

Social Control Through Welfare Legislation

The Impact of a State “Suitable Home Law”

ROLAND J. CHILTON – *University of Massachusetts*

Unlike other federally assisted public welfare programs, the Aid to Dependent Children program has periodically been subjected to sharp political and journalistic attack. The themes of these attacks center around assertions that the program has encouraged illegitimacy and contributed to an increasing number of female-centered families.¹ Bound up in such criticism is the suggestion that the parents of many, if not most, of the children receiving public assistance are unworthy of it by reason of their conduct or their notions of proper conduct. Also included in this anti-ADC ideology are the sloganlike propositions that many poor women have illegitimate children simply to become eligible for ADC payments and that they have additional children to obtain increased payments.² A closely related assertion is sometimes made that the availability of ADC payments, or the way in which they are administered, causes many men to abandon their families or to live separately but nearby, and that the program in this way promotes and perpetuates matrifocal family patterns.³

AUTHOR'S NOTE: *Data used in this paper were collected as part of a study directed by Lewis M. Killian and supported in part by Grant 155 from the Welfare Administration, U.S. Department of Health, Education, and Welfare.*

While the central themes of such attacks on public assistance for needy children invariably focus on the sexual immorality and the deviant family patterns to which it is supposed to contribute, they also reveal a strong concern for the rising costs of the program. Implicit in much of the criticism of ADC has been the belief that the costs of the program could be substantially reduced if state governments would take some action to discourage desertion, sexual immorality, and illegitimacy.⁴

In response to this ideology, the welfare laws of several states were modified in the years from 1950 to 1960 in various attempts to limit access to the ADC program to specific classes of children without violating the provisions of the Social Security Act. The result of these efforts was a set of rather complicated and confusing eligibility statutes which were, in effect, social control mechanisms. Since most of these statutes have not been repealed and similar approaches may be proposed in the immediate future, it is important that individuals involved in the development of welfare legislation be informed of the consequences of earlier attempts to save money by building social control mechanisms into eligibility requirements.

The historical development of such laws and administrative regulations is clearly presented by Winifred Bell (1965). Although recognizing that, in the history of public assistance in the United States, there may have been a more or less continuous effort by welfare administrators to protect their programs by limiting assistance to "worthy" clients, she suggests that formal "suitable home" policies can be traced to developments, principally in the South, between 1950 and 1960. Beginning with "substitute parent" legislation in South Carolina, which purported to make men living with the mothers of dependent children legally responsible for the support of such children but which, in effect, simply made the children ineligible for public assistance payments, several southern state legislatures moved through a series of acts which culminated in the suitable home laws of Mississippi (1954, 1956, 1958), Florida (1959), and Louisiana (1960) [Bell, 1965: 93-110]. Most systematic examinations of these legislative acts have focused upon their logic or their legality. But the study which provided the data for this report examined the consequences of one such act for a set of families affected by it.

THE LAW

The example used in this investigation of a suitable home law consists of those passages of the Florida statutes governing eligibility for ADC. The passages, as they were amended by the 1959 legislature, specify that assistance will be granted to any dependent child living in a *suitable home* and that the State Board of Public Welfare shall evaluate the suitability of the homes in which dependent children live whenever a determination of eligibility is made. The act also lists seven conditions of the homes and states that the presence of any one of the conditions shall make the home unsuitable (Florida Statutes, 1965).⁵

Most of the conditions listed in the law consist of forms of parental conduct which involve the abuse, neglect, or exploitation of children. But the crux of the amended law is its provision which states that “having an illegitimate child after receiving a welfare payment” is a “condition” which makes the home unsuitable. Other “conditions” which make a home unsuitable include such parental misconduct as extramarital sexual activity—whether or not it results in the birth of an illegitimate child—and repeated convictions for disorderly conduct.

