions, the Cato study received widespread media attention. It has been cited by New York Governor Pataki and California Governor Wilson, both of whom have ties to the Heritage Foundation<sup>309</sup> as justification for AFDC benefit reductions (as much as 26 percent in New York state).<sup>310</sup>

Similarly, Heritage's Robert Rector argues in support of across-the-board benefit reductions because benefit levels "already put recipients well above the poverty level."<sup>311</sup> The *Christian Science Monitor* states:

Liberals and conservatives alike agree on the problem of perverse incentives that mean a mother receiving...AFDC and Medicaid literally cannot afford to take an entry-level job....<sup>312</sup>

Using equally inflated statistics, Heritage reports that aggregate government welfare spending over the past three decades is \$5.4 trillion in constant 1993 dollars, an annual average of \$3,357 for every taxpaying household in the country.<sup>313</sup>

New Right think tanks are actively involved not only at the national level,<sup>314</sup> but regularly brief state-level politicians on welfare policy. For example, a misleading radio ad run by Senator John Warner (R-Virginia) used Heritage Foundation data.<sup>315</sup> The previously discussed Cato Institute study, which found that Florida was one of 40 states whose benefits package is worth more than an \$8.00 an hour job, was used as the basis for discussion by Florida legislators at a seminar sponsored by the conservative think tank Foundation for Florida's Future.<sup>316</sup> The Hudson Institute not only testifies and advises the

Indiana legislature on welfare,<sup>317</sup> but was retained by Wisconsin's Governor Tommy Thompson to advise the state Department of Health and Social Services on welfare issues.<sup>318</sup>

The Heritage Foundation publishes an annual guide for media which lists 1500 conservative "experts" catalogued in 70 policy areas, including welfare.<sup>319</sup> Thus it is not surprising that Heritage was cited by media sources more than any other major think tank in 1995.<sup>320</sup> In addition, Heritage's *Policy Review* articles on welfare are both cited to and excerpted.<sup>321</sup> For an excellent example of how the New Right gradually advances its agenda, remember how Stuart Butler of the Heritage Foundation described the Low Income Opportunity Advisory Board as a critical step in the right direction on welfare reform because it would give states discretion.<sup>322</sup> Yet in 1995, Robert Rector of Heritage stated that "waivers are mostly a public relations gimmick:"

We've had a lot of waivers over the last five years, but the welfare caseload has gone up 30 percent and illegitimacy rates are reaching epidemic proportions.<sup>323</sup>

## Complex Agendas Within The Right

The success of the Right's campaign against welfare stems from its ability to weave together diverse anti-welfare themes from different submovements, creating a powerful synergism and unity among many sectors of the Right. AFDC proved a common theme that captured for the Right the resentment generated by the country's conservative religious revitalization, the contraction and restructuring of the economy, and white race resentment and bigotry.<sup>324</sup> That is not to say, however, that there is always agreement over welfare reform among the Right's submovements.<sup>325</sup> For example, I have discussed earlier the ongoing tension over the proper role for women. The dominant formulation—housewife and mother for middle class women and wage-laborer for poor women, especially poor Black women—is not universally supported within the Right.

A spokesperson for the California-based Traditional Values Coalition criticized Governor Wilson's proposed welfare cuts because one result might be an increase in abortions among poor women.<sup>326</sup> Yet the Christian Coalition criticized the "welfare reform" plan proposed by the National Governors Association

in 1995 because it was “too soft on out-of-wedlock births.”<sup>327</sup>

Representative Newt Gingrich, then a member of the Conservative Opportunity Society (COS), a group of “young Turk” Republicans in the House, argued in COS’s “manifesto”, *Window of Opportunity*, for tying welfare benefits to desirable patterns of behavior,<sup>328</sup> but stated that “[r]unning a cheap welfare state cannot be our goal.”<sup>329</sup> The libertarian publication, *Reason*, criticized how “COS members have worked assiduously, often in alliance with the Moral Majority and other New Right groups, to erode individual freedom in several areas.”<sup>330</sup>

## Conclusion

The New Right has achieved popular acceptance for the annihilation of a federal entitlement to welfare by misleadingly portraying the very small AFDC program as the cause of a broad range of perceived social ills. As a result, public concern for material poverty has been transformed into a concern over the behavior of the poor. Understanding how this story passed from the margin to the mainstream, how Old Right ideas were turned into popularly acceptable public policy,<sup>331</sup> is key to unraveling the current discourse regarding welfare and formulating a counter strategy.

In many ways, the New Right’s victory is the final victory of the Old Right. The evolution of a family

values and behavioral poverty analysis as part of a consciously constructed “culture war” (which in part replaced the “class war”),<sup>332</sup> was a way of furthering the Old Right’s previous agenda. These include minimizing government and creating anti-government hostility on grounds that government equals “liberalism,” and restoring Christian hegemony, patriarchal dominance, individualism<sup>333</sup> and western civilization as superior to any other.

The development of a right-wing populist movement, based on fear and nostalgia rather than economic issues, led to the scapegoating of welfare recipients as the cause of all economic and social woes. Race and gender played central roles in the promotion of the stereotype of the unworthy welfare recipient. The Right utilized welfare as a wedge issue, an issue which could pry voters away from their traditional allegiances.<sup>334</sup> “Several different forms of prejudice can now be advocated under the guise of populism.”<sup>335</sup>

The attack on welfare coalesced multiple ideological strands—protecting private property, maintaining traditional gender roles and protecting the family, and playing to encoded racism. It also provided a mechanism for recruiting many people and groups that had not been part of the Right in the past. In so doing, the New Right co-opted many voters at a time of intense economic anxiety because of a decline in buying power, economic restructuring and a dramatic upward redistribution of wealth.<sup>336</sup>

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## End Notes

<sup>1</sup> PUB. L. No. 104-193, 110 STAT. 2105, 42 U. S. C. Sec. 601, *et seq.* (Supp. 1997).

<sup>2</sup> “In 89.4% of AFDC assistance units there is no father in the home.” STAFF OF HOUSE COMMITTEE ON WAYS AND MEANS, 104TH CONG., 2ND SESS., BACKGROUND MATERIAL AND DATA ON PROGRAMS WITHIN THE JURISDICTION OF THE COMM. ON WAYS AND MEANS 474 (1996) [HEREINAFTER 1996 GREEN BOOK].

<sup>3</sup> See Lucy A. Williams, *The Ideology of Division: Behavior Modification Welfare Reform Proposals*, 102 YALE L.J. 719, 724 (1992).

<sup>4</sup> See Jerome L. Himmelstein, TO THE RIGHT: THE TRANSFORMATION OF AMERICAN CONSERVATISM 65 (1990) (“conservatism was at a nadir” in the late 1950s, with “no independent conservative movement to speak of, no dense network of activists, ideas, and organizations dedicated to conservative goals”) and Alan Crawford, THUNDER ON THE RIGHT 4 (1980) for a discussion of the resurgence of the Right during this period.

<sup>5</sup> The author has read the following Right publications over the past 30 years: AMERICAN SPECTATOR (1991-95), CONSERVATIVE CHRONICLE (2/86-3/87, 6/92-8/95), FAMILY VOICE (7/85-4/95); HUMAN EVENTS (3-6 months in the years 1964-1974), PHYLLIS SCHLAFLY REPORT (11/81-3/95), POLICY REVIEW (1977-1995), PUBLIC INTEREST (1964-1995), REASON (1973-1995), and the WASHINGTON INQUIRER (3/30/90, 4/13/90, 11/23/90, 8/23/91, 8/30/91, 11/8/91-8/95). I do not pretend to cite to each reference to welfare or poverty in all the Right’s publications, but rather to document trends.

<sup>6</sup> Michael Lind, UP FROM CONSERVATISM: WHY THE RIGHT IS WRONG FOR AMERICA 76 (1996) (“the ideology of the grass-roots right has hardly changed since the 1950s”); Newt Gingrich, WINDOW OF OPPORTUNITY 84-115 (1984) (attacking the foundations of “welfare-state liberalism -- a zero-sum redistributionist perspective, resistance to change, cultural relativism, high taxation, and overregulation”).

<sup>7</sup> See *infra* note 200.

<sup>8</sup> Himmelstein, *supra* footnote 4, at 65-79 (in discussing the Old Right, states that whether embracing the concept of a literal communist conspiracy such as the John Birch Society did, or viewing the problem as a “liberal political culture,” “all conservatives had the same enemy--the liberal establishment.”) *Id.* at 68.

<sup>9</sup> Lucy A. Williams, *Race, Rat Bites and Unfit Mothers: How Media Discourse Informs Welfare Legislation Debate*, 22 FORDHAM URBAN L.J. 1159 (1995).

<sup>10</sup> 1996 GREEN BOOK, *supra* note 2, at 474.

<sup>11</sup> 1996 GREEN BOOK *supra* note 2, at 473, 475.

<sup>12</sup> 1996 GREEN BOOK, *supra* note 2, at 1233.

<sup>13</sup> STAFF OF HOUSE COMMITTEE ON WAYS AND MEANS, 103RD CONG., 2ND SESS., OVERVIEW OF ENTITLEMENT PROGRAMS: BACKGROUND MATERIAL AND DATA ON PROGRAMS WITHIN THE JURISDICTION OF THE COMM. ON WAYS AND MEANS 442 (1994) [HEREINAFTER 1994 GREEN BOOK]. This chart was not contained in the 1996 Green Book.

<sup>14</sup> Gordon W. Blackwell & Raymond F. Gould, FUTURE CITIZENS ALL 37 (1952).

<sup>15</sup> Greg Duncan & Martha Hill, *Welfare Dependence Within and Across Generations*, SCIENCE, Jan. 1988, at 467, 469.

<sup>16</sup> 1996 GREEN BOOK, *supra* note 2, at 473.

<sup>17</sup> U.S. DEPT. OF HEALTH AND HUMAN SERVICES, AID TO FAMILIES WITH DEPENDENT CHILDREN: CHARACTERISTICS AND FINANCIAL CIRCUMSTANCES OF AFDC RECIPIENTS 42 (1992).

<sup>18</sup> Kristen A. Moore, et al., “Choice and Circumstance: Racial Differences in Adolescent Sexuality and Fertility” 12 (1986).

<sup>19</sup> 1996 GREEN BOOK, *supra* note 2, at 1190.

<sup>20</sup> U.S. BUREAU OF THE CENSUS, Statistical Abstract of the United States, 75 (1996).

<sup>21</sup> U.S. BUREAU OF THE CENSUS, *supra* note 20, at 79.

<sup>22</sup> Over the last 10 years, the proportion of never-married mothers who did not graduate from high school has decreased, while the proportion of such mothers with post-secondary education has risen. BUREAU OF THE CENSUS, CURRENT POPULATION REPORT, P20-470, FERTILITY OF AMERICAN WOMEN (June 1992).

<sup>23</sup> 1996 GREEN BOOK, *supra* note 2, at 1179.

<sup>24</sup> Sharon Parrot & Robert Greenstein, Center on Budget and Policy Priorities, *Welfare, Out-of-Wedlock Childbearing and Poverty: What is the Connection?* 6 (1995).

<sup>25</sup> U.S. BUREAU OF THE CENSUS, *supra* note 20, at 79 (only 37.5% of all births to unmarried women were to African-American women, down from 54% in 1970).

<sup>26</sup> Fifty-one percent of all adolescent mothers did not receive AFDC during their initial five years of parenting. CONGRESS OF THE UNITED STATES, CONGRESSIONAL BUDGET OFFICE, SOURCES OF SUPPORT FOR ADOLESCENT MOTHERS 52 (1990). And of those who do apply for AFDC, the average teen mother stays on the welfare rolls only one year longer than mothers in their twenties. 1996 GREEN BOOK, *supra* note 2, at 508. Forty percent of single adolescent mothers left AFDC within one year, and 70% within four years of giving birth. SOURCES OF SUPPORT FOR ADOLESCENT MOTHERS, *supra*, at xvi.

