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PUBLIC MORALITY AND PUBLIC POLICY: THE CASE OF CHILDREN AND FAMILY POLICY

William A. Galston*

I. INTRODUCTION

I approach this topic as a representative of an administration that has done its best to wrestle with problems surrounding the future of the family. We have had some successes that are unheralded and some failures that are all too public. I would like to talk about the successes, the failures, and the prospects for the future in this area from a broad perspective, because family policy is an area that cries out for the fullest possible contextualization of the problem and the most pluralistic possible approach to the solutions.

Family policy is contested terrain for many reasons, but this article will concentrate on three. First, the evidence is complex, incomplete, imperfect, and hard to decipher. People will read it differently.

Second, there are differing conceptions of the ways in which responsibility is to be attributed and allocated in our society. For example, to what extent are we talking about: (1) the responsibility of individuals; (2) the responsibility of families, however configured; (3) the responsibility of neighborhoods, communities, and voluntary organizations; and (4) the responsibility of society as a whole, exercised through the formal institutions of government? The Catholic theory of subsidiarity, which holds that responsibility begins at the smallest units of society and expands to public institutions only when these units cannot solve their own problems, may be helpful in conceptualizing a response to these questions.

Third, family policy is contested terrain because of the societal debate today about appropriate gender roles and relations; about parental authority versus children versus the

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state; about the appropriate role of government; and finally, about differing conceptions of what equity and justice may require.

As a starting point, let me declare my own philosophical position as briefly as possible. I believe that we live in a world in which the things that we value are not only plural, but also conflicting. We cannot have in full measure all of the good things that we want. Most debates in public policy, and most choices in life, are not between good and bad. They are between good and good — between some worthy aims and other worthy aims. We are compelled to decide what is more important and what is less important in specific circumstances within particular dimensions of our existence.

Many different kinds of questions can be posed to assist us, or perhaps to mislead us, in making such decisions. With regard to what is called “family policy,” here is my question: What would we do if we really want to create a society that puts children first, that allows every child the maximum feasible scope for the development or actualization of talents and personal relationships and the ability to make use of those developed talents and relationships in a way that is personally gratifying as well as socially beneficial? If we take that question seriously, many other worthy aims may have to give way to some extent, which include aims that men and women, as parents, may value.

It is my holding that there is no necessary harmony, at all times and in all circumstances, between the well-being of parents and the well-being of children. Families, however configured, are an area in which interests both overlap and conflict in significant ways.

By way of introduction, the final issue that I would raise is that in a democratic society we are compelled to reflect on the public culture of that society. We can, of course, draw moral principles from our scholarly work and from our philosophical speculation, which is entirely appropriate. But, there are also moral principles at work in the culture as a whole. The balance that is to be struck between our private philosophical or scholarly conceptions of what is just, or where responsibility lies, for example, and what the public culture of society believes about those same issues is an important question. I would submit that in a democracy, we are not free to ignore the public culture in which people believe.

We cannot end our moral and practical reflection with that, but we must take it into account.

II. THE DECLINING WELL-BEING OF CHILDREN: TRENDS AND EXPLANATIONS

We are living in a period in which the well-being of children and young people is demonstrably declining in many, though not all, ways. Whether you look at educational attainment, suicide rates, homicide rates, youth crime, violence, or adolescent mental illness, our children and our young people are not fairing well. Furthermore, they are not doing very well economically. Child poverty is high and rising overall, with more than one in five children now living in poverty. For children younger than six, that figure is one in four, and for children in homes with one or two parents under the age of thirty, the figure is one in three. For African-American children, the figure is almost one in two. Overall, the rate of poverty for children is twice as high as it is for the elderly. This is unprecedented in our own history, and it is aberrant by international standards.

An important issue to consider is what can explain this decline in the well-being of children? As mentioned earlier, we need the fullest possible contextualization of what is happening to children and families. I believe there are four factors: profound economic changes, changes in family structure, cultural changes, and failures of public policy.

A. *Profound Economic Changes*

The dimension of economic change is absolutely fundamental in understanding what is happening. In an era of global economic competition and innovation that is driven by technology and information, we see declining wages for the less well-educated and trained workers. We also see a decline in manufacturing employment, which is where many of these workers in previous generations found a method of maintaining a decent existence. Finally, we see the hollowing out of many urban economies, in part as a result of changes in the manufacturing sector. All of these trends have combined to exert pressure on family incomes, many of which have been declining in real terms over the past twenty years.