In addition, the law suggests that an effort may be made to improve the conditions which have made the home unsuitable. But it also specifies that when such an effort fails, the children in unsuitable homes are to be placed in the homes of relatives *or* as otherwise prescribed by law (Florida Statutes, 1965).⁶

This threat of placement, combined with the Department of Public Welfare’s subsequent determination that their direct responsibility for the suitability of a child’s home (as defined by the suitability amendments) ended if the child’s mother withdrew from the program, gave the law force and distinguished it from other eligibility statutes and from dependency and neglect laws which empower public welfare officials to intervene even if the parents are not participating in a public assistance program.⁷ Since the mothers of the children whose homes were questioned often correctly perceived that they had to choose between risking the loss of their children or withdrawing from the ADC program, several thousand withdrew.

In this way, the law had two important effects. It created the impression that the state's lawmakers wanted to improve the moral and physical environment of dependent children by attempting to control the conduct of their parents, and it initiated activity by the Department of Public Welfare which resulted in the loss of assistance to over 7,000 families, containing more than 30,000 children, during the first two years of its operation. In most cases, the children affected were living in homes where all of the eligibility requirements for ADC were met but where one or more of the children was illegitimate or where the welfare worker reported that the mother's past or present conduct of her sex life was not acceptable when examined in light of the spirit of the law.⁸

From this perspective, the law created a situation where the loss of public assistance funds was used as a sanction for prior conduct and as a mechanism for attempting to control the future conduct of families in need of public assistance. This development was consistent with the attacks on the ADC program which are presented above. Since support for these assertions usually consists of references to the number of illegitimate children in the ADC program, and the number of one-parent families involved, the law provided an opportunity for an empirical test of some of the central notions of the anti-ADC ideology. Rather than attempt an estimate of the extent to which ADC "encourages" illegitimacy and female-centered homes, the central questions of the investigation reported here involved the efficacy of the law in reducing illegitimacy and "discouraging" matrifocal family life.

THE METHOD

Perhaps the most effective way to assess the impact of such legislation would have been to undertake a prospective study, starting at the time the law was implemented, intended to follow specific individuals and families affected by the law for a specific period of time. While methodologically desirable, this was not possible for the investigation reported here primarily because there was no public debate of the issues before the law was developed. Moreover, the impact of the law was the result of a coalescence of

legislative action, administrative interpretation, and Department of Public Welfare policy. Only after it had been in operation for more than a year did public welfare officers decide to seek a formal evaluation of the "law in action." By then it was not only less costly but logically desirable to do a retrospective study.

The existence of case records compiled by the Florida Department of Public Welfare's State Review Team provided the information necessary to seek factual answers to the questions presented above.⁹ The review team maintained a card file and a file of folders for approximately 18,000 of the homes questioned under the law and another card file containing the names of 1,800 persons who withdrew from the program after questioning, but before a team decision. From these lists it was possible to select persons to be interviewed in an attempt to obtain the responses of persons representative of those affected by the law.¹⁰

An effort was made to find persons whose homes were found suitable, persons whose assistance was continued on a trial basis, and persons whose assistance was discontinued. In addition, a list of persons who were receiving ADC shortly before the interviews were done was used to obtain a sample of "active" cases. These lists were used to select people to be interviewed in all twelve welfare districts of the state.

Employing a person of the same race and sex as the person to be interviewed whenever possible, a rather lengthy interview schedule was completed for each respondent. A total of 1,610 usable interviews were obtained after a preliminary version of the schedule was tested on 100 women in Dade County (Miami) Florida. The interview schedule contained a number of open-ended questions, space for lists of children and husbands or boyfriends, and a number of "pre-coded" questions. Completed interviews were checked against a limited amount of information about each respondent taken from the Department of Public Welfare files to be sure that the right person had been interviewed. The analysis focused on the women's answers to specific questions and the comparison of answers to the items by women in selected categories.

FINDINGS AND CONCLUSIONS

In spite of the difficulties in the measurement of illicit sexual activity created by the private nature of the conduct involved, the results of the analysis suggest that changes in sexual conduct were probably minimal and that increased availability of contraceptive information might have been more efficient in reducing the number of additional children born to the women in the sample than the attempt to control their conduct by the discontinuation of assistance or the threat of discontinuation. This tentative conclusion is most convincingly suggested by the interview information concerning the number of illegitimate children born to the women in the sample and the number of pregnancies reported by those women who were unmarried or not living with their husbands as well as by the answers of all respondents to questions about their use of contraceptive equipment or procedures.