- <sup>27</sup> Edward Berkowitz and Kim McQuaid, CREATING THE WELFARE STATE: THE POLITICAL ECONOMY OF TWENTIETH-CENTURY REFORM 26 (1980); Joel F. Handler, *The Transformation of Aid to Families With Dependent Children: The Family Support Act in Historical Context*, 16 N.Y.U. REV. L. & SOC. CHANGE 457, 470-472 (1987-88).
- <sup>28</sup> *Wyman v. James*, 400 U.S. 309 (1971). In his majority opinion deciding that New York's home visit regulations under the AFDC program were constitutional, Justice Blackmun recites facts that have little to do with the question of the constitutionality of the regulations, but imply that Mrs. James was a bad mother whom the state needed to watch over. See further discussion of *Wyman* in Thomas Ross, *The Rhetoric of Poverty: Their Immorality, Our Helplessness*, 79 GEO. L.J. 1499, 1522-25.
- <sup>29</sup> Mimi Abramovitz, REGULATING THE LIVES OF WOMEN: SOCIAL WELFARE POLICY FROM COLONIAL TIMES TO THE PRESENT 226-27 (1989); Michael B. Katz, IN THE SHADOW OF THE POORHOUSE 211-12 (1986).
- <sup>30</sup> Mothers themselves were not covered by the program until 1950. SOCIAL SECURITY ACT AMENDMENTS OF 1950, Pub.L. No. 81-734, § 323, 64 Stat. 477, 551 (codified as amended at 42 U.S.C. § 606 (1989)).
- <sup>31</sup> "Alabama denied AFDC payments to the children of any mother cohabiting in or outside her home with a single or married able-bodied man; in Louisiana, any home in which an illegitimate child was born subsequent to the receipt of public assistance was considered unsuitable, and the children in that home were denied benefits." *King v. Smith*, 392 U.S. 309, 311, 322 (1962).
- <sup>32</sup> Abramovitz, *supra* note 29, at 318-19, 323-27; Michael B. Katz, THE UNDESERVING POOR 253 (1989); Frances Fox Piven & Richard A. Cloward, REGULATING THE POOR: THE FUNCTIONS OF PUBLIC WELFARE 138-145 (1971); Winifred Bell, AID TO DEPENDENT CHILDREN 34-35 (1965); Charles A. Reich, *Individual Rights and Social Welfare: The Emerging Legal Issues*, 74 YALE L.J. 1245, 1246-51 (1965); Charles A. Reich, *Midnight Welfare Searches and the Social Security Act*, 72 YALE L.J. 11347 (1963)
- <sup>33</sup> Winifred Bell, *supra* note 32, at 34-35. See also *infra* text accompanying notes 94-99 discussing how African American women have historically been in wage work.
- <sup>34</sup> Katz, *supra* note 32, at 267.
- <sup>35</sup> Joel F. Handler & Yehekel Hasenfeld, THE MORAL CONSTRUCTION OF POVERTY: WELFARE REFORM IN AMERICA 117-18 (1991). The states' power to legislate morality through the categorical and financial eligibility requirements of the AFDC program was curtailed in *Lewis v. Martin*, 397 U.S. 552 (1970) (invalidating regulation allocating to mother for purposes of AFDC income of man who shares her home with no legal obligation of support), and *King v. Smith*, 392 U.S. 309 (1968) (invalidating Alabama's practice of disqualifying from AFDC any mother cohabiting with a man who was not obligated to provide support).
- <sup>36</sup> Irwin Garfinkel & Sara S. McLanahan, SINGLE MOTHERS AND THEIR CHILDREN: A NEW AMERICAN DILEMMA 55-57 (1986).
- <sup>37</sup> James Allen Smith, THE IDEA BROKERS: THINK TANKS AND THE RISE OF THE NEW POLICY ELITE 167-74 (1991). The American Conservative Union was founded in 1964 as a training ground for future political leaders "specifically to institutionalize the Draft Goldwater movement." Crawford, *supra* note 4, at 8-9. See Political Research Associates, *Conceptualizing the U.S. Political Right* 5 (1993) for proposition that the New Right coalition developed between 1964-1972 (hereinafter *Conceptualizing*).
- <sup>38</sup> Connected to this critique was opposition to the graduated income tax, which in financing social programs was "an unnatural attempt to penalize the frugal and talented for the benefit of the incompetent and the slovenly." Jonathan Martin Kolkey, THE NEW RIGHT, 1960-1968 with Epilogue, 1969-1980 53 (1983).
- <sup>39</sup> Kolkey, *supra* note 38, at 53.
- <sup>40</sup> Kolkey, *supra* note 38, at 43-73.
- <sup>41</sup> Friedrich A. Hayek, THE ROAD TO SERFDOM, 13, 24 (1944). See Himmelstein *supra* note 4, at 43-60 for a discussion of post-World War II fusionism that united economic libertarianism, social traditionalism, and militant anti-communism under the conservative banner.
- <sup>42</sup> BLUE BOOK OF THE JOHN BIRCH SOCIETY, 37-38 (1959). While the JBS is widely viewed as a marginal "extremist" group, sociological research has indicated that the group was largely composed of relatively prosperous and well educated professionals who worked closely with the right wing of the Republican Party. See especially Sara Diamond, ROADS TO DOMINION 51-65 (1995); Charles Jeffrey Kraft, *A Preliminary Socio-Economic and State Demographic Profile of the John Birch Society* (1992).
- <sup>43</sup> Barry Goldwater, *Wanted: A More Conservative GOP*, HUMAN EVENTS, Feb. 18, 1960, Section II, at 2 ("programs of the welfare states are ... an assault upon the dignity of the individual--designed to rob him of his independence, lessen his ability and his will to be self-sufficient, limit his opportunity, guide and determine his course in this world."); Goldwater, THE CONSCIENCE OF A CONSERVATIVE 69 (1960) ("The collectivists have not abandoned their ultimate goal--to subordinate the individual to the State--but their strategy has changed. They have learned that Socialism can be achieved through Welfareism quite as well as through Nationalization.").
- <sup>44</sup> HUMAN EVENTS, *supra* note 43, Section 2, at 1. See also Ezra Taft Benson, THE RED CARPET 168, (1962) ("History teaches that when individuals have given up looking after their own economic needs and transferred a large share of that responsibility to the government, both they and the government have failed.").
- <sup>45</sup> WEEKLY CRUSADER, April 17, 1964 at 6. "The communist conspirators consider the welfare state-type of government which we now have as a preliminary step to socialism which is the immediate preceding step to communism." DESTINY, May, 1961 at 101, 118. CROSS AND FLAG, September, 1962 at 25.
- <sup>46</sup> JOHN BIRCH SOCIETY BULLETIN, September, 1961 at 6.
- <sup>47</sup> "Goldwater Hails Newburgh Plan as Welfare Ideal for all Cities," NEW YORK TIMES, July 19, 1961, at A1.

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- <sup>48</sup> Kolkey, *supra* note 38, at 133-34, 156-58 (particularly emphasizing African Americans “relatively poor record for enterprise and initiative in areas important to Western Civilization,” citing to CITIZEN, Oct. 1962, at 8).
- <sup>49</sup> Kolkey, *supra* note 38, at 54, citing to ROCKWELL REPORT, February 1, 1963, at 4.
- <sup>50</sup> Marilyn R. Allen, KINGDOM DIGEST, August, 1960, as quoted in the BEACON-LIGHT HERALD, March-April 1961, at 33 (“All official statistics prove the uncleanness of the Negro race as a race, both as to contagious disease, sex lust, and criminal inclinations.” *Id.*).
- <sup>51</sup> Barry Goldwater, *supra* note 43, at 73.
- <sup>52</sup> See Jan Nederveen Pieterse, WHITE ON BLACK, IMAGES OF AFRICA AND BLACKS IN WESTERN POPULAR CULTURE 30-51 (1990).
- <sup>53</sup> Kolkey, *supra* note 38, at 51-2, citing to DAN SMOOT REPORT, July 7, 1965, at 183 (“The criminals and the drones feed and flourish on the bounty which productive citizens are forced to provide. When tax consumers so overwhelmingly outnumber tax producers that they control all elections and politicians, it will be too late to save our civilization.”).
- <sup>54</sup> MANCHESTER UNION LEADER, as quoted in DESTINY, Dec. 1962, at 244 (“constant pandering to the negro vote”); Kolkey, *supra* note 38, at 158, citing to STORM TROOPER, Sept.-Oct. 1964, at 31 (“almost every last one of our cowardly, demagogic politicians kisses black fannies for Black votes.”).
- <sup>55</sup> Paul Sexson and Stephen Miles, Jr., THE CHALLENGE OF CONSERVATISM 143 (1964).
- <sup>56</sup> Kolkey, *supra* note 38, at 89-90.
- <sup>57</sup> *Text of Goldwater's Speech Formally Opening Presidential Campaign*, NEW YORK TIMES, September 4, 1964, at A12.
- <sup>58</sup> Charles Mohr, *Goldwater Links the Welfare State to Rise in Crime*, NEW YORK TIMES, September 11, 1964, at A1.
- <sup>59</sup> Crawford, *supra* note 4, at 6, 46-47, noting Viguerie’s use of Goldwater mailing list to do direct mail.
- <sup>60</sup> Under Goldwater’s candidacy, the Republican ticket had carried five Deep Southern states (Alabama, Georgia, Louisiana, Mississippi, and South Carolina) for the first time since Reconstruction. Kolkey, *supra* note 38, at 252. Part of this portrayal was that Northern liberals had single-handedly created the racial crisis in the South. William D. Workman, THE CASE FOR THE SOUTH viii (1960) (“white folks and colored folks, have lived together in peaceful co-existence in the South for a long time, and can continue to do so to their mutual advantage if the pressures are removed”). See also Lind, *supra* note 6, 119-37 for a fuller discussion of the Southern strategy.
- <sup>61</sup> Kolkey, *supra* note 38, at 252.
- <sup>62</sup> *Id.* Note how the religious right was engineered from above by Howard Phillips and Richard Viguerie as they saw the “potential of white southern Protestants and northern white Catholics as allies of the New Right.” Lind, *supra* note 6, at 76-77.
- <sup>63</sup> HUMAN EVENTS routinely reports news out of Washington, DC. The most basic theme in this publication is that the federal government was given limited powers under the Constitution; in overstepping their constitutional powers, they interfere with state and local power and the rights of individuals. The threat of communism is regularly invoked, particularly in conjunction with increased support for military spending and private industry.
- <sup>64</sup> *Johnson’s State of the Union Message Endangers Freedom and Individuality*, HUMAN EVENTS, Jan. 23, 1965, at 9.
- <sup>65</sup> Representative Richard H. Poff, *Poverty and the Administrator’s Heart*, HUMAN EVENTS, Feb. 13, 1965, at 13.
- <sup>66</sup> Ted Lewis, *Shriver Uses Slick Propaganda to Sell “Poverty” to Congress*, HUMAN EVENTS, May 1, 1965, at 10 (using money to create slick promotional literature for Head Start); *Detroit Poverty Program Under Fire*, HUMAN EVENTS, June 5, 1965, at 3 (“few concrete gains can be found at the poverty level”); Ted Lewis, *Shriver’s Poverty War*, HUMAN EVENTS, July 3, 1965, at 14 (“a lot of money is being tossed around indiscriminately on an emergency basis.”).
- <sup>67</sup> *Poverty Commanders Strike it Rich*, HUMAN EVENTS, March 27, 1965, at 6; Fulton Lewis, Jr. *High Paid Poverty Army*, HUMAN EVENTS, April 10, 1965, at 14; Ken Thompson, *High Pay for “Poverty” Warriors*, HUMAN EVENTS, May 8, 1965 at 3; *Poverty “Aid” Comes to Gum Springs*, HUMAN EVENTS, May 29, 1965 at 6.
- <sup>68</sup> *Anti-Poverty War*, HUMAN EVENTS, April 24, 1965 at 5, (Chicago anti-poverty program provides Democratic patronage); Representative Clarence Brown, *Poverty Waste*, HUMAN EVENTS, May 15, 1965 at 15 (patronage in many cities).
- <sup>69</sup> Henry Hazlitt, *Life and Death of the Welfare State*, HUMAN EVENTS, Jan. 4, 1969 at 5, 12. Note the contemporary reincarnation of this suggestion in Jeff Jacoby, *Making It Too Easy to Vote*, BOSTON GLOBE, July 18, 1996 at A15.
- <sup>70</sup> *Id.*
- <sup>71</sup> *Business Wages Private War on Poverty and Unemployment*, HUMAN EVENTS, May 22, 1965 at 12. The government should not be implementing the War on Poverty when the gold supply is dwindling. And by interfering with importing Mexican *bracero* labor, the United States Department of Labor caused the California business investment decline. *Id.*
- <sup>72</sup> Thus the bill to provide economic assistance to depressed areas in the eleven state Appalachian region “approaches the problem of poverty with the idea that job creation and economic recovery can best be accomplished by government pump-priming,” rather than recognizing that the “primary blame” should be placed on “the fact that a lot of Appalachia’s people simply don’t want to work” because they can get just as much money from governmental benefit programs. Ken Thompson, *Report on Appalachian Front*, HUMAN EVENTS, Feb. 20, 1965 at 10. See also, *The Ten Pillars of Economic Wisdom*, HUMAN EVENTS, Jan. 11, 1969 at 13.
- <sup>73</sup> Howard Kershner, *Thrift Helps Conquer Poverty*, HUMAN EVENTS, Feb. 13, 1965 at 14.
- <sup>74</sup> *Government Encouraging Dropouts?* HUMAN EVENTS, March 6, 1965 at 14.
- <sup>75</sup> Jenkin Lloyd Jones, *The “Bum” Factor in Welfare*, HUMAN EVENTS, May 22, 1965 at 8.
- <sup>76</sup> Alice Widener, *Something for Nothing Costs Taxpayers Billions*, HUMAN EVENTS, Jan. 23, 1965 at 15.

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<sup>77</sup> Jones, *supra* note 75 (“But when an effort was made to recruit Los Angeles relievers to help get in the California truck-garden crop this winter, there were few takers. And one Florida grower, who brought jobless New Yorkers down to his farms at his own expense, found to his dismay that most of them took off for the beaches.”).

In tension with these messages, many of the articles also articulated an underlying concern for the poor and support for alternative programs which would improve their condition. Representative Jack Edwards, *War on Poverty*, HUMAN EVENTS, June 26, 1965 at 15 (“I would certainly support a program which can effectively improve poverty conditions.”); Representative Barber Conable, *Poverty Problems*, HUMAN EVENTS, July 3, 1965 at 15 (“...I think there are many worthwhile parts of [the War on Poverty]. A billion, or two billion, or three billion dollars applied to the problem of poverty...is going to have some impact somewhere.”).

<sup>78</sup> Representative Bill Brock, *OEO “Incidents,”* HUMAN EVENTS, Sept. 16, 1967 at 15 (poverty funds in Tennessee finance “liberation school,” “that police say teaches Negro children to hate whites.”); *Poverty Battle*, HUMAN EVENTS, Nov. 4, 1967 at 4 (“...the OEO tacitly acknowledged that it permits deep-dyed radicals of the militant left variety to help control the community action programs.”); *More Poverty Scandal*, HUMAN EVENTS, Nov. 11, 1967 at 4 (Senate Permanent Investigations subcommittee “heard testimony that ‘Black Power’ militants seized control of a \$600,000 anti-poverty project in Houston, Tex.”); *Chicago OEO Has Appointed Ousted Georgia Poverty Aide*, HUMAN EVENTS, July 6, 1968 at 13 (Charles D. Hughes, Jr. appointed as executive director of the Cook County (Chicago) Office of Economic Opportunity, had headed ACTION, Inc. in northern Georgia which “apparently became a center of ‘hate-whitey’ agitation.”).

