

# After Welfare

The Culture of Postindustrial Social Policy

SANFORD F. SCHRAM



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*To Joan*



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# Introduction

The chapters that follow offer a cultural critique of social welfare policy in the United States at the end of the twentieth century. While historically social welfare policy has reflected cultural norms, *fin de siècle* social welfare policy has proved to be a flash point for struggle over the fundamental cultural categories that undergird the social order. The end of the century has seen intensified concerns about the end of the industrial social order and the emergence of a new postindustrial set of social relations.<sup>1</sup> In the process, social welfare policy has become unusually freighted with cultural significance and has been enlisted in the effort to deny the changes that are occurring in work and family relations. Along with persistent poverty, growing inequality, and the collapse of the manual labor market, the traditional two-parent family has continued to dissolve and gender relations have undergone wholesale revision. Social welfare policy has been enlisted in what seems to be an eleventh-hour attempt to enforce the traditional values of work and family that have propped up what Nancy Fraser, Linda Gordon, and others have called the industrial “family-wage system” that is based on the traditional two-parent family in which the male “breadwinner” earns enough to support his wife the “homemaker,” and their children.<sup>2</sup> The ideal of the traditional family was never realizable for most families in the industrial era; with postindustrialism, it is no longer sustainable as an ideal. However, social policy has been enlisted to deny this reality and insist on the maintenance of the ideal. It is very much part of what Lawrence M. Mead has touted as the “New Paternalism.”<sup>3</sup> In the face of social change, this desperate new paternalism seeks to reassert the traditional values of work and family as if insisting on the old values would suffice to maintain the old arrangements. At the same time, this new paternalism denies that social changes in work and family have helped highlight the profound inequities of the old system, especially for women and minorities.<sup>4</sup>

While recent debates in social theory have often divided those who want to emphasize material issues of redistribution from those who put the stress

on cultural issues of recognition, in this book I pursue a path that assumes these are interrelated.<sup>5</sup> I agree with Andrew Ross when he writes:

The vast economic forces that take their daily toll on our labour, communities, and natural habitats are the most powerful elements in our social lives. The power with which they work on our world is exercised through cultural forms: legal, educational, political, and religious institutions; valued artifacts and documents; social identities; codes of moral sanctity; prevailing ideas about the good life; and fears of ruination, among many others. Without these forms, economic activity remains a lifeless abstraction in the ledgers and databases of financial record.<sup>6</sup>

The economy allocates material value in good part on the basis of what culture marks as valuable. In turn, the culture gets to assign symbolic value in good part on the basis of its relationship to the way the economy has allocated material value.<sup>7</sup> This interplay between the material and symbolic dimensions of life plays out in public policy in a variety of ways. “Guns or butter”: the aesthetics of materialism suggest the material consequences of aesthetics. Symbolism matters. The “welfare queen,” for instance, not only instigates the marginalization of public assistance recipients but enacts that marginalization in ways that have real material effects in the form of lower benefits, increased surveillance, and reduced economic opportunities. Identity matters.

My approach assumes that cultural contests have always been a significant dimension of social welfare policy. This approach takes seriously the idea that social welfare policy can be effectively understood as a hybrid, like everything else in the real world. Its hybridity comes from its being situated between culture and political economy. Social policies provide material assistance to people but are intended to reproduce cultural norms.<sup>8</sup> Therefore, in what follows I pay attention to the way the Defense of Marriage Act of 1996 has sought to maintain the legal privileges of the traditional family and heterosexual marriage even as I focus on the way the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 reformed public assistance for low-income families.

My critique employs culture in its own distinctive way. In invoking culture, I make the following assumptions: (1) culture is a critical ingredient making social interaction possible; (2) culture is manifested in the interpretive categories we use to make sense of the world; (3) these categories are grounded in oppositions; (4) a culture grows and develops through the linking of interpretive categories in one area to another; (5) new and unsettling

social developments, such as same-sex marriage or the increase of single-parent families, tend to be understood in terms of preexisting interpretive categories and conceptual oppositions, often by way of borrowed metaphors that link new developments to old practices; (6) while the process of cultural elaboration is necessarily biased and ideological, it can be reworked to create the conditions for positive social change; and (7) contesting the ways in which metaphors are applied from one area to another is an important cultural struggle that can have significant material consequences.