Difficulties in measurement were also a problem for those administering the program, with one result being the development of a situation where women who had not borne an illegitimate child and who did not choose to disclose information about their sex lives to public assistance workers were in a better position to be defined as persons with suitable homes than women who were less fortunate or less discrete. This is suggested most clearly by an examination of the ages of the women whose homes were classified as suitable and by the statements of respondents about the use and effectiveness of contraceptives.^{1 1}

AGE

Of the women 50 years of age or over, 62% were found in the suitable or active categories, while women in these categories constitute about 33% of the total sample. Moreover, proportionately more women under 30 were found in the unsuitable category than were found in the suitable or active classifications, although the difference is much greater between the suitable and unsuitable classifications than between the unsuitable and active categories (see Table 1).

TABLE 1
AGE OF 1607 RESPONDENTS BY SUITABILITY CLASSIFICATION

| Suitability classification | Age | | | | | | | | | | | |
|----------------------------|----------|-------|-------|-------|-------|-------|-------------|-------|-------|--------|--|--|
| | Under 30 | | 30-39 | | 40-49 | | 50 and over | | Total | | | |
| | % | (n) | % | (n) | % | (n) | % | (n) | % | (n) | | |
| Unsuitable ^a | 46 | (165) | 49 | (309) | 44 | (173) | 22 | (51) | 43 | (698) | | |
| Trial ^b | 5 | (19) | 5 | (33) | 4 | (14) | 3 | (7) | 6 | (73) | | |
| Withdrawn ^c | 24 | (86) | 18 | (113) | 14 | (55) | 11 | (25) | 17 | (279) | | |
| Suitable ^d | 5 | (19) | 10 | (64) | 16 | (61) | 24 | (57) | 12 | (201) | | |
| Active ^e | 18 | (66) | 15 | (94) | 21 | (82) | 38 | (89) | 21 | (331) | | |
| Other ^f | 1 | (4) | 2 | (13) | 1 | (4) | 2 | (4) | 1 | (25) | | |
| Total | 99 | (359) | 99 | (626) | 100 | (389) | 100 | (233) | 100 | (1607) | | |

a. Home classified as unsuitable. (The age of one woman in this category was unavailable.)

b. Home classified as unsuitable but assistance continued for trial period.

c. Home where a parent withdrew after explanation of law but before classification. (Age unavailable for two respondents.)

d. Home questioned and found suitable.

e. Cases selected from a list of payees from May, 1964.

f. Persons reported as having withdrawn from the program for reasons other than suitability.

This larger proportion of older women in the suitable category suggests that the test for morality was easier for older women to pass than it was for younger women and that an unexpected consequence of the law was the continued provision of assistance to older women for whom the question of sexual morality was less relevant. One would expect fewer cases of questionable sexual conduct, and less sexual activity in general, to be reported by older women. For this reason, our analysis of pregnancies and births attempted to take into account the ages of the women who had been interviewed.

SELF REPORT

After asking a number of questions about the women's first sexual experience and her first and last pregnancies, the interviewers asked: "Are you doing anything to keep from getting pregnant now, or are you already pregnant?" Since an affirmative answer or a statement that she was pregnant could be interpreted as an indication of sexual activity, this question and the question which followed it (asking about the contraceptive procedure used) provided an important indication of the impact of the law on sexual conduct.^{1 2}

To the extent that this question is indicative of the proportion of women in the sample who were engaging in sexual activity with men other than their legal husbands, it appears that the suitable home law did not effectively reduce illicit sexual activity. Table 2 indicates that, of the 881 women whose homes were found unsuitable or who reported loss of assistance for reasons covered by the suitability statute, 32% (286) were willing to report contraceptive use or pregnancy even though they were not living with their legal husbands at the time of the interview.^{1 3} Of the 729 women whose homes were found suitable or who withdrew prior to a team decision but reported that assistance had never been terminated for reasons related to suitability, just under 22% (159) reported that they were in similar marital situations and pregnant or doing something to keep from getting pregnant. In addition, Table 2 indicates that, when the analysis is limited to the 551 women who reported pregnancy or contraceptive use, there are some differences between the responses of women whose

homes were classified as suitable and unsuitable, but the differences are not striking. Women reporting contraceptive use were somewhat more likely to be unmarried or living in a common law relationship if their homes were classed as unsuitable rather than suitable. But the table totals suggest that this difference is less than five percentage points.