<sup>79</sup> Representative Edward J. Gurney, *Needed Poverty Probe*, HUMAN EVENTS, Feb. 12, 1966 at 15; *Poverty Warriors Sell Insurance*, HUMAN EVENTS, Feb. 12, 1966 at 16 (criticizing the part-time hiring of senior citizens to do outreach to other seniors explaining Medicare insurance); *Capital Briefs*, HUMAN EVENTS, Sept. 23, 1967 at 2 (reporting a contract to train Good Humor ice cream vendors); *Capital Briefs*, HUMAN EVENTS, March 23, 1968 at 2 (Appalachia Regional Commission to build park including golf course, bird sanctuary, swimming pool and ice-skating rink in Robert Kennedy’s home state of New York with anti-poverty funds allocated to help poverty-stricken factory and farm workers); *Detailing the Poverty Scandal*, HUMAN EVENTS, July 6, 1968 at 13 (“In the poverty program, most of the money goes to bureaucrats, leechers, revolutionists and just plain crooks--not to the deserving poor.”); *New York Poverty Scandals*, HUMAN EVENTS, Jan. 25, 1969 at 4; Gen. Thomas A. Lane, *Hunger Headlines Launch Latest Fraud*, HUMAN EVENTS, April 5, 1969 at 6; Rep. H.R. Gross, *Chicago’s Poverty*, HUMAN EVENTS, April 26, 1969 at 15; *N.Y.’s Shocking Welfare Scandal*, HUMAN EVENTS, Oct. 4, 1969 at 5 (91,000 ineligible receiving AFDC in New York).

<sup>80</sup> *Capital Briefs*, HUMAN EVENTS, Sept. 3, 1966 at 2. Anti-poverty employees are reported as participating in street demonstration, including a Neighborhood Youth Corps employee who is quoted as being paid to participate. *Id. The Strange Case of the Telescopic Sights*, HUMAN EVENTS, Sept. 2, 1967 at 9 (reporting purchase of high-powered rifle scopes by Houston anti-poverty agency, and stating that “in several cities employees of the ‘War on Poverty’ outfits have acted as agitators in major riots and insurrections...”). George Wiley, director of the Poverty Rights Action Center, is quoted as stating, “If this country does not listen to poor people after what happened in Detroit and Newark and New Haven, you haven’t seen nothing yet.” *Welfare Recipients Stage Noisy Washington Rally*, HUMAN EVENTS, Sept. 9, 1967 at 8 (hereinafter *Welfare Recipients*). *Capital Briefs*, HUMAN EVENTS, Sept. 23, 1967 at 2.

<sup>81</sup> LeRoi Jones, director of Black Arts Repertory Theater in Harlem which received a federal anti-poverty grant, is quoted as likening whites to a cancer which should be killed (*Capital Briefs*, HUMAN EVENTS, Feb. 5, 1966 at 5), is indicted for assault (*Capital Briefs*, HUMAN EVENTS, Sept. 24, 1966, at 2), and is convicted of illegal possession of weapons during the Newark, NJ riots along with the chief accountant for Newark’s anti-poverty agency (*Capital Briefs*, HUMAN EVENTS, Nov. 18, 1967 at 2, saying that Jones received “lavish” funds from OEO). Representative Paul Fino criticized “bags of tricks like ‘rent supplements’ and poverty funds that wind up bankrolling black nationalists.” Representative Paul Fino, *Social Planning Gimmicks*, HUMAN EVENTS, Feb. 5, 1966 at 15. Washington National Center for Community Action Education, headed by James Farmer, (pacifist, CORE ex-director, liaison with Black Muslims and Deacons of Defense) and Floyd McKissick (militant black nationalist and socialist) receives funding. *Farmer Heads New Center: A \$50-Million Poverty Acorn*, HUMAN EVENTS, Feb. 26, 1966, at 12. Dr. Martin Luther King, a director of the Center, is reported as currently residing in a *redecorated* Chicago slum, while fighting slum conditions. *Id.* (emphasis added). OEO funded “The Community Alert Patrol,” “a loose federation of black militants and civil rights leaders,” most of whom had police records, “to observe and record instances of ‘poor police procedure in Watts.’” *Anti-Poverty Battle*, HUMAN EVENTS, June 10, 1967, at 4. H. Rap Brown, under indictment on a federal fire-arms charge and Maryland charge of inciting to riot, and who told a Negro crowd that “[t]he only way to defend yourself is to go and get some guns,” was a neighborhood worker for one year with the United Planning Organization, a DC anti-poverty agency. This article was placed directly next to a report that pro-communist revolutionary Stokely Carmichael dates white women. *Capital Briefs*, HUMAN EVENTS, Sept. 9, 1967 at 2; *Capital Briefs*, HUMAN EVENTS, July 13, 1968, at 2 (anti-poverty funds given to Soul, Inc., a coalition of youth gangs in Gary, Indiana, headed by a convicted felon); *Nixon Opens Up OEO Files*, HUMAN EVENTS, April 19, 1969 at 3 (OEO funds “extreme revolutionaries,” Black Panthers, and “violent black racists.”).

<sup>82</sup> *Lavish Welfare Schemes Ahead*, HUMAN EVENTS, Sept. 2, 1967 at 8.

<sup>83</sup> *Id.* See also *Welfare Recipients*, *supra* note 80 at 8.

<sup>84</sup> Brock, *supra* note 78 at 591; *Capital Briefs*, HUMAN EVENTS, Sept. 23, 1967 at 2; *Poverty Warriors Deep in Politics*, HUMAN EVENTS, Nov. 18, 1967 at 3 (“While organized labor concentrated its efforts for Tate [Democratic Mayor of Philadelphia] in low and middle-income white areas, anti-poverty officials were stumping for the mayor in Negro neighborhoods.”). Remember one ongoing theme articulated by certain factions of the Right is the withdrawal of the franchise for those receiving welfare. *Supra* note 69 and *infra* text accompanying notes 140-142.

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<sup>85</sup> Gen. Thomas A. Lane, *Socialism to Blame for Much of World's Poverty*, HUMAN EVENTS, Jan. 14, 1967 at 6 (“Competitive capitalism takes the keys to production from the government and hands them to the people.”). *See also* Crawford, *supra* note 4 at 208-10 (government social spending “sap[s] the soul of society”).

<sup>86</sup> *Sedition Case Dismissed*, HUMAN EVENTS, Sept. 23, 1967 at 4 (reporting that sedition indictment of poverty program organizer had been quashed because of a finding of unconstitutionality of the statute, although the grand jury had charged that a “well-organized and well-financed effort is being made to promote and spread the Communistic theory”); *OEO Against Flag Pledge?*, HUMAN EVENTS, Sept. 9, 1967 at 4 (reporting that Head Start program was discontinuing pledge of allegiance as part of its youth program); *Capital Briefs*, HUMAN EVENTS, July 6, 1968 at 2 (Offices of poverty program in New York are lined with pictures of Karl Marx, LeRoi Jones, and “advocate of violence” Tom Hayden); *Reds Use OEO*, HUMAN EVENTS, July 20, 1968 at 4 (“Appearing before the House Committee on Un-American Activities, [Pulitzer Prize-winning reporter Ed] Montgomery told how Cassandra Davis, Midwest representative of the W.E.B. Dubois Clubs, and Roscoe Proctor, Communist party functionary, used OEO-financed facilities to raise money to send demonstrators to the Poor People’s Campaign in Washington”).

<sup>87</sup> Paul Harvey, *Can Poor Run Poverty War?*, HUMAN EVENTS, Feb. 19, 1966 at 123 (“Sargent Shriver’s ‘Advisory Council’ for the ‘War on Poverty’ includes a Chicago mother of 11 children whose only income is her \$280 monthly Aid to Dependent Children payments. Mrs. Gladys Kyles says, ‘I guess this makes me an expert on poverty.’ Does it? The fact that you may have measles does not make you a doctor.”).

<sup>88</sup> Alice Widener, *All Discipline Lacking: Employer Has Sad Experience With Poverty Program Trainee*, HUMAN EVENTS, June 24, 1967 at 10. *See also*, Jenkin Lloyd Jones, *Tough for the Able, Too*, HUMAN EVENTS, June 24, 1967 at 11 (because of taxation for welfare, only two classes that can have all the children they wish are the rich who can afford them and the poor who are supported by welfare).

<sup>89</sup> Alice Widener, *The Problem of Philanthropy by Law*, HUMAN EVENTS, Oct. 4, 1969, at 14 (comparing Frederic Bastiat’s treatise, *THE LAW* (law should function only to guarantee an individual right to protect self and property) to government provision of welfare which results in the stealing (i.e., taxation) of the author’s income to support children “of whom 85 per cent are born out of wedlock to mothers under 35 years of age.”).

<sup>90</sup> Ralph de Toledano, *Who’s Starving in Mississippi?* HUMAN EVENTS, Sept. 16, 1967 at 10 (erroneous Ford Foundation study on Negroes starving in Mississippi being used as political weapon “to detriment of interracial peace”); John B. Parrish, *Poverty in America: The Myth and the Reality*, HUMAN EVENTS, July 13, 1968 at 8 (claiming that poverty is declining, nonwhites are moving into the middle class, and, for those African Americans who are not, the reasons are that these families are younger, larger and female headed. If these three sociological factors holding back African Americans could be removed, “there would be a sudden and dramatic upsurge in economic status of Negro families, relative to white. It would permit almost all of the Negro families now held back in poverty to join with the more favored Negroes in the successful race out of poverty and into affluence.... [T]he people who still remain in poverty in America today, other than the aged and the ill, are those suffering the consequences of broken homes and excessive child bearing which tends to become self-perpetuating. The evidence on this point is devastating and overwhelming.”) *Id.* at 10. *See* text accompanying notes 302-309 for Cato Institute’s contemporary marketing of dissembling information on the benefit levels received by recipients.

<sup>91</sup> “*Instant Welfare*” *Next?* HUMAN EVENTS, Nov. 18 1967, at 3-4.

<sup>92</sup> *See* Ronald Reagan’s California gubernatorial inaugural address in which he was able to maintain a humane tone and express compassion for the deserving poor, while focusing on private industry as the solution. *The Creative Society: “The Path We Chart Is Not An Easy One,”* HUMAN EVENTS, Jan. 28, 1967 at 12-13.

<sup>93</sup> Kolkey, *supra* note 38, at 5, 53-54, 64.

<sup>94</sup> BUREAU OF THE CENSUS, U.S. DEPARTMENT OF COMMERCE, CURRENT POPULATION REPORTS, CONSUMER INCOME, SERIES P-60, NO. 178, WORKERS WITH LOW EARNINGS: 1964 TO 1990 17 (1992).

<sup>95</sup> Handler & Hasenfeld, *supra* note 35.

<sup>96</sup> Phyllis Schlafly, *Essays on Feminism Versus Feminine*, PHYLLIS SCHLAFLY REPORT, Dec. 1982 at 1-4 (hereinafter *Essays*); *Facing the Future: Family vs. Feminism*, PHYLLIS SCHLAFLY REPORT, April 1990 at 1 (hereinafter *Facing the Future*).

<sup>97</sup> Judith Olans Brown, Lucy A. Williams, and Phyllis Tropper Baumann, *The Mythogenesis of Gender: Judicial Images of Women in Paid and Unpaid Labor*, 6 UCLA WOMEN’S L.J. 457 at 477-486 (1996).

<sup>98</sup> Thus Senator Russell Long stated:

One thing that somewhat disturbs me is this idea that all these mothers who are drawing welfare money to stay at home have to be provided with a top paid job, that they have to be trained so they can be the top secretary in your office. You know somebody has to do just the ordinary everyday work. Now, if they don’t do it, we have to do it. Either I do the housework or Mrs. Long does the housework, or we get somebody to come in and help us, but someone has to do it, and it does seem to me that if we can qualify these people to accept any employment doing something constructive, that is better than simply having them sitting at home drawing welfare money....

SOCIAL SECURITY AMENDMENTS OF 1967: HEARINGS ON H.R. 12080 BEFORE THE SENATE FINANCE COMMITTEE, 90th Cong., 1st Sess., 1127 (1967). “We are not going to continue to put Federal funds into States for the benefit of parents when they refuse to get out of that house and try to earn something.” 113 CONG. REC. 23,053 (1967) (statement of Rep. Mills). “[W]e can move certain people off the rolls and make room for *deserving* people who may have to come on through work training provisions of the act.” 113 CONG. REC. 23, 059 (1967) (statement of Rep. Carey) (emphasis added).

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Senator Long referred to protesting welfare mothers as “Black Brood Mares, Inc.,” stating that, “[i]f they can find the time to march in the streets, picket, and sit all day in committee hearing rooms, they can find the time to do some useful work.” Eve Edstrom, *Protesting Welfare Mothers Rebuked*, WASHINGTON POST, Sept. 21, 1967, reprinted in 113 CONG. REC. 26, 487 (1967). Finally, Senator Long drew the classic Right’s distinction between Senate (white) wives and welfare recipients, when he said:

We will do everything that the mind of man can conceive of to help put these people to constructive work - for the first time in their lives for many of them and, for that matter, for the first time in the lives of the fathers and mothers of many of them.... [T]here are people right in this building who hire 15- and 16-year-old children as baby-sitters to give their wives a much-deserved evening out from time to time. If these children, in that age bracket, can very constructively and usefully do work themselves, there is no reason why they should be seized upon as an excuse for their mothers to do nothing.... [T]here is no reason why the mother should not do what other women do when they find themselves widows, or find themselves alone, with the necessity to support a child - do something to support themselves, rather than rely on society entirely to support them.

1134 CONG. REC. 33, 542 (1967) (statement of Sen. Long).

<sup>99</sup> See *supra* note 77.