For me, therefore, culture is not so much a set of shared rituals, traditions, and values as it is shared ways of communicating, coding, and categorizing. It is akin to what J. M. Balkin calls “cultural software.” Balkin emphasizes that “people make sense of the cultural world not through isolated conceptual oppositions but through networks of linked conceptual oppositions.”<sup>9</sup> From this perspective, culture is an ideologically selective set of interrelated, nested oppositions that are often linked in unanticipated ways, as suggested by the homology of nature : culture :: reason : passion :: male : female. Each dichotomy operates through interdependent relationships with the other.<sup>10</sup> A culture’s nested oppositions operate ideologically as selective forms of power that reinforce hierarchies of privilege, often in unintended but nonetheless powerful ways.

In examining the culture of postindustrial social policy in this specific way, I ask how cultural anxieties leave their traces in the texts of social welfare policy. I find evidence for these cultural traces in unexpected connections between policy and culture, across various social practices, in the relationships of one discourse to another, on the relays between text and image, and through multiple levels of consciousness.

My analysis starts with the Republicans’ 1994 Contract with America as a critical document laden with its own cultural significance which provided the impetus for the changes that followed. I end with an examination of how the struggle for more socially responsible welfare policies can survive the current onslaught. These essays emphasize in particular that cultural power is manifested in established ways of expressing reality in discourse and that this not only affects social reality but is a force for making social welfare policy what it is. Whether it is “contract” or “dependency” or “insurance,” the ascendant cultural categories limit the possibilities of social welfare policy. Throughout, I emphasize that while the existing conceptual oppositions operate in conservative ways, they remain vulnerable to a deconstruction that suggests they can be reworked in order to better accommodate change and make possible a more inclusive,

tolerant, and caring social welfare policy. My intent is to show that this is a form of “word play” that can do important “norm work,” encouraging us to rethink what our social standards should be and how they should be applied. I hope to successfully demonstrate that this form of postmodern cultural theory constitutes an important way to combat the cultural biases empowering the current retrograde changes in social welfare policy.

## Contracting America

### *The Cycle of Representation and the Contagion of Policy Discourse*

Since I took office, I have worked to craft a new social contract.

—President Bill Clinton, July 14, 1999

The “Contract with America” was proposed by Republican congressional candidates during the 1994 elections. A superficial campaign device, this conservative document became the basis for rewriting the liberal social contract that has served as the foundation of the social welfare state since the New Deal of the 1930s. Within the framework of the ephemeral “Contract,” Congress passed and President Clinton signed into law the Personal Responsibility and Work Opportunity Reconciliation Act of 1996. This law abolished the federal entitlement for poor families by repealing the Aid to Families with Dependent Children program that was originally enacted with the Social Security Act of 1935.<sup>1</sup>

While the significance of the 1996 welfare reform law is not to be underestimated, in many important respects the problems of the conservative Contract lie not with the fact that it promoted legislation that rescinded a program of sixty years’ standing but rather with the way it has reinscribed the relations of power implicit in liberal discourse more generally. As reproduced in the *New York Times* shortly after the November 1994 elections, the “Contract with America” put forth ten promises made by Republican congressional candidates concerning legislative action they would undertake during the first hundred days of the 104th Congress. Here are the Republicans’ promises “in their own words,” to quote the *New York Times*:

1. *The Fiscal Responsibility Act*: A balanced budget/tax limitation amendment and a legislative line-item veto to restore fiscal responsibility to an

out-of-control Congress, requiring them to live under the same budget constraints as families and business.