B. *Changes in the Family Structure*

During this same period, there have also been profound changes in family structure. The rate of divorce nearly tripled between 1960 and 1985, and then stabilized at a rate more than twice as high as any other industrialized democracy. Out-of-wedlock births, particularly to women under the age of twenty, have roughly quintupled.

These developments matter economically, and they matter for children. An accumulation of empirical evidence points in the direction of such a conclusion. One study indicates that if family structure today were roughly the same as it was in 1960, the child poverty rate would be one third lower. More than fifty percent of the increase in child poverty since 1980 alone is attributable to changing family structure. Family structure is a strong enough variable to largely counteract the effects not only of race and ethnicity, but also of education.

For example, the family income of two-parent African-American families is almost triple the family incomes of single-parent white families. Not surprisingly, child poverty rates in single-parent white families are almost three times the child poverty rates in two-parent African-American families. In two-parent families in which parents have no more than a high school education, seven percent of children are living in poverty. For one-parent families of that description, forty-one percent are living in poverty.

Another example is drawn from the Anne E. Casey Foundation's 1993 edition of *Kids Count*, which compares two categories of children.¹ In the first category, the parents graduated from high school, waited until the age of twenty to have children, and got married before they did so. In the second, the parents did none of those things. In the first category, eight percent of kids are living in poverty. In the second, seventy-nine percent are living in poverty.²

As I read the evidence, which is of course eminently contestable, divorce does matter even after you take income into account. The same conclusion is reached when looking at teen parenthood matters.

1. ANNE E. CASEY FOUNDATION, *KIDS COUNT DATA BOOK 13* (1993).

2. *Id.*

C. *Cultural Changes*

My third contextual point is public culture. We cannot have a serious discussion of these matters without talking about the influence of television on family life and on our children's lives. A public opinion survey conducted on behalf of the Mass Mutual Insurance Company a few years ago came up with the following dramatic finding: when parents were asked what the single most important influence on their children's lives was, more than half answered "television." When they were then asked what they think the most important influence in their children's lives ought to be, roughly two percent gave that answer. This is a huge problem that we have not adequately addressed as a society. Society seems to be ignoring what is being shown during prime time when young children are awake; how seductive these shows are to them; how constant the struggle is between parents and children and television; and how wrong it is that this is being defined as a struggle between parents and children with little or no societal response.

D. *Failures of Public Policy*

The fourth contextual dimension is failed public policy. From the standpoint of families and children, our tax code is a disaster. Our policies with regard to work and family are wholly inadequate. Moreover, we have a huge problem in the area of welfare that we can no longer avoid addressing.

III. THE CHILD AND FAMILY POLICIES OF THE CLINTON ADMINISTRATION

Let me now discuss some responses to these challenges, speaking as a representative of an administration that has done its best to address them.

First, although work is not a panacea, it is very important in this society as it is in most societies. Outside the home, the Clinton administration has contributed to the creation of more than six million jobs and to a significant reduction in unemployment rates from close to eight percent to about five and one-half percent. African-American unemployment is at its lowest level in a generation.

However, there are millions and millions of individuals who work full-time outside the home for the entire year who

do not earn a living wage for themselves and for their families. The Clinton administration has addressed this problem through a \$21 billion increase in the earned income tax credit. This credit is designed to close the gap between market wages for the working poor and what is needed to escape poverty. In addition, the Clinton administration has put in place some place-specific economic measures as well. These include not only 100 empowerment zones and enterprise communities, but also controversial but necessary efforts to make sure that capital can flow fairly to all regions of the country. These regions include urban communities that have been red-lined for housing, small business creation, and other societal purposes.

This administration has also tried to shape policies to reflect the realities of the new economy. In this economy, unlike its predecessor, what you can earn is no longer a function of brawn, but rather of brain. This consists of what you know and of the skills and talents that you have developed. The administration has put in place a comprehensive agenda for lifelong learning involving public school reform, apprenticeships for young people who are not going on directly to traditional colleges and universities, and a number of reforms of the student loan program designed to make loans for post-secondary education and training far more accessible and affordable than ever before. Furthermore, the administration is also proposing a tuition tax deduction. If corporations can deduct for the investments that they make, why can't families? Why can't parents? Why can't young people who are on their own and investing in their own futures? The proposed tuition tax deduction would help rectify this imbalance.