Since this indicator of sexual activity depends on the woman's own report and because it is an indirect question, it probably understates the amount of illicit sexual activity occurring. However, these questions do provide a valuable first indication of the sexual activity of women whose conduct the law was apparently intended to control. There is no way of knowing what their answers would have been to this question before the passage of the law, but it is clear that unsanctioned sexual activity occurred after the law and that it was undertaken by women whose homes were found suitable as well as by those whose homes were found unsuitable.

NUMBER OF ILLEGITIMATE CHILDREN

Although the information given by answers to questions about contraceptive activity provided no firm basis for concluding that the law did or did not reduce illicit sexual activity, there was a practical way to estimate the impact of the law on sexual conduct by turning from self-reporting procedure to an examination of the number of illegitimate children born to each woman. For each child born to her, each woman in the sample was asked if she was married to the child's father when she became pregnant. In addition, each child's age was obtained.

With this information, it was possible to compare the number of illegitimate children born to these women before and after the law was passed. If the number of such pregnancies was affected by the law, there should have been fewer illegitimate pregnancies and births after passage of the law than before passage. To test this proposition, the number of illegitimate children under six years old was compared with the number at least six but under thirteen years old.¹⁴ Had the law produced a dramatic decrease in the amount of illicit sex activity, it would have been reflected in this comparison, as the law had been in effect for four to five years at the time of the interviews.¹⁵

TABLE 2
 TYPE OF CONTRACEPTIVE REPORTED BY 551 RESPONDENTS
 BY SUITABILITY CLASSIFICATION AND MARITAL STATUS

| Type | Unsuitable ^a | | | | Suitable ^b | | | | | |
|--|------------------------------|-------|------------|------------|------------------------------|-------|------------|------------|-----|-------|
| | Single or common law % | (n) | Legal % | Total % | Single or common law % | (n) | Legal % | Total % | | |
| Conventional ^c | 84 | (186) | 16 | (35) | 79 | (103) | 21 | (28) | 100 | (131) |
| Surgery | 89 | (51) | 11 | (6) | 68 | (21) | 32 | (10) | 100 | (31) |
| Not specified, other, folk techniques | 88 | (22) | 12 | (3) | 93 | (26) | 7 | (2) | 100 | (28) |
| Pregnant at interview | 60 | (27) | 40 | (18) | 69 | (9) | 31 | (4) | 100 | (11) |
| Total | 82 | (286) | 18 | (62) | 78 | (159) | 22 | (44) | 100 | (203) |

a. Cases described in notes a and b of Table 1 and those women described in note c, Table 1 who reported loss of assistance for reasons related to suitability.

b. Cases described in notes d, e, and f of Table 1 and those women described in note c, Table 1 who reported that assistance had never been terminated for reasons related to suitability.

c. Includes creams, jellies, foam, tablets, suppositories, oral, douche, rhythm, condom, diaphragm.

Table 3 indicates that women in the sample who were over 19 and under 40 years old reported 1,179 illegitimate children at least 6 years old, but under 13, in contrast to 1,004 illegitimate children under 6, and 43 pregnancies reported by women not living with their legal husbands. This suggests that the suitable home law had little overall impact on the number of children born to women in the target population.

Moreover, of the women whose homes were questioned, the interview information suggests that the law was little more successful in controlling the conduct of those whose assistance was discontinued as a result of the law than it was in controlling the conduct of women whose assistance was continued. Table 4 presents a comparison of the number of illegitimate children between six and twelve years old (per woman) with the number under six in four age categories and three suitability classifications.

In one sense, Table 4 emphasizes the accuracy of the selection process which was followed by Florida's public assistance officials in that the suitability category with the lowest rate of illegitimate children between 6 and 12 years old was also the category with the lowest rate of illegitimate children under six. Women whose homes were classified as suitable had fewer than one illegitimate child age 6 through 12 per respondent (.84) and an equally small number of illegitimate children under six per respondent (.81). But women whose homes were classified as unsuitable (assistance discontinued) had approximately 1.7 illegitimate children age 6 through 12 per respondent and 1.4 illegitimate children under 6 per respondent.