2. *The Taking Back Our Streets Act*: An anti-crime package including stronger truth-in-sentencing, “good faith” exclusionary rule exemptions, effective death penalty provisions, and cuts in social spending from this summer’s “crime” bill to fund prison construction and additional law enforcement to keep people secure in their neighborhoods and kids safe in their schools.
3. *The Personal Responsibility Act*: Discourage illegitimacy and teen pregnancy by prohibiting welfare to minor mothers and denying increased AFDC for additional children while on welfare, cut spending for welfare programs, and enact a tough two-years-and-out provision with work requirements to promote individual responsibility.
4. *The Family Reinforcement Act*: Child support enforcement, tax incentives for adoption, strengthening rights of parents in their children’s education, stronger child pornography laws, and an elderly dependent care tax credit to reinforce the central role of families in American society.
5. *The American Dream Restoration Act*: A \$5,000 per child tax credit, begin repeal of the marriage tax penalty, and creation of American Dream Savings Accounts to provide middle-class tax relief.
6. *The National Security Restoration Act*: No U.S. troops under U.N. command and restoration of the essential parts of our national security funding to strengthen our national defense and maintain our credibility around the world.
7. *The Senior Citizens Fairness Act*: Raise the Social Security earnings limit which currently forces seniors out of the work force, repeal the 1993 tax hikes on Social Security benefits and provide tax incentives for private long-term care insurance to let older Americans keep more of what they have earned over the years.
8. *The Job Creation and Wage Enhancement Act*: Small business incentives, capital gains cut and indexation, neutral cost recovery, risk assessment/cost-benefit analysis, strengthening the Regulatory Flexibility Act and unfunded mandate reform to create jobs and raise worker wages.
9. *The Common Sense Legal Reform Act*: “Loser pays” laws, reasonable limits on punitive damages and reform of product liability laws to stem the endless tide of litigation.
10. *The Citizen Legislature Act*: A first ever vote on term limits to replace career politicians with citizen legislators.<sup>2</sup>

The Republicans stressed that these measures would impose standards of “common sense,” “business,” “family,” and “personal responsibility” on some future “out-of-control Congress” in order to reinforce and restore the

“American Dream.” By the end of 1996, parts of the Contract had become law, including welfare reform, which was enacted in full force. Yet, as the rhetoric surrounding the ten points suggests, the ultimate power of the Contract may be determined by more than its limited policy success.

The Contract was probably more successful in terms of what it represented—whether as electoral politics or policy agenda, as symbolic or material practice. Although there may have been a time when such distinctions were meaningful, the Contract’s ambiguous status as a “hybrid imagined agreement” highlights the way binaries such as politics/policy, symbolic/material, and the like fail to adequately represent what they describe.<sup>3</sup> In fact, the Contract’s ambiguous representational status as something between elite political posturing and popular policy agenda highlights the problem of representation in politics. In the case of the Contract, its politics lie in the terms it used to represent a policy agenda.

The Contract’s power and therefore its politics were to be found most especially in its relationship to the term “contract” as used in liberal policy, as well as legal and business, discourses. In what follows, I focus in particular on the “Contract with America” as a prime example of what J. M. Balkin calls “cultural software.”<sup>4</sup> My discussion illustrates Balkin’s argument that a culture develops by borrowing key metaphors and other interpretive practices and that these key devices arise out of and establish the ground for categorical distinctions. I suggest that the process of mimetic transmission in the Contract with America operates like a virus infecting one area with the biases associated with the metaphors and interpretive practices of another area.<sup>5</sup> I emphasize how the “contract” in the Contract with America has operated as a contagion of policy discourse.<sup>6</sup> I examine how the “contract” in the Contract with America has reinforced the idea that welfare recipients have failed to meet the basic threshold requirement of personal responsibility expected of full citizens of the contractual order.<sup>7</sup>

In particular, the concept of contract was especially important because it reinscribed a distinctive self as the kind of person assumed by a liberal society to be needed in so many settings: the contractual person.<sup>8</sup> The contractual person was the implicit standard used to enforce the idea of “personal responsibility” upon welfare recipients. The preoccupation with personal responsibility in turn has led to punitive results for welfare recipients, such as requiring all employable recipients, including even single mothers of young children, to find work and cutting off aid to families after five years regardless of how young their children are. The Contract has narrowed down the meaning of personal responsibility to not taking

welfare and having paid employment instead, regardless of mitigating circumstances.