As mentioned earlier, the absence of a family-friendly tax code is one of our country's major social failures. If you compare today's system to the one we had in the 1940's, you see immediately that there has been a dramatic movement away from the idea that society values children and the raising of children. Forty years ago, the personal deduction for children was so high a percentage of median income that families of four essentially paid no income taxes. Our society has allowed this family benefit to erode over the past four decades, and this has greatly contributed to the financial pressures endured by families and this administration. To remedy this, the administration has proposed a \$500 per child tax credit

targeted to the younger years, specifically in working and middle-class families, rather than to wealthy families that clearly do not need the money.

The administration has also taken steps to relax the tension between work and family. The very first bill that President Clinton signed into law was the Family and Medical Leave Act.³ He further supported this bill in 1994 with an Executive order designed to make the Federal Government a model employer by offering opportunities such as job sharing, part-time employment, more flexible schedules, and telecommuting. Moreover, Clinton has done his best in difficult fiscal circumstances to increase the funding available for supported child care.

The administration has worked to give infants and children a decent start, because the past trend of only starting to pay attention when they reach first grade is five years too late. During his 1992 campaign, President Clinton promised full funding for the "Women, Infants and Children Program," and if his 1996 budget proposal is accepted, he will have achieved that goal. He promised an expansion of the food stamp program, and he delivered it. He promised an immunization program so that preschoolers would not go without necessary immunizations, and in the face of massive criticism and continuing resistance from drug companies and others, he has moved forward on that. He has also reformed and expanded Headstart.

Furthermore, children would have been prime beneficiaries of President Clinton's proposed health care reform plan if it had passed. In the future, incremental health care proposals will focus on expanded coverage for children. We cannot allow a situation to persist in which eight million children in our society are left without health insurance and medical care on which they can rely.

The administration has created a new program designed to assist families under severe stress, where there are issues of violence or the threat of violence involved, and all fifty states are now participating. The President took the lead to facilitate adoptions of needy children so that issues of race and ethnicity are placed in proper perspective and are no

3. Family and Medical Leave Act of 1993, Pub. L. No. 103-3, 107 Stat. 6 (1993) (codified at 5 U.S.C. §§ 6381-6387, 2105 and scattered sections of 29 U.S.C.).

longer allowed to serve as bases for delaying and denying an adoption.

One of the major problems afflicting our children is violence, which they experience in homes, on the streets, in schools, and on the way to school. The administration responded with a comprehensive crime bill, adopted after a difficult political struggle in 1994. And, over the opposition of the new majority in Congress, the administration is trying to preserve a major new movement to ensure that our schools are safe and drug-free.

The problem of television and appropriate media messages raises additional difficult issues. Government can at least initiate a dialogue on this topic and continue to be consistent with the rights guaranteed under the First Amendment. For example, the Clinton administration has refocused public attention on the Children's Television Act of 1990,⁴ which, for the first time, established some national standards for the amount and quality of children's programming that should be available during hours that are appropriate for children.⁵ In contrast, previous administrations, which presided over the recategorization of ketchup as a vegetable, were delighted to classify *G.I. Joe* as an educational television program. By contrast, the Clinton administration believes that some programs genuinely serve the developmental interests of children while others do not, and that we ought to pay attention to the ones that do and promote them whenever we can legitimately do so. The administration is certainly not in favor of censorship, but it does support sensible legislative proposals that could conceivably give parents more control over the depictions of violence and the premature sexualization of childhood that invade America's homes every day. It is encouraging to note that there has been some voluntary response from broadcasters through an increased willingness to label programs for what they are and to discuss the issue of when certain programs should be on the air.

