



The Ethical Responsibilities of Street-Level Bureaucrats Under Welfare Reform

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The primary mission of the social work profession is to enhance human well-being and help meet the basic human needs of all people, with particular attention to the needs and empowerment of people who are vulnerable, oppressed, and living in poverty.

—National Association of Social Workers Code of Ethics, Preamble

Abstract

The enactment of welfare reform in 1996 brought drastic changes to welfare policy in this nation, leading to the complete dismantling of the safety net for poor and needy persons and families. Among a host of other challenges, it has raised questions as to whether social workers can meet their ethical obligations to “enhance human well-being and help meet the basic human needs of all people,” as called for by the National Association of Social Workers. This paper examines the ethical considerations surrounding the new requirements of welfare reform in the United States. In particular, it asks whether the new intake process serves as an implicit barrier or deterrent to welfare. The intake process, which has heaped on even more paperwork and record-keeping requirements, leads front-line workers to become so preoccupied with filling out the forms that they fail to hear and respond to the needs of the welfare applicant. Ultimately, the worker is not able to “enhance human well-being” or “help meet the basic human needs” of the poor and needy.

The practice of social work in the United States has had a long, often controversial and tumultuous history. Initially provided by private voluntary organizations and churches, welfare has grown into a complex network of government, nonprofit, and

sometimes private organizations providing goods (e.g., cash) and services to the needy. Since 1996, with the passage of a major reform bill, the Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA), drastic changes to welfare policy have led to the complete dismantling of the safety net for poor and needy persons and families in the United States. Among a host of other challenges, this has raised questions as to whether social workers can meet their ethical obligations to “enhance human well-being and help meet the basic human needs of all people,” as called for by the National Association of Social Workers.

This paper examines the ethical considerations surrounding the new requirements of welfare, or Temporary Assistance for Needy Families (TANF),¹ in the United States. In particular, the new intake process serves as an implicit barrier or deterrent to welfare. The process has always required front-line workers to gather information from the welfare applicant and record the responses on the intake form. But the new intake procedures have heaped on even more requirements, thus becoming exceedingly cumbersome and time-consuming. In effect, front-line workers can be so preoccupied with filling out the forms that they fail to hear and respond to the needs of the welfare applicant. Ultimately, the worker is not able to “enhance human well-being” or “help meet the basic human needs of” the poor and needy.

Ethics and Social Work

A good deal of research has been conducted on the ethical and moral dilemmas surrounding the practice of social work² (see Dobelstein 1999; Reamer 1983, 1998; Sykes 2004).³ Most of this literature addresses ethical behaviors of social workers in the health care professions. For example, there is a considerable body of literature on the ethical requirements of mental health, hospice, and home health care workers who must make decisions for frail, cognitively impaired elders (see Csikai 2004; Egan and Kadushin 1999; Furman 2003; Healy 1998; Proctor, Morrow-Howell, and Lott 1993). Similarly, studies abound on the ethical dimensions of the therapist-client relationship (see Cervantes and Hansen 1997). In addition, a good deal of research looks at the ethical obligation of social workers of any type to ensure client confidentiality (Millstein 2000; Raines 2004; Ward 2002). Indeed, the Code of Ethics of the National Association of Social Workers explicitly states that “Social workers should respect clients’ right to privacy . . . [and] . . . should protect the confidentiality of all information obtained in the course of professional service.”⁴

By comparison, little research has focused on the ethical obligations of social workers who are responsible for providing income-maintenance services (e.g., TANF).⁵ The welfare reform act, PRWORA, provides fertile ground for such research, given that the morality of the law itself has come into question. That is to say, PRWORA ended the federal entitlements that until then had guaranteed some level of cash assistance to the nation’s poor and needy. As Dobelstein (1999, 24) suggests, “the end to federal welfare entitlements, a product of the 1996 welfare reform . . . reflects a loss of morality” in this nation.

Values, Morality, and Welfare

Like no other public concern, perhaps, social welfare foment a multitude of conflicting values. The many questions pertaining to what should or should not be done

about the needy reflect a set of mores and ethos around how Americans believe people should live their lives; that is, What is the right way, and what is the wrong way? Welfare policies are ultimately constructed and driven around these values. As Dobelstein (1999) asks, "Is it right to force people to work rather than receive welfare? Is it right to deny welfare benefits to a mother for a child born out of wedlock" (6)? Is lack of financial means to support the child the problem, or is sexual promiscuity the problem? Or is it laziness? These are but some of the cultural factors that shape the welfare state. They are confounded by ideology, morality, religion, politics, and ethics.

In the United States, the erosion of values around the poor and needy has shifted the beliefs and values of the American people around the responsibility for assisting the poor. In the 1960s, there continued to be some hope that new programs (e.g., training and education) would lead to meaningful, well-paying jobs (Dobelstein 1999; Leighninger 1999; Stoesz and Karger 1990). But the legacy of conservatism that swept through the country in the 1980s led to an attitude of benign neglect that was ultimately embraced and sealed in the 1996 welfare reform bill.

That this draconian measure passed under a seemingly progressive Democratic president, Bill Clinton, is further indication of the erosion of values and of moral obligations to the needy and the poor. Parenthetically, some members of the Clinton administration raised moral objections to the welfare law, and ultimately resigned rather than remain to implement it.⁶ In the end, instead of questioning the morality of the "personal responsibility" legislation, most Americans would rather portray welfare recipients as promiscuous, immoral, and unworthy of any type of assistance, cash or otherwise.

In sum, the ethos around welfare in the United States has gradually evanesced to one that can now be characterized by apathy, hopelessness, and even anger. It is in this context that PRWORA gained enough support from both Democratic and Republican lawmakers. But professional social workers, whether they personally share this ethos or not, have an ethical and moral obligation to serve the needs and interests of welfare applicants and clients. Are they doing so since passage of welfare reform? Or does the law itself preclude social workers on the front lines of service delivery from meeting their professional and ethical responsibilities?

The Welfare Reform Law

One of the key provisions of the federal welfare law is welfare-to-work, which mandates each state to require able-bodied recipients to participate in work or work-related activities (e.g., job search) after receiving assistance for twenty-four months, or sooner as defined by state law.⁷ New applicants to TANF are generally required to attend an orientation on work requirements and responsibilities under TANF. Applicants and clients are also required to sign a Personal Responsibility Agreement (PRA) in which they specifically agree (1) that TANF is temporary, (2)

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