Therefore, irrespective of its inability to achieve its entire agenda, the Contract is an important contemporary illustration of how liberal theory has become the “common sense” of the United States and how this common sense operates as a lexicon of signs, symbols, and images used to reinforce prevailing relationships of power. The liberal “common sense” of the conservative Contract, therefore, becomes a political subtext that needs to be questioned. This is not an apolitical literary exercise. Anne Norton has emphasized the political value of such analysis in her examination of liberalism’s unquestioned authority as the common sense of the contemporary United States:

Silence concerning the authority of language over the constitution of the self, the realization and expression of the will, permits liberal regimes to maintain the myth of the word, particularly the spoken word, as a neutral instrument for the utterance and realization of the individual will. It enables liberal regimes to maintain established hierarchies by predicating the achievement of equality and the establishment and maintenance of cultural difference on involvement in practices that obstruct or preclude these ends.<sup>9</sup>

The following analysis seeks to break that silence about the liberal politics of allegedly neutral contractual language by discussing its role in the conservative Contract with America. In the process, we can begin to see that even the conservative Contract with America has strengthened liberal contractual discourse and that that discourse has perpetuated biased notions of personal responsibility that reinforce the marginalization of people in need of public assistance.

### *Contracts and Diaries: Linguistic Dispatches to the Self*

April 7, 1995: Dear Diary, I promised you (or did I promise myself?) that I would log in the status of the Contract with America after the United States House of Representatives had voted on all its components.<sup>10</sup> Before I do that I cannot help but relay my reactions to this idea of “the contract.” I am struck by the many meanings of “contract,” especially for Americans living in the late twentieth century. “Contracting America,”<sup>11</sup> as the activity engendered by the contract, is unavoidably a multidimensional practice. Once we start contracting America, the question immediately arises as to whether

we will go all the way: privatize the country to subcontractors, retrench to a “two-thirds society,” or contract the disease that the contagion of policy discourse spreads.<sup>12</sup>

“Contracting America” is at least trebled in meaning—legally binding exchange, welfare state rollback, or disease.<sup>13</sup> The idea of contract serves the politics of today in various convenient ways: (1) the reassurances that come with business transactions between ostensibly free and equal parties; (2) the insistences derived from persistent political pressures to reduce the welfare state; and (3) the anxieties attached to contagious diseases, given the decline of immunology in a postantibiotic age. At a time when the modernist impulse to insist on airtight distinctions between nature and culture has broken down, contract becomes a hybrid simultaneously implying the symbolic and the material, if not the cultural and the natural.<sup>14</sup> It is a multipurpose term whose multiple resonances suggest a variety of possible responses, each of which can be said to “process” the idea of contract in a distinctive way.<sup>15</sup>

“Contract” in America, therefore, is a potent if unstable metaphor. In the United States contract is the metaphor of choice for legitimating much of what we do publicly and privately, in marriage, business, law, and social policy. Contract is a live metaphor (i.e., is used so often) because it is a dead metaphor (i.e., it has lost its figurative character and is seen as literal). Yet the power of contract lies in its articulation—that is, the extent to which it can be connected with so many different things as an expressed representation.<sup>16</sup> In the contractual society so much is about contract, even if diversely so, and the Contract with America is a quintessentially American discursive practice.

From campaign spectacle to policy agenda, this act of contracting America becomes, then, a paradigmatic example of the dangers associated with borrowing a metaphor across the overlapping, discontinuous discourses of business, law, and politics. Contracting America underscores how one discourse must of necessity invoke another, given the pervasive impossibility of getting beyond intertextuality. In the quest to use discourse as an attempt to make coherent the incoherences of public life or of life generally, one discourse trades on another, borrowing metaphors for justification, creating an inevitable layering of meaning. Contractarians would probably prefer the formulation that one discourse must inevitably contract with other discourses in order to create meaning. The “metaphors of contract” highlight the “contracts of metaphor.” Meaning becomes contingent upon the deferred promise of representation.