<sup>100</sup> “Do you really feel that it is a good idea for a woman with a 400-word vocabulary to remain at home with 13 illegitimate children...?” 113 CONG. REC. 23, 081 (1967) (statement of Rep. Griffiths).

I was looking over the statistics [for Washington, D.C.] a few days ago, and I found there a record of six women who have 60 illegitimate children, all on welfare.... There was another group of 14 women with 126 illegitimate children, all on welfare. Another group of 20 women have 160 illegitimate children, all on welfare. Another group of 46 women have 322 illegitimate children, all on welfare. Another group of 172 women have 860 illegitimate children, all on welfare.... In some of the families, there are as many as seven different fathers.

113 CONG. REC. 36, 768 (1967) (statement of Sen. Byrd).

<sup>101</sup> See 113 CONG. REC. 33, 543 (1967).

The psychological aspect of this matter that has not been mentioned is that 26 percent of the kids in that wage level are practically parentless and wandering around. They are from Harlem. That is what creates the problem. Forty-six percent of the people in Harlem are from broken homes.... We are not talking about nice people from nice neighborhoods, but about nice people from slum or ghetto neighborhoods.

*Id.* (statement of Sen. Javits). Senator Long responds that the situation in Harlem is what the mandatory work requirement is trying to correct. He then juxtaposes this Black ghetto image with that of the good mother:

Some of the best mothers in America, and the most responsible ones, hold their families together when the fathers are not available to support them - in the event of death or some unforeseen tragedy. The mothers go to work and earn many times as much as they would receive on public welfare or from any other kind of charity.... [If child care is provided] [t]he mothers would then have no excuse under the sun for refusing to do something constructive, if it is nothing more than to clean up the mess in front of their own houses.... We do not want to have the mother sitting around and drinking wine all day.... [W]e are so solicitous of people who never did a lick of work in their whole lifetime, and who do not propose to do so because they have a child of school age....”

113 CONG. REC. 33, 543 (1967) (statement of Sen. Long).

<sup>102</sup> *Essays, supra* note 96 at 4; George Gilder, WEALTH AND POVERTY 127 (1981).

<sup>103</sup> Crawford, *supra* note 4 at 147, 163; Phyllis Schafly, *Motherhood in the Eighties*, PHYLLIS SCHLAFLY REPORT, May 1985 at 1-3 (hereinafter *Motherhood*). See also Russ Bellant, THE COORS CONNECTION 56 (1991) (quoting Tim LaHaye, husband of Beverly LaHaye who is the head of Concerned Women for America, that child care is a “secular humanist plot to steal the hearts and minds of millions of little children.”).

<sup>104</sup> Note, however, the complexity of this racism. As opposed to the racism evidenced in the 1940s and 1950s which excluded based on race, this is a movement to restore the culture, values, and behavior of white Christian hegemony in all races.

<sup>105</sup> Williams, *supra* note 3 at 720 n.8. A connected strand is found in the Right’s opposition to the relatively easy availability of divorce, which is “a major contributing factor to the so-called feminization of poverty.” Free Congress Foundation and Heritage Foundation, ISSUES ’88: A PLATFORM FOR AMERICA, Vol.III at 25-26. Note that men will achieve higher wages if women are not in wage work. The Right’s logical “inconsistency” is not limited to women in wage work versus women receiving welfare. Note also the Right’s opposition to labor unions, even though this movement restored power to individuals. Crawford, *supra* note 4 at 28-29, 220-221.

<sup>106</sup> Scholars have dated the rise of the Neoconservative movement as beginning somewhere around 1976.

*Conceptualizing, supra* note 37 at 5.

<sup>107</sup> Crawford, *supra* note 4 at 174; Peter Steinfels, THE NEOCONSERVATIVES 2-3 (1979).

<sup>108</sup>

The concept of a pathological underclass has become the rationale for continued racism and economic injustice; in attempting to separate racial from economic inequality and [in] blaming family pathology

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for black people's condition, current ideology obscures the system's inability to provide jobs, decent wages, and adequate public services for the black poor.

Barbara Omolade, VILLAGE VOICE, July 15, 1986 at 26. For a later rendition, *see* Martin Kilson, *Black Social Classes and Intergenerational Poverty*, 64 PUBLIC INTEREST 58 (1981).

<sup>109</sup> OFFICE OF POLICY PLANNING AND RESEARCH, U.S. DEPT. OF LABOR, THE NEGRO FAMILY: THE CASE FOR NATIONAL ACTION (1965).

<sup>110</sup> Peter F. Drucker, *The Sickness of Government*, 14 PUBLIC INTEREST 3, 14 (1969) (emphasis added).

<sup>111</sup> Edwin Kuh, *A Basis for Welfare Reform*, 15 PUBLIC INTEREST 112, 116 (1969).

<sup>112</sup> Edward C. Banfield, *Welfare: A Crisis Without "Solutions,"* 16 PUBLIC INTEREST 89, 94 (1969).

<sup>113</sup> Lind, *supra* note 6 at 89.

<sup>114</sup> Of course, Nixon was never trusted or embraced by the New Right. Again this report cannot do a thorough analysis of Nixon's policies regarding AFDC, and the role that Daniel Patrick Moynihan played as Nixon's Principal advisor on FAP.

<sup>115</sup> Some of the various formulations of a guaranteed income are those of Milton Friedman (1962), Robert Theobald (1965), James Tobin (1965), R.J. Lampman (1967), Edward Schwartz (1967), President Johnson's Income Maintenance Commission (1969), Nixon's Family Assistance Plan (1969), George McGovern (1972), Great Britain's credit income tax (1972), and the United States Department of Health and Human Services Income Supplementation Plan (1974), Martin Anderson, WELFARE 133-34 (1978).

<sup>116</sup> Milton Friedman, CAPITALISM AND FREEDOM 191-195 (1962).

<sup>117</sup> Ralph de Toledano, *Poverty and Social Disorder: Was It Planned That Way?*, HUMAN EVENTS, Jan. 11, 1969 at 10.

<sup>118</sup> *Id.* (also including Moynihan's description of a meeting with President Nixon at which he rejected a tax on cigarettes to create jobs and instead highlighted the new "community action programs," which were used by social scientists (such as Professor Richard Cloward) who ran them to "challenge the American system").

<sup>119</sup> Lind, *supra* note 6 at 5, 80; Crawford, *supra* note 4 at 187-88.

<sup>120</sup> Lind, *supra* note 6 at 80.

<sup>121</sup> Paul Gottfried, *Toward a New Fusionism?*, 42 POLICY REVIEW 64 at 69 (1987) (discussing the close agreement on social issues between Old and New Right. The Old Right is less inclined to ridicule libertarians as moral anarchists since they speak concretely of dismantling the welfare state; "Old Right may be able to build a political alliance with libertarians, if both sides can disregard their differences on family issues in order to launch a joint assault on the welfare state."; Charles Murray is a libertarian who is also a moral traditionalist who bases much of his brief against the welfare state on its socially destructive effect on the black family; Libertarian Michael Levin criticizes efforts of welfare state to obliterate sex roles.).

<sup>122</sup> Lind, *supra* note 6 at 21.

<sup>123</sup> Lind, *supra* note 6 at 26-7.

<sup>124</sup> Kolkey, *supra* note 38 at 337-8; Lind, *supra* note 6 at 55-6.

<sup>125</sup> Kolkey, *supra* note 38 at 341. Note that 1973 was the end of the post-World War II era of high productivity growth. Lind, *supra* note 6 at 20.

<sup>126</sup> In 1975, Richard Viguerie and Howard Phillips created the Conservative Caucus to coordinate activities of "home and family groups." Crawford, *supra* note 4 at 39.

<sup>127</sup> Kolkey, *supra* note 38 at 313.

<sup>128</sup> Kolkey gives an example, the "problem" of African American teen pregnancy (*see supra* text accompanying notes 281-289 for a debunking of this issue) which highlights the complexity and philosophical tensions both between and within each submovement. As a matter of limited taxation, it would be cheaper to buy birth control for African American teens, rather than provide AFDC for illegitimate kids. But morally, many on the Right would not support that form of government intervention. Kolkey, *supra* note 38 at 315. In addition, of course, Libertarians would argue nuances of government control over individual lives.

<sup>129</sup> Kolkey, *supra* note 38 at 335.

<sup>130</sup> "Workfare" Failed Before, HUMAN EVENTS, Feb. 7, 1970 at 3 (Nixon's FAP "might actually break up poor working families, put some college students on welfare and indirectly finance the purchase of color TV sets.); *Demos Eye Welfare Boondoggle*, HUMAN EVENTS, Feb. 14, 1970 at 5 (Nixon's FAP "is made to order for the liberals."); *Nixon's Welfare Reform Under Attack*, HUMAN EVENTS, Feb. 28, 1970 at 1; *Moynihan-Garment Duo Fueling Welfare Push*, HUMAN EVENTS, Dec. 5, 1970 at 4; *Disturbing Trends in Domestic Policy*, HUMAN EVENTS, March 6, 1971 at 1; Rep. H.R. Gross, *Rising Welfare Costs*, HUMAN EVENTS, March 27, 1971 at 23; *Conservatives Can Defeat FAP Plan in Senate*, HUMAN EVENTS, July 3, 1971 at 1 ("[T]his extraordinary plan...could turn this nation into a welfare disaster area....Passage of this astonishingly radical measure would almost certainly have a devastating impact upon our military preparedness programs as well.") *Id.* at 5; *Nebraska's Carl Curtis*, HUMAN EVENTS, Aug. 5, 1972 at 8-9 (lauding how Senator Curtis, "ably reinforced by Gov. Ronald Reagan," brought in an expert witness from the Hoover Institute to Senate Finance Committee hearings, which can be credited with derailing FAP).

<sup>131</sup> Rep. Ben Blackburn, *FAP Cannot Possibly Bring Real Welfare Reform*, HUMAN EVENTS, July 17, 1971 at 12:

But legislation which seeks to aid the poor and improve the welfare system by putting twice as many people on the dole and "welfarizing" the working poor, who heretofore have taken pride in the fact that they are caring for themselves, can hardly be conceived of as being in their best interests.

*Id.*

<sup>132</sup> Victor Riesel, *The Great Welfare, Medicaid Raid*, HUMAN EVENTS, March 27, 1971 at 2.

- <sup>133</sup> *Welfare "Reform" Based on Misleading OEO Report*, HUMAN EVENTS, Dec. 26, 1970 at 1.
- <sup>134</sup> *Have You Been Saving for One of These?*, HUMAN EVENTS, Feb. 21, 1970 at 7 (including as "interesting facts" that "[i]n the last 10 years the government has spent 25 times more money on welfare than on our Lunar Landing Program.").
- <sup>135</sup> *Reagan Points Way to Welfare Reform*, HUMAN EVENTS, March 13, 1971 at 4. See also Rep. H.R. Gross, *Welfare Reform*, HUMAN EVENTS, July 24, 1971 at 15 (lauding Reagan's tightening of eligibility rules); *Capital Briefs*, HUMAN EVENTS, June 30, 1973 at 2 (lauding Reagan's crackdown on "welfare chiselers").
- <sup>136</sup> In fact, the argument was made that FAP was not needed ultimately because rolls began to decrease because of "belt tightening in a number of states." *Welfare Figures Undercut Argument for FAP*, HUMAN EVENTS, Sept. 11, 1971 at 3.
- <sup>137</sup> Henry Marshall, *The Poverty Peddlers*, HUMAN EVENTS, July 17, 1971 at 10.
- <sup>138</sup> *Capital Briefs*, HUMAN EVENTS, Sept. 22, 1973 at 2.
- <sup>139</sup> Robert B. Carleson, *Reagan Points the Way: The Real Answer to Welfare Reform*, HUMAN EVENTS, April 8, 1972 at 1. See also Morton C. Blackwell, *How West Virginia Cut Welfare*, HUMAN EVENTS, June 16, 1973 at 22 (discussing how, along with Reagan, West Virginia Republican Governor Arch Moore "has proved that welfare costs can be reduced, that people can be taken off welfare and placed in productive work and that services to those who really need help can be substantially improved.").
- <sup>140</sup> Henry Hazlitt, *MAN VS. THE WELFARE STATE* (1969). See *supra* note 69 for Hazlitt's previous article in HUMAN EVENTS espousing this concept.
- <sup>141</sup> Hazlitt, *supra* 140 at 212.
- <sup>142</sup> *Should Welfare Recipients Be Denied the Vote?*, HUMAN EVENTS, Feb. 21, 1970 at 24. See contemporary reemergence of this concept in Jacoby, *supra* note 69.
- <sup>143</sup> See critique of an article in PERFORMANCE, a publication of the President's Committee on Handicapped, entitled *Retardation: An Environmental Problem*, in which premature births, inadequate housing, lack of health care, and malnutrition are debunked as ways in which poverty fosters mental retardation. The liberal establishment blames things on poverty, rather than people. Marshall, *supra* note 137 at 10.
- <sup>144</sup> *Capital Briefs*, HUMAN EVENTS, Feb. 21, 1970 at 6 (17 employees of anti-poverty project indicted for fraud); *A Curious "Anti-Poverty" Grant*, HUMAN EVENTS, June 20, 1970 at 6 (\$4 million anti-poverty funds used to build a luxurious recreation center); Riesel, *supra* note 132 at 2. ("There has been some thievery, some appropriation by an occasional revolutionist, bank robbers, and mulcting [sic] by the Mafia.").
- <sup>145</sup> Al Capp, *The Day the Welfare Stopped*, HUMAN EVENTS, March 27, 1971 at 12.
- <sup>146</sup> *Capital Briefs*, HUMAN EVENTS, June 16, 1973 at 2; *Welfare Figures Undercut Argument for FAP*, HUMAN EVENTS, Sept. 11, 1971 at 3 ("In Baltimore, officials became suspicious when some recipients began picking up their checks in Cadillacs.").
- <sup>147</sup> John Chamberlain, *An "Alimony Law" for Welfare?*, HUMAN EVENTS, June 13, 1971 at 17 ("The slum families of 50 years ago may have had their troubles, but they did not suffer the final indignity: they did not become self-perpetuating. Wives and mothers, unable to get on an aid-to-dependent-children list, somehow hung on to their men. Maybe the point is moral, not economic, having to do with attitudes to sex and marriage.").
- <sup>148</sup> *Supra* text accompanying notes 102-105.
- <sup>149</sup> Paul Scott, *Radical Child Care Legislation Moves Through Congress*, HUMAN EVENTS, July 10, 1971 at 13.
- <sup>150</sup> Nathan Glazer, *Reform Work, Not Welfare*, 40 PUBLIC INTEREST 3, 4-9 (1975). See also Frederick Doolittle, Frank Levy and Michael Wiseman, *The Mirage of Welfare Reform*, 47 PUBLIC INTEREST 62 (1977) (suggesting incremental changes in AFDC, rather than sweeping reform).
- <sup>151</sup> The Hoover Institution on War, Revolution, and Peace (as it is now called) at Stanford University was founded in 1919 with a grant from Herbert Hoover, who in 1960 declared that the Institution's research must "demonstrate the evils of the doctrines of Karl Marx--whether Communism, Socialism, economic materialism or atheism--thus to protect the American way of life from such ideologies, their conspiracies, and to reaffirm the validity of the American system." Smith, *supra* note 37 at 184-186. In the 1960's, it began also to focus on domestic issues. 30 GROUP RESEARCH REPORT 1 (Spring, 1991).
- <sup>152</sup> Anderson, *supra* note 115 at 69-85, 119. Recall that a guaranteed income had been the centerpiece of Nixon's Family Assistance Plan, see text accompanying note 114.
- <sup>153</sup> Anderson, *supra* note 115, at 43, 90-127, 136-40 (Interestingly, Anderson argued that those who reduced their work effort under a guaranteed income program would want to work part-time, that this labor supply would stimulate business to create more part-time jobs, which would then make it easier for wage workers to reduce effort. "This long-run response would reinforce the initial work disincentive on the other side of the market."). *Id.* at 115-16 (emphasis in original).
- <sup>154</sup> Anderson, *supra* note 115 at 149.
- <sup>155</sup> Anderson, *supra* note 115 at 154-57, 164.
- <sup>156</sup> Handler and Hasenfeld, *supra* note 35 at 160-64.
- <sup>157</sup> Anderson, *supra* note 115 at 193.
- <sup>158</sup> Anderson, *supra* note 115 at 159-63.
- <sup>159</sup> Lind, *supra* note 6 at 64.
- <sup>160</sup> Jack Kemp, AN AMERICAN RENAISSANCE 56, 62, 191-2 (1979).
- <sup>161</sup> Kemp, *supra* note 160 at 63-64.
- <sup>162</sup> Kemp, *supra* note 160 at 36, 61.