This indication in the unsuitable category that there were 18% fewer illegitimate children under 6 years old per mother than there were children age 6 through 12 per mother suggests that the law may have reduced illegitimacy by a similar amount for other women in this category. An examination of Table 4 also suggests that the law reduced illegitimacy by 7% among women whose homes were found unsuitable but where assistance was continued and that it had somewhat less impact (a decrease of 3.5%) on women whose homes were found suitable.

However, an examination of the rates for each age group calls into question any conclusions based upon comparisons of combined suitability groups. For example, among women in the

TABLE 3
NUMBER OF ILLEGITIMATE CHILDREN UNDER SIX YEARS OLD AND THOSE SIX THROUGH TWELVE REPORTED BY 953 RESPONDENTS, BY AGE OF RESPONDENT^a

| Age of respondent | Number of Illegitimate Children under 13, by Age | | | | | | | | | | | |
|-------------------|--|-----------------------------|-----------|-----------|---------------------|---------------|--------------------------|------------|------------|----------|----------------------|---------------------------|
| | Number of women | Number pregnant, no husband | Under one | 1-5 years | Total under 6 years | | Percentage under 6 years | | 6-12 years | | Total under 13 years | Percentage under 13 years |
| | | | | | 6 years | under 6 years | 6 years | 6-12 years | 6-12 years | 13 years | | |
| 20-24 | 91 | 6 | 19 | 108 | 133 | 72 | 52 | 28 | 185 | 100 | | |
| 25-29 | 247 | 13 | 33 | 282 | 328 | 49 | 339 | 51 | 667 | 100 | | |
| 30-34 | 334 | 14 | 41 | 302 | 357 | 44 | 447 | 56 | 804 | 100 | | |
| 35-39 | 281 | 10 | 16 | 203 | 229 | 40 | 341 | 60 | 570 | 100 | | |
| Total | 953 | 43 | 109 | 895 | 1047 | 47 | 1179 | 53 | 2226 | 100 | | |

a. Women under 20 and over 39 years of age were not included in this analysis.

sample over 25 but under 30, it appears that the number of illegitimate children (per woman) age 6 through 12 was essentially the same as the number of illegitimate children (per woman) under 6 years of age. On the other hand, for the age group 30 to 34 there were approximately 20% fewer illegitimate under 6 per woman than there were illegitimate children 6 through 12. And for the age group 35 to 39 there were 33% fewer younger illegitimate children per mother than there were illegitimate children age 6 through 12 per mother.

This lower rate of illegitimate children under 6 years old for older women is not surprising and is countered by the indication that the number of illegitimate children under 6 (per mother) for the youngest age group (20 to 24) was one-and-a-half times as high

TABLE 4
NUMBER OF ILLEGITIMATE CHILDREN AGE SIX THROUGH TWELVE
(per woman) AND THE NUMBER OF SUCH CHILDREN UNDER
SIX YEARS OF AGE (per woman) REPORTED BY 953 RESPONDENTS^a

| Mother's age | Children Six Through Twelve per Woman (by suitability classification) | | | |
|--------------|--|-----------------------------------|-----------------------|----------|
| | Unsuitable ^b | Unsuitable continued ^c | Suitable ^d | Combined |
| 20-24 | .71 | .64 | .45 | .57 |
| 25-29 | 1.75 | 1.33 | 1.14 | 1.37 |
| 30-34 | 1.74 | 1.44 | .84 | 1.34 |
| 35-39 | 1.91 | 1.01 | .70 | 1.21 |
| Combined | 1.74 | 1.20 | .84 | 1.24 |
| Mother's age | Children Under Six per Woman ^e | | | |
| | Unsuitable | Unsuitable continued | Suitable | Combined |
| 20-24 | 1.76 | 1.58 | 1.21 | 1.46 |
| 25-29 | 1.74 | 1.18 | 1.17 | 1.33 |
| 30-34 | 1.31 | 1.18 | .73 | 1.07 |
| 35-39 | 1.29 | .73 | .43 | .81 |
| Combined | 1.42 | 1.12 | .81 | 1.10 |