There is the need for a broadened dialogue in this area and perhaps even a social movement. We should take more seriously than we do analogies between the natural environment and the cultural environment. When we think about

4. Children's Television Act of 1990, Pub. L. No. 101-437, 104 Stat. 996 (1990) (codified at 47 U.S.C. §§ 303a-303b).

5. See 47 U.S.C. §§ 303a-303b (Supp. V 1993).

policy directed toward the natural environment, we do not simply say that it is the responsibility of each individual to buy a filter so that there is clean water in their house. There is also a social responsibility to try to create the conditions that make it more likely that when individuals and families turn on the tap, the water will be clean and healthy. Similarly, I think we collectively need to think much harder than we do about the cultural environment, but in a way that is consistent with our constitutional traditions.

Finally, we arrive at the topic of welfare reform, one of the most contested areas of all. For years, long before he was elected president, Bill Clinton insisted on a basic moral proposition: “[I]f you are biologically co-responsible for a child, that biological co-responsibility carries with it a set of continuing moral responsibilities.” This is not a reaffirmation of a failed model of patriarchy. It is a simple statement that you are not free to be biologically co-responsible for a child and then walk away. We can argue about how society can best assert its interest in this moral principle, but the President is absolutely clear that this is a principle that should be guiding us.

He has insisted, therefore, on such policies as establishing paternity at birth in the hospital, a national child support registry, stricter child support enforcement in partnership with the states, an executive order that is binding on all federal employees in this area, and support for state-based innovation. This is not an argument that child support is a replacement for the emotional involvement of an absent parent or that it is the full answer to the economic problems confronting the custodial parent. It is rather a simple assertion of a fact that there is a situation in which there are mutual and shared responsibilities, that the absent parent is one of the bearers of those responsibilities, and that we have waited long enough to get serious about them.

A second family issue that President Clinton has seriously addressed in welfare reform is the escalating problem of teen pregnancy resulting in out-of-wedlock birth. I previously offered a few statistics on the consequences for the children who have children, for the children that they have, and for society as a whole. I am persuaded that even if we could deal with the economic dimensions of those problems more successfully than we now do, many other severe problems

would remain. Fifteen-year-olds are simply not ready to be parents. If we care about our children, it is critical to get young people to postpone childbirth until they are reasonably mature adults.

The next logical question is, what can be done? There are teen pregnancy reduction programs that have been developed at the local level by community-based organizations, by hospitals, and by others that actually make a difference. In his welfare reform proposal offered to the Congress last year, President Clinton suggested that we make these model programs available to the 1000 middle and high schools in this country with the greatest percentage of at-risk youths. He believes that it would be appropriate to make information on this subject available much more widely than it currently is. If we get as serious about this problem as we have about smoking, drunk driving, and environmental pollution during the past generation, and if there were a real societal commitment, President Clinton is convinced we can make a difference.

In addition, the President has insisted that the government cannot get the job done by itself. In other words, there must be a truly national commitment. If we think that things are acceptable the way they are, and if we think it is acceptable that out-of-wedlock birth has moved from five percent of all births a generation ago to thirty percent today (and to fifty percent in another fifteen years if trends continue), then we can continue on our current course. But, if we find these developments intolerable, then we need to get serious, not just as a government and not just in the public sector, but as a society.

In his 1995 State of the Union address, President Clinton called for a leadership coalition to come together as a focal point in support of efforts to reduce teen pregnancy and out-of-wedlock births. The willingness of leaders across our society to answer this call will be a test of our collective seriousness and commitment.

IV. CONCLUSION

As suggested at the outset, there is not one factor that alone explains the problems that our children and young people are confronting, nor is there a silver bullet solution. To make progress, we have to expand economic opportunity,

strengthen family structures, improve the principal cultural influences on our young people, and replace the failed or inadequate public policies of the past with more promising approaches.

As we do all this, we must endeavor to build on a solid foundation. President Clinton does not believe, nor do I, that marriage is a failed social institution. It is not a panacea, but it is a vital part of the solution. In at least a majority of cases, marriage can make a positive contribution, not only to the well-being of children, but also to the well-being of their parents.

Does this represent nostalgia? Does it imply the reaffirmation of patriarchy? On the contrary: it means the simple recognition that for economic, emotional and developmental reasons, marriage is the most promising institution yet devised for raising children and forming caring, competent, responsible adults. Unlike some other participants in this symposium, I am deeply skeptical that the abolition of marriage, with all of its imperfections, can possibly yield better lives, or a better society for our children.