<sup>163</sup> Kemp, *supra* note 160 at 5. Kemp, by advocating for a “conservative war on poverty,” with increased government spending, was soundly criticized by the New Right for going “soft on the blacks.” Lind, *supra* note 6 at 200.

<sup>164</sup> Kemp, *supra* note 160 at 33.

<sup>165</sup> Kemp, *supra* note 160 at 81. Interestingly, Kemp states that “it runs against human nature to actively contemplate a lifetime on the dole, and I can’t recall ever meeting anyone who seriously expressed that preference.” *Id.* In addition, he recognizes racial discrimination and states that “with periods of economic distress far exceeding periods of real expansion in the last dozen years, it is no wonder blacks are so protective of the safety net. Their discouragement must be profound.” *Id.* at 82.

<sup>166</sup> Kemp, *supra* note 160 at 87.

<sup>167</sup> See *infra* text at notes 201, 207-212.

<sup>168</sup> The critique of both efficiency and morality is based on an economic determinism, with no articulation of the assumed background rules of what constitutes either efficiency or morality. See criticism of the edited proceedings of a May 1976 conference sponsored by the American Enterprise Institute and the Hoover Institute, INCOME REDISTRIBUTION, Marc F. Plattner, *The Real Meaning of “Income Redistribution,”* 50 PUBLIC INTEREST 128 (1978) (critics of redistribution must not focus only on the inefficiency of income redistribution, and forget the immorality of the government taking away what an individual has earned). See also, Marc F. Plattner, *The Welfare State vs. the Redistributive State*, 55 PUBLIC INTEREST 28 (1979), critiquing Arthur Okun’s (Chair of President Johnson’s Council of Economic Advisors) EQUALITY AND EFFICIENCY: THE BIG TRADEOFF for the Brookings Institute espousing that in spite of its recognition for the “need for unequal incomes as an incentive for greater economic efficiency,” it was really incorporating Rawls’s “principle of redress:”

Rawls is able to deny the moral connection between effort and material rewards only *by ignoring the fact that income and wealth are not simply “there” to be distributed, but are produced in the first place only by human effort.* Labor or effort is the human cost of material benefits. And, all other things being equal, it is clearly unfair to distribute equal benefits to those who have borne unequal costs.

*Id.* at 36-7. “[T]he redistributionist view, in holding that individuals do not deserve the economic rewards that are the fruit of their own talents and efforts, and that the goods produced by the ‘honest industry’ are instead the ‘common asset’ of society as a whole, totally undermines the moral foundations of private property.” *Id.* at 45. However, Plattner distinguishes redistribution from social welfare programs, which are “legitimate functions of the public sphere, properly supported by public revenues.” *Id.* at 47. Plattner is a Consulting Editor to PUBLIC INTEREST and on the staff of the Twentieth Century Fund, one of the oldest policy research organizations in the United States, founded in 1911 to do scholarly research to promote efficiency.

<sup>169</sup> John Bishop, *The Welfare Brief*, 53 PUBLIC INTEREST 169 (1978).

<sup>170</sup> Plattner, *supra* note 168 at 37. See also *Reading Suggestions*, 57 PUBLIC INTEREST 127 (1979) (review of article finding that many poor Americans do not support benefit programs because they accept the structure of “positions” and their own position in that structure).

<sup>171</sup> Crawford, *supra* note 4 at 97. The Libertarians, in their “hostility to government, politics, and the organized pursuit of public purposes...not only elevates individual liberty and private property rights above other political values; at its core, it signals a rejection of human abilities to know or plan. It thus offers a radical critique of social science, especially the impulse to transfer the methods and aims of the physical sciences to the study of social problems. The libertarian argument is that the market not only bolsters liberty but is the best mechanism for organizing and communicating knowledge....The libertarian case against governments is that they try to act even though their knowledge is uncertain and that when they act, they distort and obstruct the market mechanisms that can remedy both economic inefficiency and intellectual uncertainty.” Smith, *supra* note 37 at 219-220. See also Lind, *supra* note 6 at 78-9.

<sup>172</sup> *Trends*, REASON, Aug. 1974 at 38 (most people move in and out of poverty); *Winning the Poverty War*, REASON, Aug. 1977 at 12 (when one counts in-kind income such as school lunches and Medicaid, poverty has been virtually eliminated).

<sup>173</sup> John Hospers, *The Two Classes: Producers and Parasites*, REASON, Sept. 1975 at 12, 14-15 (government creates poverty by dislocation in economy, and then spends more to “correct” poverty):

There have now been over 40 years of the welfare state; people who grew up and lived in liberty and independence have died off, and been replaced by those who expect the government to support them, and militantly demand this as their right.

*Id.* at 16; Alan Reynolds, *Who Gets What*, REASON, Mar. 1978 at 32 (“When you tax effort, you get less of it; when you subsidize leisure, you get more of it.”) and 33 (“Should the rest of us underwrite risk taking, through food stamps and welfare for those whose gambles do not pay off?”).

<sup>174</sup> *Movies*, REASON, August 1974 at 37; *Rudebarbs*, REASON, July 1977 at 48.

<sup>175</sup> *Trends: Making Them Pay*, REASON, Jan. 1976 at 34.

<sup>176</sup> *Trends: Milestones*, REASON, Oct. 1974 at 37.

<sup>177</sup> Smith, *supra* note 37 at xv.

<sup>178</sup> Smith, *supra* note 37 at 197, 279-80.

<sup>179</sup> Smith, *supra* note 37 at 279-80.

<sup>180</sup> Walter E. Williams, *Government Sanctioned Restraints that Reduce Economic Opportunities for Minorities*, 2 POLICY REVIEW 7 at 10-19 (1977).

<sup>181</sup> *Id.* at 28. See also Robert A. Nisbet, *The Dilemma of Conservatives in a Populist Society*, POLICY REVIEW, No. 4 at 91 (1978) (“Contemporary conservatives, like their predecessors, also place a higher value upon private property, the free market, and production for profit than do liberals and radicals, past and present.”) *Id.* at 97.

<sup>182</sup> “The defense of capitalism needs to be redirected to the values and attitudes of the people, and particularly the re-establishment of economic self-reliance [and respect for private property] as a cherished priority.” John A. Howard, *The Responsibility of College Trustees*, POLICY REVIEW, No. 1 at 71 (1977).

<sup>183</sup> Melvyn B. Krauss, *The Threat of the “New Protectionism,”* POLICY REVIEW, No. 8 at 61, 65 (1979). Thus the vehicle for the “new protectionism,” rather than a tariff, is government intervention.

<sup>184</sup> Paul Craig Roberts and Richard E. Wagner, *The Tax Reform Fraud*, POLICY REVIEW, No. 9 at 121, 125-126 (1979).

<sup>185</sup> *Id.* at 138-39.

<sup>186</sup> Martin Anderson, *Why Carter’s Welfare Reform Plan Failed*, POLICY REVIEW, No. 5 at 37, 39 (1978).

<sup>187</sup> *Id.* at 37.

<sup>188</sup> Morton Paglin, *Poverty in the United States: A Reevaluation*, POLICY REVIEW, No. 8 at 7 (1979).

<sup>189</sup> Kenneth W. Clarkson and Roger E. Meiners, *Government Statistics as a Guide to Economic Policy: Food Stamps and the Spurious Increase in the Unemployment Rates*, POLICY REVIEW, No. 1 at 27 (1977).

<sup>190</sup> B. Bruce-Briggs, *The Politics of Policy Analysis: The Day Care Experience*, POLICY REVIEW, No. 5 at 41, 48 (1978).

<sup>191</sup> Samuel T. Francis, *Analysis of Carter’s Welfare Reform Proposal*, The Heritage Foundation’s BACKGROUNDER No. 30, Aug. 8, 1977 at 9.

<sup>192</sup> Bruce-Briggs, *supra* note 190 at 48-54.

<sup>193</sup> Francis, *supra* note 191 at 2. See also Samuel T. Francis, *Cost Estimates of the Carter Welfare Reform Proposal*, The Heritage Foundation’s BACKGROUNDER No. 41, Nov. 11, 1977.

<sup>194</sup> Francis, *supra* note 191 at 3-4.

<sup>195</sup> *Id.* at 6.

<sup>196</sup> *Id.* at 6.

<sup>197</sup> Hobbs was Chief Deputy Director of Social Welfare in California from 1970-2 and a member of the California Governor’s Tax Reduction Task Force from 1972-3. Charles D. Hobbs, *THE WELFARE INDUSTRY* (inside cover) (1978).

<sup>198</sup> Hobbs, *supra* note 197 at 9, 69.

<sup>199</sup> Lind, *supra* note 6 at 2. See also description of this strategy in Right leadership encouraging laid-off steelworkers’ anger at big government rather than business. Crawford, *supra* note 4 at 250-51.

<sup>200</sup> The model for his story had been convicted of only \$8,000 in welfare fraud (Lind, *supra* note 6 at 192-3); however, Reagan repeatedly stated that she had used “eighty names, thirty addresses, twelve Social Security cards” in order to be eligible for “veterans’ benefits on four non-existing deceased husbands,” and other welfare benefits which totaled \$150,000 in tax-free income. “Welfare Queen” Becomes Issue in Reagan Campaign, NEW YORK TIMES, Feb. 15, 1976 at A51.

Few things perplexed Ronald Reagan’s opponents more than his cavalier treatment of facts...Reagan’s gaffes and errors amazed journalists, who dutifully reported them...It is not that facts did not matter to Reagan. The telling anecdote and choice detail made many of his speeches memorable and often compelling, but what his audience remembered--and found true--about the facts he did recite was their illustrative power. Facts were true to Reagan if they harmonized with broad political ideals and if they worked, not to build an accurate description of the world, but to guide and shape political perceptions. He understood intuitively that what was missing from the liberal technocratic regime was the appeal to values.

qSmith, *supra* note 37 at 21-22. For its enduring effect, see Clarence Page, *This Drug Crackdown Targets Color*, CHICAGO TRIBUNE, Dec. 31, 1989 at 3 (“...Reagan...put a black and urban face on [poverty] from the time he campaigned against “welfare queens” in 1980 and the stereotypes are reinforced almost daily by television images of ghetto gang wars and drug busts.”).

<sup>201</sup> Charles Murray, *LOSING GROUND: AMERICAN SOCIAL POLICY, 1950-1980* (1984).

<sup>202</sup> Gilder, *supra* note 102. For the book’s importance in the Reagan administration, see *Thurow vs. Gilder: A Debate*, NEWSWEEK, May 4, 1981 at 63; Edwin McDowell, *How the Imprimatur of a President can Benefit Authors and Their Books*, NEW YORK TIMES, May 16, 1981 at 13; A.O. Sulzberger, Jr., *Dole Might Just Prefer His Own Ideas on Tax Cut*, NEW YORK TIMES, May 10, 1981; Edwin McDowell, *Publishing: A Best Seller for Connell*, NEW YORK TIMES, Dec. 28, 1984; John L. Hess, *Malthus Then and Now*, 244 NATION 496 (1987); Sidney Blumenthal, *The Policy Pugilists*, WASHINGTON POST, April 9, 1987 at C1.