- a. Women under 20 and over 39 were not included in this analysis.
- b. Women whose homes were classified as unsuitable and who reported loss of assistance for reasons related to suitability.
- c. Women whose homes were classified as unsuitable but who reported no loss of assistance.
- d. Women whose homes were not classified as unsuitable.
- e. Rates include 43 pregnancies reported by women not living with their husbands.

as the number of illegitimate children age 6 through 12 (per woman). The rates of illegitimate children under 6 for this younger set of women are also quite similar to the rates of illegitimate children age 6 through 12 of the 25 to 29 age category. Taken together, this information suggests: (1) that age and (2) having previously had illegitimate children are the most important predictors of additional illegitimate children for women in this situation. In general, the analysis of the number of illegitimate children born before and after passage of the law suggests only a very modest decrease in the illegitimacy rates for most categories of women affected by the law, but the reader's attention is again called to the caution presented in note 15.

FAMILY STABILITY

As an alternative measure of the amount of family stability which might be attributed to the suitable home law, one might use the number of marriages which followed the Welfare Department's administration of it, rather than the number of illegitimate births reported before and after its passage. To the extent that the ADC payments alone worked against marriage and the establishment of a two-parent family, we would expect to find that discontinuation of assistance would produce a number of marriages and that these marriages would be stable enough to last until the interviews were undertaken for our study some four or five years later.

Several questions were included in the interviews in an attempt to determine marital status of the women selected. At one point, each woman was asked about the men to whom she had been married or with whom she had lived and about the type of separation involved, if any, in each such union. This list of "husbands" probably provided the best indication of the woman's marital status. Using it in combination with other indicators, it was possible to separate the respondents into those who were legally married and living with their husbands at the time of the interview and those who were either not married or not living with their husbands at the time of the interview.

Of 1,610 women who were interviewed, 313 respondents indicated that they were married and living with their husbands. An additional 79 women reported a common law relationship,

including 5 who reported a man in the house whom they described as their husband at one point in the interview. In the discussion which follows, only those women who said they were legally married and living with their husbands are classified as women having stable marriages.

How many of the 313 legal marriages reported may be attributed to the suitable home law? To attempt an answer to this question it was necessary to take into account those women who were married prior to 1960 and those who gave marriage as the reason for discontinuation of the ADC grant. Of the 313 women who were married at the time of the interview 151 were married after 1959 and 155 were married in 1959 or an earlier year.¹⁶ However, of the 151 marriages which occurred after passage of the law, 28 reportedly occurred prior to discontinuation—that is, the woman's marriage was given as the reason for discontinuation of ADC. Another 48 of these 151 mothers said they were never "cut off"; 8 women said no reason was given, and 30 said it was discontinued for other reasons which were unrelated to suitability or that it was no longer needed.¹⁷

This information suggests that from 37 to 123 of the 151 marriages which occurred after 1959 might have occurred as a result of the suitable home law. The exact number of the marriages which may be attributed directly to the operation of the law is, of course, impossible to ascertain. Moreover, since 12 of the women who married after 1959 were women whose homes were classified as suitable, 4 were women who withdrew from the program for reasons unrelated to suitability, and 7 were women whose homes may never have been questioned, it is reasonable to assume that a certain number of marriages by women whose homes were found unsuitable would have occurred regardless of the finding of unsuitability.

In view of these estimates, it would be an overstatement to say that the suitable home law produced a sizable number of stable marriages. When these percentages are applied to the total number of families affected by the law, it appears that it was necessary to discontinue assistance to approximately 9,000 families in order to produce somewhere between 450 and 1,200 marriages. It is unlikely that the operation of the law resulted in more legal marriages than this and quite likely that the number which could

clearly be classified as a direct result of the law would be much smaller.

Perhaps of equal importance is the fact that the interview information suggests that another 5% of the respondents reported that they took a boyfriend or another boyfriend or established a nonlegal union when their assistance was discontinued.¹⁸ When applied to the total number of families whose assistance was discontinued or who withdrew after being told about the law, this percentage indicates that from 220 to 400 nonlegal unions may be attributed to the operation of the law in addition to the stable legal unions.