<sup>203</sup> MANDATE FOR LEADERSHIP: POLICY MANAGEMENT IN A CONSERVATIVE ADMINISTRATION, (Charles L. Heatherly, ed.) 1981.

<sup>204</sup> Gordon Jackson, *All Supply-Siders Now?* POLICY REVIEW No. 41 at 6 (1987). A portion of WEALTH AND POVERTY was reprinted in George Gilder, *The Coming Welfare Crisis*, POLICY REVIEW, No. 11 at 25 (1980).

<sup>205</sup> Gilder, *supra* note 102 at 127-140.

<sup>206</sup> Gilder, *supra* note 102 at 127-28.

<sup>207</sup> A portion of LOSING GROUND was reprinted in Charles Murray, *Saving the Poor from Welfare*, REASON, Dec. 1984 at 33.

<sup>208</sup> Murray, *supra* note 201 at 227-28. Lind has noted that Murray symbolizes “the union of political hubris with social science that the original Neoconservatives criticized on the left in the 1960s and 1970s. The harmful influence on

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public policy of hubristic intellectuals like Charles Murray is the disease for which Neoconservatism once promised to be the cure.” Lind, *supra* note 6 at 62.

<sup>209</sup> Michael Tanner, *Ending Welfare As We Know It*, 212 POLICY ANALYSIS 2 (July 7, 1994). Note that Murray describes himself as a “wishy-washy libertarian.” Nina J. Easton *Merchants of Virtue: By Shifting Their Party’s Longtime Focus From Money to Values a Trio of Thinkers Hopes to Win Over the Agenda--and the Soul--of the GOP*, LOS ANGELES TIMES Aug. 21, 1994 at 16, 20.

<sup>210</sup> Robert Greenstein, *Losing Faith in Losing Ground*, NEW REPUBLIC, March 25, 1985 at 14; Christopher Jencks, *How Poor Are the Poor?*, NEW YORK REVIEW OF BOOKS, May 5, 1985 at 41.

<sup>211</sup> Smith, *supra* note 37 at 221.

<sup>212</sup> The Manhattan Institute hired a public relations expert to run the “Murray campaign,” spent \$15,000 to send 700 free copies of the book to “influential politicians, academics, and journalists,” booked Murray on talk shows, and paid a \$500-1500 honoraria to “intellectuals and journalists influential in policy circles” who attended a seminar on Murray’s ideas. Michael B. Katz, *THE UNDESERVING POOR* 152 (1989); Fred Block et al., *THE MEAN SEASON: THE ATTACK ON THE WELFARE STATE* 51(1987); Lind, *supra* note 6 at 179,182; Smith, *supra* note 37 at 192. Murray is now affiliated with the American Enterprise Institute, after the Manhattan Institute severed its connection with him based on objection to his argument of genetic racial differences in intelligence in his 1994 book, *THE BELL CURVE*. *Id.* at 182.

<sup>213</sup> Smith, *supra* note 37 at 195.

<sup>214</sup> Smith, *supra* note 37 at 196 (The head of Heritage’s public relations department stated that this strategy was intended “to create a snowball effect...to have members of the national press corps fighting over the bits and pieces of the study we were ready to release.”). *Id.*

<sup>215</sup> MANDATE FOR LEADERSHIP, *supra* note 203 at 27-28, 246 (recommendations regarding the Department of Health and Human Services are contained at 245-306).

<sup>216</sup> *Id.* at 293.

<sup>217</sup> The preparation and marketing of MANDATE is an excellent example of the strategy of certain conservative think tanks to help “to shape a conservative policy elite that could claim that it was capable of governing.” Smith, *supra* note 37 at 203.

<sup>218</sup> A concept long associated with Jack Kemp. Robert Shogan, *The Right Seeks New Purpose* LOS ANGELES TIMES, July 4, 1990 at A24.

<sup>219</sup> Stuart Butler, *Urban Renewal: A Modest Proposal*, POLICY REVIEW, No. 13 at 96 (1980). See also Paul Johnson, *Sick Man of the West*, POLICY REVIEW, No. 14 at 125 (1980). After discussing how “[r]ace quotas, or positive discrimination, are widely cited by business managers as a primary cause of inefficiency and low morale in the work force,” Johnson states:

...AFDC offers a guaranteed income to any child-raising couple who split up, and to any teenage girl over 16 who is willing to bear an illegitimate child....Once people enter this welfare culture they seldom reemerge into the active economy....Any attempt to clear up the welfare mess runs into the fact that the principal beneficiary is the 25 million black minority....This aspect of America’s economic problem will grow worse in the 1980s *pari passu* with the growth of the Hispanic minority....[Falling birthrates with a decline in the number of active workers] coincides...with a growing reluctance on the part of any section of the population, including blacks and Hispanics, to accept low-paid jobs, particularly when (as is usual) there is little financial incentive to do so.

*Id.* at 136-38.

<sup>220</sup> Daniel Oliver and Phyllis Schlafly in William F. Buckley, Jr., M.E. Bradford, Terry Eastland, Daniel Oliver, Joseph Sobran, Phyllis Schlafly, Paul M. Weyrich, R. Emmett Tyrrell, Jr., William J. Bennett, *Heaven on Earth*, POLICY REVIEW, No. 41 at 90, 92 (1987)(emphasis added).

<sup>221</sup> Daniel Oliver, Joseph Sobran, Phyllis Schlafly, *Id.* at 90-92.

<sup>222</sup> Oliver in *id.* at 91 (The modern totalitarian concept of “building a new society” will abolish “not only property and its attendant inequalities..., but religion and the family, too. Law becomes nothing more than the will of the rulers, at the service of their vision, with no back talk from the ruled.” Joseph Sobran in *id.* at 91).

<sup>223</sup> Phyllis Schlafly in *id.* at 92 (recommending that school not start until age seven, so that children under that age would be cared for at home by their mothers).

<sup>224</sup> Omnibus Budget Reconciliation Act of 1981, Pub. L. No. 97-35, 95 Stat. 357 [hereinafter “OBRA 1981”]. Sections 2301-2306 affected AFDC recipients who were in wage work. Those sections are codified as amended at 42 U.S.C. 602 and discussed in Handler and Hasenfeld, *supra* note 35 at 170-176. See the defense of this cut by Ron Haskins and Representative Hank Brown, *A Billion Here, A Billion There: Social Spending Under Ronald Reagan*, POLICY REVIEW, No. 49 at 22, 26-28 (1989).

<sup>225</sup> Interestingly enough, predictions that welfare recipients would operate in solely their economic interest and quit their jobs did not prove to be the case. U.S. GENERAL ACCOUNTING OFFICE, GAO REPORT B-214752, AN EVALUATION OF THE 1981 AFDC CHANGE: FINAL REPORT I (1984).

<sup>226</sup> Of course, other central principles underlying OBRA were the long-standing Right themes of reducing federal government interference because of its harmful consequences for economic growth, and returning decision-making to state and local government. Haskin and Brown, *supra* note 224, at 27-28.

<sup>227</sup> OBRA 1981 at Sections 2307-09 and Section 2314 (codified as amended at 42 U.S.C.).

<sup>228</sup> See text accompanying notes 27-28.

<sup>229</sup> Haskins and Brown, *supra* note 224 at 28. In these early days, however, the rhetoric was sometimes more tempered. Not always was the welfare recipient totally blamed, and left to her own devices to move into wage work. “People should be encouraged to use their talents and become productive, self-supporting citizens. Those who do receive public support should work toward independence at the earliest possible moment.” *Id.* at 28.

<sup>230</sup> Fred Barnes, *TV News: The Shock Horror Welfare Cut Show*, POLICY REVIEW, No. 24 at 57 (1983) (arguing that media used unrepresentative stories to paint an exaggerated picture of the effects of the cuts and claiming that the cuts had little effect).

<sup>231</sup> *Pimping for Poverty*, XI AIM REPORT No. 10 at *Notes from the Editor’s Cuff* (May-II 1982).

<sup>232</sup> *Id.* at 4th page.

<sup>233</sup> Irving Kristol, REFLECTIONS OF A NEOCONSERVATIVE: LOOKING BACK, LOOKING AHEAD xii (1983).

<sup>234</sup> Lind, *supra* note 6 at 61.

<sup>235</sup> See generally Sara Diamond, SPIRITUAL WARFARE: THE POLITICS OF THE CHRISTIAN RIGHT (1989) (noting that SOJOURNERS, a progressive evangelical magazine, “traced the rise of the New Christian Right to the 1974 formation of Third Century Publishers, established for the purpose of promoting books and study guides designed to link a comprehensive conservative political agenda with born-again Christianity.”) *Id.* at 49.

<sup>236</sup> *Id.* at 85. Note that in spite of strong Christian Right women leaders, ideologically women are never to be in leadership positions over men. *Id.* at 105.

<sup>237</sup> It is noteworthy that I found very few references to poverty or welfare in FAMILY VOICE published by Concerned Women for America and PHYLLIS SCHLAFLY REPORT.

<sup>238</sup> Note: the Feb. 1986 issue is a publication of the Rockford Institute.

<sup>239</sup> Phyllis Schlafly, *Defending the Economic Life of the Family*, PHYLLIS SCHLAFLY REPORT, April, 1982 at 2 (“Nothing could do more to stabilize the family than an aggressive program to enforce the traditional obligation and function of fathers.”) (hereinafter *Defending*).

<sup>240</sup> See generally Phyllis Schlafly, *Tax Exemptions for Children*, PHYLLIS SCHLAFLY REPORT, Nov. 1982 at 1; *Essays, supra* note 96 at 1; *The Decline and Fall of Mom and Apple Pie* PHYLLIS SCHLAFLY REPORT, Jan. 1985 at 1; *Motherhood, supra* note 103 at 1-3; *Federal Day Care - Sovietizing the American Family*, PHYLLIS SCHLAFLY REPORT, Feb. 1988 at 1; *The Child Care and Career Dilemmas*, PHYLLIS SCHLAFLY REPORT, April 1989 at 1; *Insolvable Problems of Federal Daycare*, PHYLLIS SCHLAFLY REPORT, July 1989 at 1; *Look Who’s Lobbying for Federal Daycare*, PHYLLIS SCHLAFLY REPORT, Jan. 1990 at 1; *Facing the Future, supra* note 96 at 1.

<sup>241</sup> *Defending, supra* note 239 at 2.

<sup>242</sup> *The Family: Preserving America’s Future*, Excerpts from the REPORT TO THE PRESIDENT FROM THE WHITE HOUSE WORKING GROUP ON THE FAMILY, PHYLLIS SCHLAFLY REPORT, Vol. 21, No. 7, Feb. 1988 at 1 (“The essence of modern totalitarianism has been to substitute the power of the State for the rights, responsibilities, and authority of the family.”).

<sup>243</sup> Relying on Murray’s LOSING GROUND, Schlafly argues that social spending exacerbated poverty, crime, ignorance and discrimination.

It is wrong, [Murray] says, to take from the most industrious and most responsible poor in order to cater to the least industrious and least responsible poor. It is wrong to impose rules that make it rational for teenagers to behave in ways that destroy their future.

*The Family’s Stake in Economic Policies*, PHYLLIS SCHLAFLY REPORT, Vol. 18, No. 9 at 1, 3-4, April 1985.

<sup>244</sup> Robert Rector, *Welfare Reform That is Anti-Work, Anti-Family, Anti-Poor*, 603 The Heritage Foundation’s BACKGROUNDER, Sept. 23, 1987 at 11.

<sup>245</sup> George E. Peterson et al., THE REAGAN BLOCK GRANTS: WHAT HAVE WE LEARNED? (1986); David S. Broder & Spencer Rich, *Block Grant Plan Would Replace U.S. Welfare Payments*, WASHINGTON POST, Aug. 13, 1981, at A1. Linda E. Demkovich, *Political, Budget Pressures Sidetrack Plan for Turning AFDC Over to States*, 13 NAT’L J. 1671 (1981).

<sup>246</sup> Ronald Reagan, Address on the State of the Union 6 (Jan. 27, 1987) (transcript available from the Bureau of Nat’l Affairs, Inc.).

<sup>247</sup> For a fuller analysis of the waiver process, see Lucy A. Williams, *The Abuse of Section 1115 Waivers: Welfare Reform in Search of a Standard*, 12 YALE L & POL’Y REV. 8 (1994).

<sup>248</sup> THE WHITE HOUSE, THE INTERAGENCY LOW INCOME OPPORTUNITY ADVISORY BOARD PROCEDURES FOR COORDINATION AND REVIEW OF STATE WELFARE REFORM DEMONSTRATION PROPOSALS AND WAIVER REQUESTS (Nov. 30, 1987).

<sup>249</sup> DOMESTIC POLICY COUNCIL, LOW INCOME OPPORTUNITY WORKING GROUP, UP FROM DEPENDENCY: A NEW NATIONAL PUBLIC ASSISTANCE STRATEGY (1986):

A centralized system bypasses normal community patterns and support. Federal aid now goes to individuals and households as a right, regardless of their attachment to any community norms or standards. Because the community provides no benefits, it can rarely enforce any mutual responsibility or inspire affections.

*Id.* at 40.

A deductively reasoned trajectory of the Old Right position would lead to no taxation, no governmental assistance for poor people, and no intervention in the lives of poor people. But a position that says no governmental control over individuals who wish to preserve “private” property is not inconsistent with a position which supports governmental control over individuals who have been given some of the “private” property of others. [Logical extension really of private control over the poor through private charity, and no taxation for redistribution] Hence the New Right’s support of behavior modification AFDC programs, as efforts to control recipient’s lives.