The foregoing discussion of the relatively slight impact of the suitable home law on sexual activity, illegitimacy, and marriage and family stability suggests that welfare legislation of this type is at best a questionably effective technique of social control. The law, although administered positively and conscientiously by the Department of Public Welfare for at least eighteen months, apparently did not result in any large number of stable, independent, two-parent families. To the extent that the data gathered in this study are indicative of births experienced by the larger set of women affected by the law, it did not appreciably reduce the number of illegitimate children born to women in most categories of the target population, and it apparently did not discourage illicit sexual activity by those women whose assistance was discontinued or even by those women whose children continued to receive assistance.

OTHER CONSEQUENCES

Initially, the law appears to have reduced the cost of public assistance in Florida by approximately \$5 million per year, with 82% of this sum consisting of savings to the federal government.¹⁹ In achieving this short-range economy, the law also appears to have increased the hardships experienced by many dependent children and to have increased the amount of time their mothers spent working away from home. Although 19% of those whose assistance was discontinued said termination made no difference in the way they lived, 63% gave answers indicating that it made some difference and 18% suggested that it made "a lot" of difference. Some mothers mentioned falling behind in the payment of bills,

others mentioned having less money for food, a smaller number mentioned having less money for clothes, school supplies, and similar expenses, and 2% said they had to move.

The implication of this information and that supplied by the responses of the mothers to a number of other questions in the interview schedule is that the law resulted in special financial hardships for some families, in more time being spent at work for some mothers, and consequently less time and money was available for the care and training of the children involved.

Finally, one potential consequence of the law did not materialize: relatively few children were removed from homes labeled as unsuitable, and only a small number of children were given up by their mothers. The nine women who said they gave up their children as a response to loss of assistance constitute approximately one percent of the women in the sample whose assistance was discontinued. Perhaps another one-half percent of the children affected by the law were removed from their homes by court action. Clearly, the overwhelming majority of the children who were living in homes which were described as unsuitable when the law went into effect were still living in similar homes with their mothers at the time of the interviews. In this sense, the law simply did not reduce the number of children in unsuitable environments or create more desirable home situations for them.

In general, it appears doubtful that the law accomplished the goals its wording suggests. Instead it provided an additional eligibility requirement which, by its nature, could not be administered fairly and consequently meant that a number of children similarly situated in relation to the basic purpose of the ADC program would be treated differently because of factors which were unrelated to their needs as dependent children. However, since the study was of necessity retrospective, and in view of the problems of recall and the private nature of the conduct being investigated, these conclusions must be regarded as tentative.

Future attempts to assess the impact of legislation should not overlook the potential utility of a prospective or longitudinal study. Such a procedure, if used to assess the impact of a "work requirement" in income maintenance legislation, for example,

would involve the identification of potentially eligible families so that relevant information could be obtained from some of them prior to the law's implementation. Periodic contact thereafter ought to provide a reasonable indication of the way in which the law was administered and of its consequences for those affected by it.

Nevertheless, a reasonable hypothesis suggested by the data examined in the suitable home study is that future approaches to public assistance which attempt to control the private and personal conduct of persons in need, or which attempt to shape family life through welfare legislation, will not result in effective social control but will simply impose additional, unnecessary hardship on the poorest segment of the U.S. population.

NOTES

1. The program was renamed Aid to Families with Dependent Children in 1962 but is referred to as ADC throughout this report for simplicity.

2. For an openly hostile article, see Stevenson (1961). For a less critical article, see Gross (1960).

3. For a sympathetic analysis of some of the weaknesses of the ADC program, see Schorr (1960; 1962).

4. In some states this emphasis may have primarily reflected an interest in lower taxes. But in the South, where suitability legislation achieved wider acceptance, there is reason to believe that anti-Negro sentiment played an important part in the development of such legislation. For a discussion of the subtle role of race in the development of punitive welfare legislation, see Paul (1968).