<sup>250</sup> Steven Garansky & Burt S. Barnow, *Demonstration Evaluations and Cost Neutrality: Using Caseload Models to Determine the Federal Cost Neutrality of New Jersey's REACH Demonstration*, 11 J. POL'Y ANALYSIS & MGMT. 624 (1992).

<sup>251</sup> Stuart M. Butler, *How the White House Spurs Welfare Reform*, 705 The Heritage Foundation's BACKGROUNDER, May 4, 1989 at 10.

<sup>252</sup> For a summary of the waivers processed by LIOAB during 1987-88, see Michael E. Fishman & Daniel H. Weinberg, THE ROLE OF EVALUATION IN STATE WELFARE REFORM WAIVER DEMONSTRATIONS, IN EVALUATING WELFARE AND TRAINING PROGRAMS 119 (Charles F. Manski & Irwin Garfinkel, eds. 1992).

<sup>253</sup> E.g., summaries of all waivers in 1991 and 1992 are contained in Michael Wiseman, THE NEW STATE WELFARE INITIATIVES 13-18, 30-33 (The Institute for Research on Poverty & The Robert M. LaFollette Institution of Public Affairs, Discussion Paper No. 1002-93, 1993); JODIE LEVIN-EPSTEIN AND MARK GREENBERG, CENTER FOR LAW AND SOCIAL POLICY, THE RUSH TO REFORM: 1992 STATE AFDC LEGISLATIVE AND WAIVER ACTIONS 1 (1992); CENTER ON SOCIAL WELFARE POLICY AND LAW, REPORT ON AFDC § 1115 APPLICATIONS SUBMITTED TO HHS FROM JANUARY 1992-JANUARY 1993 (Pub. No. 169, 1993).

<sup>254</sup> Lucy A. Williams, *The Ideology of Division: Behavior Modification Welfare Reform Proposals*, 102 YALE L.J. 719 at 726-41. Note also the ambivalence of even Charles Murray:

The idea that they were going to make Learnfare work is ridiculous...I know I'm known for putting great stock in economic incentives, but the problem with economic incentives like this one is that if they aren't intertwined with social norms, their effect will be zip.

Paul Taylor, *Welfare Policy's "New Paternalism" Uses Benefits to Alter Recipient's Behavior*, WASHINGTON POST, June 8, 1991 at A3 (quoting Charles Murray).

<sup>255</sup> Sheldon Danziger, *Researchers Dispute Contention that Welfare Is Major Cause of Out-of-Wedlock Births*, June 23, 1994 (press release on file with author).

<sup>256</sup> Gary Bauer, THE FAMILY: PRESERVING AMERICA'S FUTURE, A REPORT TO THE PRESIDENT FROM THE WHITE HOUSE WORKING GROUP ON THE FAMILY 24 (1986)(emphasis added).

<sup>257</sup> Douglas J. Besharov, *What We Know About Targeting Long Term Welfare Recipients and What To Do About It*, paper prepared for the Rockefeller Foundation Conference on Welfare Reform, Williamsburg, Virginia, February 16-19, 1988; Don Feder, *Poverty: A State of the Human Mind*, CONSERVATIVE CHRONICLE, March 11, 1987 at 19; Charles D. Hobbs, Mickey Kaus, Charles Murray- a "discussion" moderated by Virginia Postrel, *Working on Welfare: How to Reform the System*, REASON, April 1994 at 23-39; Jennifer E. Marshall, *Observations About America's Welfare Crisis*, AT THE PODIUM, undated; Robert Rector, *Strategies for Welfare Reform*, HERITAGE LECTURES, No. 378, April 9, 1992; Robert Rector, *Combatting Family Disintegration, Crime, and Dependence: Welfare Reform and Beyond*, The Heritage Foundation's BACKGROUNDER No. 983, March 17, 1995; Michael Novak, *The Crisis of the Welfare State* CRISIS, July-August 1993 at 4-7; Michael Tanner, *Ending Welfare As We Know It*, POLICY ANALYSIS, July 7, 1994; Walter Williams, *Getting Serious About Welfare*, CONSERVATIVE CHRONICLE January 7, 1987 at 18.

<sup>258</sup> Pub.L.No. 100-485, 102 Stat. 2343 (codified in scattered sections of 42 U.S.C.).

<sup>259</sup> 136 CONG. REC. S14,416-17 (daily ed. Oct. 3, 1990)(statement of Sen. Moynihan).

<sup>260</sup> Jan L. Hagen & Irene Lurie, The Nelson A. Rockefeller Institute of Government, State University of New York, IMPLEMENTING JOBS: INITIAL STATE CHOICES, SUMMARY REPORT 6 (1992).

<sup>261</sup> ISSUES '88: Vol. 1 at 59-61, 226-27. Note the parallel to early Mother's Pensions programs (pre-Social Security Act) which required women to be "suitable mothers" and stay in the home, but did not provide a sufficient amount of benefits to support a family, thereby ensuring that recipients would do sewing or laundry in the home, or take in boarders. Linda Gordon, PITIED BUT NOT ENTITLED 49-50 (1994). Although Heritage discusses this "right" as a boon to the family, it also refers to the pro-business stance: "the right of employers to hire employees based at home," thereby avoiding unionization, higher wages, and investment in production sites. Bellant, *supra* note 103 at 61.

<sup>262</sup> Robert Rector, *Strategies for Welfare Reform*, testimony before the Domestic Task Force of the Select Committee on Hunger, U.S. House of Representatives, Apr. 9, 1992, reprinted in 378 HERITAGE LECTURES at 10.

<sup>263</sup> Shogan, *supra* note 218 at A24 (quoting American Conservative Union's David Keene, Heritage's Stuart Butler). See also Richard Cimino, "Religious Right Agenda is Basis of New Party," ST. PETERSBURG TIMES, July 20, 1991 at 3E (discussing Howard Phillips formation of the U.S. Taxpayers Alliance, with a platform that includes abolishing welfare and replacing it with private charity); Easton, *supra* note 209 at 18.

<sup>264</sup> Shogan, *supra* note 218 at A24 (quoting Paul Weyrich); Easton, *supra* note 209 at 16.

<sup>265</sup> Easton, *supra* note 209 at 18 (quoting Charles Murray, William Bennett, and Irving Kristol, and noting that "in their zest to reverse America's cultural slide, they often forget to talk about its parallel economic slide--a steady decline in wages, rising multinational competition, a growing disparity between college graduates and high school dropouts.") Note that Murray advocates for "trying to get the government to stop social engineering among people," simplistically ignoring that government inaction also creates social consequences. *Id.* at 20.

<sup>266</sup> Crawford, *supra* note 4 at 6, 38-39, 48, 251-2, 272-3, 267; Smith, *supra* note 37 at 206; Lind, *supra* note 6 at 76, 78; Senator Thomas J. McIntyre, THE FEAR BROKERS 112-115 (1979).

<sup>267</sup> Edward S. Herman & Noam Chomsky, MANUFACTURING CONSENT 23-24 (1988) (Heritage Foundation Dr. Edwin Feulner explained that, like toothpaste, "[t]hey sell it and resell it every day by keeping the product fresh in the consumer's mind," i.e., by disseminating the correct ideas to "thousands of newspapers," debate can be confined "within its proper perspective.").

<sup>268</sup> Herman & Chomsky, *supra* note 267 at 27. Remember ACCURACY IN MEDIA's attack on Bill Moyers, *supra* text accompanying note 231.

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<sup>269</sup> Jean Hardisty, *The Resurgent Right: Why Now?*, 9 PUBLIC EYE 1 at 10 (1995).

<sup>270</sup> Smith, *supra* note 37 at 206.

<sup>271</sup> Crawford, *supra* note 4 at 50-51, 165-66, 193-94.

<sup>272</sup> Mead in *THE NEW POLITICS OF POVERTY* argues that economic incentives are not enough because the poor lack the competence to take advantage of them. He advocates more authoritarian, mandatory programs such as workfare.

Lawrence Mead, *THE NEW POLITICS OF POVERTY* at 161-62, 176-83 (1992).

<sup>273</sup> Mead, *supra* note 272, as discussed in Michael Prowse, *Riot's Repercussions: U.S. May Finally Face its Underclass Crisis*, FINANCIAL POST, May 11, 1992 at 41, and Michael Prowse, *American's Poor are Very Different*, FINANCIAL TIMES, May 8, 1992 at 16.

<sup>274</sup> Katha Pollitt, "Personal Responsibility" For Dads, Too, BOSTON GLOBE, Jan. 26, 1995 at A13.

<sup>275</sup> *E.g.*, Cato Institute's Bill Nascanon on NPR's MORNING EDITION, Jan. 3, 1996; Cato Institute's Mike Tanner and American Enterprise Institute's Herb Stein on NPR's ALL THINGS CONSIDERED, July 12, 1995; Cato's Tanner on CNN's MONEYLINE, Dec. 29, 1994.

<sup>276</sup> *E.g.*, Robert Rector, *How to Reform Welfare*, BALTIMORE SUN, July 20, 1995 at 15A; Robert Rector, *Resolving the Welfare Debate*, WASHINGTON TIMES, July 18, 1995 at A19; William Bennett, *Competing Themes in the Welfare Debate*, WASHINGTON TIMES, Aug. 3, 1995 at A21; Robert Rector, *Welfare is the 800-Pound Gorilla*, LOS ANGELES TIMES, July 11, 1995 at B9.

<sup>277</sup> *E.g.*, the Hudson Institute held a Forum on Welfare Reform and U.S. Foreign Policy (Federal News Service, Sept. 24, 1994) (Founded in 1961, the Hudson Institute is now based in Indianapolis, Indiana.), a Forum on Putting Work First--Creating a Competitive Market for Moving Welfare Recipients into Work (Congressional Press Releases, Jan. 24, 1995); the Heritage Foundation hosts bi-weekly lunch seminars on Capitol Hill, and co-sponsors with Empower America a three-day issues seminar each December for freshmen Members of Congress, their spouses, and Chiefs of Staff. Cite on Web; Kevin Merida, *Balancing the Hill, Hearth and Home*, WASHINGTON POST, Dec. 11, 1994 at A31; The Family Research Council hosts a Washington symposium, *World Without Welfare*. REUTERS DAYBOOK, Dec. 13, 1995; Cato Institute held a Washington forum on *Immigrants, Taxes, and Welfare*, REUTERS DAYBOOK, July 8, 1994. *See generally*, Crawford, *supra* note 4 at 266-67.

<sup>278</sup> *See* Senator Dan Coats launching of "The Project for American Renewal" in conjunction with Empower America, to give communities, private and religious organizations more leeway to provide welfare. U.S. Senator Dan Coats, *THE PROJECT FOR AMERICAN RENEWAL* (undated); Senator Dan Coats, CONGRESSIONAL PRESS RELEASES, Oct. 11, 1995.

<sup>279</sup> In testifying before the House Ways and Means Committee in 1995, Hudson Institute's Horowitz set forth these views:

Providing a legal entitlement to such funds for or following the very act of being irresponsible is an inexcusable public policy which has savaged communities and undermined their survival values. In this respect, the entitlement-based character of our welfare system--offering as it does to many an entitlement based on status and irresponsibility rather than prior contribution and deserving character--rejects the original federal welfare design envisioned by the New Deal.

*Hearings on Contract with America--Welfare Reform, Before the House Ways and Means Committee, Subcommittee on Human Resources*, 104th Cong., 1st Sess. 83, at 84 (1995); *Hearings on Consolidation of Block Grant Programs, Before the House Committee on Economic and Educational Opportunities, Subcommittee on Investigations and Oversight*, 104th Cong., 1st Sess. 23-24, 25-30 (1995) (urging block grants). *See also Contract with America--Welfare Reform: Hearing Before the House Ways and Means Committee, Subcommittee on Human Resources*, 104th Cong., 1st Sess. 465 (1995) (testimony of Cato's Stephen Moore); *Hearings on Broad Goals of Welfare Reform, Before the Senate Finance Committee*, 104th Cong., 1st Sess. 1-11(1995) (testimony of Robert Rector of The Heritage Foundation, Michael Tanner of the Cato Institute, Douglas Besharov of the American Enterprise Institute, and Lawrence Mead); *Hearings on Welfare Reform Wrap-up, Before the Senate Finance Committee*, 104 Cong., 1st Sess. 29-31 (1995) (testimony of AEI's Charles Murray); *Hearings On Welfare Reform Proposals, Including H.R. 4605, The Work and Responsibility Act of 1994, Before the House Ways and Means Committee, Subcommittee on Human Resources*, 103rd Cong., 2d Sess. 1099-1102 (1994) (testimony of Michael Horowitz of the Manhattan Institute), *Hearings on Reforming the Present Welfare System Before the House Committee on Agriculture, Subcommittee on Department Operations, Nutrition, and Foreign Agriculture*, 104th Cong., 1st Sess. 504-508, 510-529, 580-610 (testimony of Heritage's Robert Rector and Hudson's Anna Kondratas).

<sup>280</sup> *Conservative Forces Buck Reviving Senate Welfare Bill*, NATIONAL JOURNAL'S CONGRESS DAILY, Feb. 1, 1996. In describing right-wing opposition to a more moderate Republican welfare reform legislation:

Sen. Lauch Faircloth, R-N.C., held a meeting in his office with representatives of several conservative interest groups, including the Heritage Foundation and Christian Coalition, that share his opposition to the original Senate welfare bill, which was considered much less stringent than the House-passed welfare bill or the conference agreement.

Hudson Institute senior fellow, in advising House Republicans, urged the block granting of AFDC. Heritage advocated for proposals in Congress which would deny benefits to unwed teens and would deny additional cash benefits to children born while the mother was on AFDC. John A. MacDonald and Valerie Finholm, *In Search of Welfare Plan That Works*, HARTFORD COURANT, Feb. 26, 1996 at A1. Representative John Ashcroft, leader in the fight for Phil Gramm's more repressive Work, Family and Community Welfare Replacement Act spoke at the Heritage Foundation as well as on the McNEIL-LEHRER NEWS HOUR, stating: "Our ability to replace welfare will be viewed by the American

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people and by history as a measure of our commitment to restoring survival values.” Deborah Mathis, *Welfare Forces Wedge Between Missouri’s Look-Alike Senators*, GANNETT NEWS SERVICE, Aug. 11, 1995.