5. See Sec. 409.18.

6. See Sec. 409.18.

7. The staff felt that they were precluded by law from continuing to work with these families. Their decision to keep records of such cases and their request for an investigation into the impact of the law indicated their concern for the welfare of the families involved.

8. In practice, an illegitimate child was taken to mean any child not fathered by a woman's legal husband, including children born as the result of common law marriages, unless the marriage was registered as provided by law.

9. To use the training and experience of its staff, to facilitate record keeping, and to minimize arbitrary and prejudicial judgments, the Department of Public Welfare established a State Review Team to make final decisions on the suitability of homes considered questionable by local welfare workers.

10. The preservation of these records also reflected the concern of the department staff for dependent children even when these children ceased to be active cases. Without these lists and the generous cooperation of the staff of Florida's Department of Public Welfare, the study would not have been possible.

11. An example of this is the 35-year-old mother of two children who had been separated from her husband for several years who told an interviewer that she had never been "cut off," and who later in the interview, when asked what she was doing to keep from getting pregnant, said she was using a diaphragm. Asked if she thought it would work, she said, "Yes, it has worked for years."

12. An affirmative answer did not necessarily imply illicit sexual activity because 19% of the women responding affirmatively reported that they were legally married and living with their husbands. However, 81% of the women who stated that they were currently doing or using something to prevent pregnancy or that they were already pregnant were either single or living in common law relationships. The 41 common law marriages are included in this total because the children of such unions would probably be classified as illegitimate by Florida law.

13. Table 2 presents information for 551 women who reported contraceptive efforts. A total of 881 women had homes which were designated as unsuitable. Of these, 699 were women whose homes were classified as unsuitable, 73 were women whose assistance was continued on trial basis and 109 were women classified as having withdrawn prior to a review team decision but who reported that their assistance had been "cut off" for reasons related to the suitability amendments. Suitable cases were those in the remaining categories in Table 1 and 172 women in the "withdrawn" category who reported no loss of assistance for reasons related to suitability.

14. The period covered by ages six through twelve is seven years in contrast to the six-year period covered by ages under one through five. This is partially offset by the treatment of pregnancies reported as illegitimate children by single women or women not living with their husbands.

15. It would, of course, be naive to assume that the number of illegitimate children is a sufficient indication of fewer nonmarital sexual unions because of the obvious importance of contraception in the prevention of pregnancy. There might be substantially fewer illegitimate children after passage of the law as a result of increased use of contraceptive measures without any decrease in the amount of extramarital sexual activity. However, the number of illegitimate children is probably a good indication of illicit sex for women to whom birth control procedures are unknown or misunderstood. The answers provided in those sections of the interviews which dealt with contraceptive practices indicated how little use these mothers made of effective contraceptive procedures and how little they understood about them. Therefore, it was not entirely naive to use this comparison as an indication of the lack of dramatic changes in sexual activity as a result of the law.

16. The year of marriage was not obtained in seven interviews.

17. This procedure for estimating the number of marriages which occurred before or after passage of the law provides only a rough approximation of the number of marriages which occurred after discontinuation of assistance because some respondents did not lose the assistance until 1960 or 1961.

18. Responses to a question about their action after loss of assistance suggested that eight percent of all those whose assistance was discontinued married to make up for the lost check in addition to the five percent who entered into nonlegal unions.

19. Although the formula used to compute the amount of federal matching funds changes from time to time, for the years since 1957 the federal share of the cost of Florida's ADC program was approximately 82%.

REFERENCES

- BELL, W. (1965) *Aid to Dependent Children*. New York: Columbia Univ. Press.
- GROSS, L. (1960) "Are we paying an illegitimacy bonus?" *Saturday Evening Post* 232 (Jan. 30): 30.
- PAUL, J. (1968) "The return of punitive sterilization proposals: current attacks on illegitimacy and the AFDC program." *Law & Society Rev.* 3 (August): 77-106.
- SCHORR, A. L. (1962) "ADC—what direction." *Child Welfare* 41 (February): 72-78.
- (1960) "Problems in the ADC Program." *Social Work* 5 (April): 3-15.
- STEVENSON, C. (1961) "Children without fathers: the shocking truth about the ADC program." *Readers' Digest* 79 (November): 72-80.