<sup>281</sup> Charles Murray, *The Coming White Underclass*, WALL STREET JOURNAL, Oct. 29, 1993 at A14 (“[I]llegitimacy has now reached 68 percent of births to black women. In inner cities, the figure is typically in excess of 80 percent.”).

<sup>282</sup> Easton, *supra* note 209 at 40.

<sup>283</sup> Lind, *supra* note 6 at 167. *See also* Murray, *supra* note 281 at A14.

<sup>284</sup> Lind, *supra* note 6 at 167-71.

<sup>285</sup> Claudette E. Bennett, U.S. BUREAU OF THE CENSUS, THE BLACK POPULATION IN THE UNITED STATES: MARCH 1994 AND 1993, CURRENT POPULATION REPORTS P 20-480 (1995).

<sup>286</sup> Robert Rector, *Welfare Reform and the Death of Marriage*, WASHINGTON TIMES, Feb. 23, 1996 at A20.

<sup>287</sup> Adam Wolfson, *Effects of Conservatism on Society*, 100 COMMENTARY 115 (1995).

<sup>288</sup> Lind, *supra* note 6 at 175-77.

<sup>289</sup> Lind, *supra* note 6 at 177-78.

<sup>290</sup> Easton, *supra* note 209 at 40 (citing to Murray’s presence with David Brinkley, Connie Chung, and on 20/20, and discussion by George Will, Charles Krauthammer, U.S. NEWS’ Michael Barone and John Leo, and NEWSWEEK’S Joe Klein).

<sup>291</sup> Easton, *supra* note 209 at 40.

<sup>292</sup> Easton, *supra* note 209 at 44 (Bennett is on the evening news, and CNN’s CAPITOL GANG; Kristol is on CNN’s INSIDE POLITICS, numerous newspapers excerpt from his memos, and Empower America “launches radio ads denouncing Clinton’s welfare proposal as ‘cynical and deceptive.’”).

<sup>293</sup> Ronald Brownstein, *Washington Outlook: Uncompromising Spirit on Welfare Reform Could be the GOP’s Undoing*, LOS ANGELES TIMES, Sept. 25, 1995 at A5.

<sup>294</sup> *See* Republican challenger Kirk Fordice’s victory over Democratic incumbent Ray Mabus in 1991, after Fordice “aired television attack ads with stark images of black welfare recipients.” Michael Shanahan, *Bush Rhetoric Hits Welfare*, STAR TRIBUNE, April 26, 1992 at 1A; Klan leader David Duke’s election to the Louisiana legislature with anti-welfare rhetoric which “recolored” social problems, Clarence Page, *This Drug Crackdown Targets Color*, CHICAGO TRIBUNE, Dec. 31, 1989 at 3.

<sup>295</sup> *See generally* Charles Murray, THE BELL CURVE, chapters 9, 13, 14, 15 (1994).

<sup>296</sup> 141 CONG. REC. H3766.

<sup>297</sup> 141 CONG. REC. H3772.

<sup>298</sup> Dorothy Gilliam, *Ugly Ways on the Hill*, WASHINGTON POST, March 25, 1995 at B1.

<sup>299</sup> Williams, *supra* note 9 at 1159-61, 1186-88.

<sup>300</sup> Don Aucoin and Scot Lehigh, *Weld Using Story on Welfare Family to Aid his Case on Need for Reform*, BOSTON GLOBE, Feb. 25, 1994 at 14.

<sup>301</sup> *Id.*

<sup>302</sup> Lind, *supra* note 6 at 79.

<sup>303</sup> Michael Tanner, Stephen Moore, and David Hartman, *The Work and Welfare Trade-Off: An Analysis of the Total Level of Welfare Benefits by State*, 240 POLICY ANALYSIS 3 (Sept. 19, 1995).

<sup>304</sup> Tanner, *supra* note 303 at 13, 16. Women, Infants, and Children’s Program provides vouchers for nutritional food supplements to women and children who are determined to be at “nutritional risk.” 42 U.S.C. § 1786 *et seq.*. Because the program has inadequate and capped funding, only a limited number of pregnant women and usually young children at risk receive the benefits. 1996 GREEN BOOK, *supra* note 2 at 927.

<sup>305</sup> Tanner, *supra* note 303 at 11-13.

<sup>306</sup> *E.g.*, the Food Stamp level is a higher figure for a family who receives no housing assistance, although the Report assumes that all families *are* receiving housing assistance. For a full discussion of this miscalculation and analysis of the Cato Institute Report, *see* Sharon Parrott, CENTER ON BUDGET AND POLICY PRIORITIES, THE CATO INSTITUTE REPORT ON WELFARE BENEFITS: DO CATO’S NUMBERS ADD UP? (1996).

<sup>307</sup> Tanner, *supra* note 303 at 10-11. In 1996, a National Academy of Sciences panel, in a report on how poverty should be measured, concluded that the value of *either* government or privately provided health insurance coverage should not be considered income. Constance Citro and Robert Michael, NATIONAL RESEARCH COUNCIL OF THE NATIONAL ACADEMY OF SCIENCES, MEASURING POVERTY: A NEW APPROACH 30, 67-69 (1995).

<sup>308</sup> Tanner, *supra* note 303 at 19-21.

<sup>309</sup> Douglas Turner, *Pataki Lobbies Washington to Defeat Bill Reducing U.S.; Welfare Aid to State*, THE BUFFALO NEWS, July 13, 1995 at 1A (“Unlike a brief visit Pataki made in February to attend a private dinner party and be a guest on CNN’s LARRY KING SHOW, Wednesday’s visit was a high-profile appearance beginning with a speech at the Heritage Foundation...”).

<sup>310</sup> Wayne Barrett, *Runnin’ Scared*, VILLAGE VOICE, DEC. 19, 1995 at A15 and *Inflating Welfare*, SACRAMENTO BEE, April 8, 1996 at B6.

<sup>311</sup> Marshall Ingwersen, *Welfare-Reform Sentiment Sweeps Through Statehouses*, CHRISTIAN SCIENCE MONITOR, March 6, 1992 at 1.

<sup>312</sup> *Id.*

<sup>313</sup> Robert Rector and William F. Lauber, AMERICA’S FAILED \$5.4 TRILLION WAR ON POVERTY (1995), discussed in Joan Beck, *12 Steps to Go Cold Turkey Off Welfare*, CINCINNATI ENQUIRER, Aug. 3, 1995 at A15; Senator Don Nickles, *Daschle Bill Perpetuates Welfare As We Know It*, CONGRESSIONAL PRESS RELEASES, Aug. 8, 1995.

- <sup>314</sup> See Representative Don Nickles, CONGRESSIONAL PRESS RELEASES, Dec. 12, 1995 (citing to Heritage Foundation study).
- <sup>315</sup> Matthew Bowers, *Warner Welfare Ad: Firm Numbers, Shaky Interpretation*, VIRGINIAN-PILOT, Oct. 22, 1995 at A5 (The ad reported that “America spends more on welfare than national defense, and over one-half of welfare recipients have been getting it for over eight years.”).
- <sup>316</sup> Lucy Morgan, *State’s Welfare “Wage” Is Way Above Minimum, Study Says*, ST. PETERSBURG TIMES, Jan. 19, 1996 at 4B.
- <sup>317</sup> See Hudson’s Leslie Lenkowsky’s recommendation to abolish welfare, which was then offered as a Democratic amendment to a Republican welfare “reform” bill. Lenkowsky stated that the AFDC program “should not be patched up because it was meant for a much different time;” Suzanne McBride, *GOP Turns Down Demo Amendment to Scrap Welfare*, INDIANAPOLIS NEWS, Jan. 27, 1995 at D02.
- <sup>318</sup> George Stuteville, *Hudson Institute Energized*, INDIANAPOLIS STAR, Jan. 22, 1995 at C01; Ben Rand, Gannett News Service, Jan. 18, 1995 (testimony before Indiana legislature that proposals for welfare cuts did not go far enough); Matt Pommer, *Welfare Tagged “Sucking Swamp” at State Hearing*, CAPITAL TIMES, July 13, 1994 at 3A. See also Bonna M. de la Cruz, *Analysts Dissect State Welfare Plan*, TENNESSEAN, Feb. 18, 1996 at 1A (Cato’s Tanner advises Tennessee Governor Don Sundquist, who introduced “welfare reform” including a Family Cap, and a five year lifetime limit with an 18-month limit per stay, to “get tougher.” “We should be telling women who have children out of wedlock that they can’t be eligible for benefits, period.”); Stephen Green, *Wilson Assails Dole’s Welfare Reform Bill*, SAN DIEGO UNION-TRIBUNE, Sept. 7, 1995 at A-4 (Reporting on Governor Wilson’s speech at the Heritage Foundation at which he evoked this image: “The tragedy is not just the 14-year-old girl who becomes an unwed mother...,” but that her daughter is likely to become an unwed teenage mother and her son “a 14-year-old triggerman for his teenage drug gang.”) Carolyn Lochhead, *Wilson Says Dole, Clinton Botched Welfare Reform*, SAN FRANCISCO CHRONICLE, Sept. 7, 1995 at A2.
- <sup>319</sup> Heritage Foundation, ANNUAL GUIDE TO PUBLIC POLICY EXPERTS (Robert Huberty & Barbara Hohback, eds. 1990). Smith, *supra* note 37 at 202.
- <sup>320</sup> Michael Dolny, *The Think Tank Spectrum*, EXTRA! 21 (May/June 1996). In fact, three of the top four cited think tanks were right-wing, with the American Enterprise Institute and the Cato Institute being third and fourth. *Id.* See *President Should Sign Welfare Reform Measure*, ATLANTA JOURNAL AND CONSTITUTION, Dec. 28, 1995 at 18A (In urging President Clinton to sign a bill which would cap welfare benefits at five years, cited to Heritage Foundation study which found that “children raised in families on welfare have cognitive abilities 20 percent lower than children of families off the dole. Working families, it seems, do a better job of instilling values, such as self-reliance, hard work and personal responsibility a [sic] values that are important predictors of later success in life.”).
- <sup>321</sup> *Welfare Reform*, HERALD-SUN (Durham, N.C.) Jan. 14, 1996 at A14; Amy L. Sherman, *Michigan Lessons of Looking to God for Welfare Reform*, DETROIT NEWS, Oct. 29, 1995. See also Mildred Hambleton, *Awaiting That Promised (Welfare) Break*, WASHINGTON TIMES, Oct. 29, 1995 at B4 (Heritage Foundation receptionist comments on how she pays her “hard-earned wages so millions of others don’t have to get up each morning and punch a time clock.”).
- <sup>322</sup> *Supra* text accompanying note 251 at 3.
- <sup>323</sup> Ellen Debenport, *With Federal Blessing, States Test New Welfare Programs*, ST. PETERSBURG TIMES, Nov. 12, 1995 at 3A.
- <sup>324</sup> Hardisty, *supra* note 269 at 3.
- <sup>325</sup> Jake Thompson, *Dole Faces More Trouble in Senate on Welfare Reform*, KANSAS CITY STAR, Aug. 11, 1995 at A7 (quoting moderate American Enterprise Institute’s William Schneider as saying “[i]t’s not the Democrats. If the Republicans agreed on a plan, it would have been passed.”) (emphasis added).
- <sup>326</sup> Mark Nollinger, *The New Crusaders--The Christian Right Storms California’s Political Bastions*, CALIFORNIA JOURNAL, Jan. 1, 1993.
- <sup>327</sup> MacDonald and Finholm, *supra* note 280 at A1. See also the critique by Representatives Talent and Faircloth and Heritage’s Rector (Governor’s plan is a “total capitulation to welfare-state advocates.”). Carl Horowitz, *Is Welfare State Here to Stay?*, INVESTOR’S BUSINESS DAILY, Feb. 26, 1996 at A1.
- <sup>328</sup> Gingrich, *supra* note 6 at 178-181.
- <sup>329</sup> Gingrich, *supra* note 6 at 121.
- <sup>330</sup> Tom Miller, *Congress’s Conservative Young Turks*, REASON, April 1985 at 46. Other REASON articles in this time frame continue to attack the concept of common ownership (James L. Payne, “When the Rich get Richer,” REASON, Feb. 1984 at 33, and the mismanagement and unnecessary nature of the Food Stamp Program. David A. Lips, “How to Get Out of the Food Stamp Trap,” REASON, August 1983 at 25.
- <sup>331</sup> Laura Flanders, *Why Read the Right? A Feminist Perspective*, EXTRA! 5 (March/April 1995). (describing Ellen Messer-Davidow’s investigation of how the Heritage Foundation marketed its health care policy).
- <sup>332</sup> Lind, *supra* note 6 at 84.
- <sup>333</sup> Of course, the Right also has an economic interest in insuring a steady supply of workers willing to take low-wage jobs. Sumner M. Rosen, *The True End of Welfare Reform*, NATION, April 3, 1995 at 456; Piven and Cloward, *supra* note 32 at 34, 209.
- <sup>334</sup> Michael Kinsley, *Class Warfare? Tell Me About It*, TIME, Feb. 6, 1995 at 80.
- <sup>335</sup> Jean V. Hardisty, *The Resurgent Right: Why Now?* unpublished manuscript (1995).
- <sup>336</sup> Himmelstein persuasively argues that the status politics analysis of conservatism is oversimplified and misleading. Himmelstein, *supra* note 4 at 72-74. But he recognizes that the common threads of the Old Right included strong support among Republicans, the business community and the affluent. *Id.* at 74-5.

