Marriage Promotion Policies and the Working Poor: A Match Made in Heaven?

Julia Fisher
MARRIAGE PROMOTION POLICIES AND THE WORKING POOR: A MATCH MADE IN HEAVEN?

JULIA M. FISHER*


Abstract: David Shipler's book, The Working Poor explores the lives and troubles of the working poor in post-welfare-reform America. While Shipler concludes that programs such as universal health care and equity in public school funding would greatly assist the working poor, the Bush administration and Congress have focused on a very different solution: marriage promotion programs. This Book Review investigates marriage promotion programs to determine whether these programs would help working poor single-parent families escape poverty, and thus would be a viable alternative to Shipler's suggestions. In the end, this Book Review concludes that these programs are well intentioned, but do not significantly assist the working poor.

INTRODUCTION

The working poor present a tragic contradiction in American poverty discourse. Federal welfare reform in 1996 pushed millions of welfare recipients into the workforce, based on the idea that work would provide an exit out of the cycle of poverty. However, many of those recipients joined the ranks of millions of Americans who work full time at low paying jobs that leave them earning at or below the

1 DAVID K. SHIPLER, THE WORKING POOR: INVISIBLE IN AMERICA 4, 40 (2004). In 1996, President Clinton signed the Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA), which substantially overhauled the federal welfare system. Id. Among other things, the bill mandated that welfare recipients were required to engage in work activities after two years of receiving welfare benefits, with some state-allowed exceptions. R. KENT WEAVER, ENDING WELFARE AS WE KNOW IT 328, 332, 335 (2000).
federal poverty line. Their dilemma demonstrates that work is not
the whole solution to poverty in America.

In *The Working Poor*, David Shipler explores the obstacles to the
working poor and their families in their efforts to escape poverty. In
his interviews with working poor families, he finds that a fatal com­
bination of “bad choices and bad fortune” makes the cycle of poverty
very difficult to break. The prosperity of most families were affected
by both individual decisions such as taking drugs or dropping out of
school, and also by bad circumstances such as lack of good health

care, a dysfunctional family, inferior primary education and crumbling
housing. These circumstances create a situation where working
poor families always live on the verge of disaster. A small mishap, such
as a babysitter not showing up, a car breaking down or a child’s
asthma attack, is a crisis, potentially causing such families to spiral
down into unemployment again.

Shipler suggests a variety of government policies and programs to
assist the working poor in escaping poverty. Most of his suggestions
involve modifications to preexisting government policies or programs,
such as more funding for the Earned Income Tax Credit, and equity
in the funding of public schools to raise standards overall. Shipler
also recommends universal health care coverage, as working poor
families often earn too much for Medicare but too little to afford
health insurance. Finally, Shipler introduces some innovative new
proposals, including service centers that would provide for a poor

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2 Shipler, supra note 1, at 4. The federal poverty line was created in the 1960s, based on
the assumption that families spend one-third of their income on food. Thus, the price of a
“thrifty food basket” was tripled to create the federal poverty line, and is adjusted for the size
of a family. Michael B. Katz, *The Undeserving Poor: From the War on Poverty to the
War on Welfare* 115 (1989). Despite the fact that families now spend about one-sixth of
their income on food, this calculation remains in effect. Shipler, supra note 1, at 9.

3 See generally *Welfare Reform: The Next Act* (Alan Weil & Kenneth Finegold eds.,
2002). After reviewing studies of the effects of welfare reform, the editors found that many
former welfare recipients “who do find jobs lose other supports designed to help them,
such as food stamps and health insurance, leaving them no better off—and sometimes
worse off—than when they were not working.” Id.

4 Shipler, supra note 1, at 4–5.

5 Id. at 6.

6 Id. at 6–7. See discussion infra Part IB.

7 Shipler, supra note 1, at 4.

8 See id. at 285–300.

9 See id. at 291, 293–94. In a prominent review of *The Working Poor*, the reviewer com­
ments that Mr. Shipler’s policy solutions “all seem worthy, yet familiar.” Michael Massing,
*Take This Job and Be Thankful (for $6.80 an Hour)*, N.Y. Times, Feb. 18, 2004, at E8.

10 Shipler, supra note 1, at 295–96.
family’s health, housing and nutritional needs all at once, and expanded vocational services in high schools.\textsuperscript{11}

Quixotically, Congress and the Bush administration have chosen to approach the problems of the working poor by promoting a kind of program that Shipler never addresses: healthy marriage promotion for single-parent poor families.\textsuperscript{12} Congress has made the healthy marriage initiative the centerpiece of various welfare reform reauthorization bills, explicitly tying marriage promotion to poverty policy.\textsuperscript{13} The most current version of the welfare reform bill, presently stalled in the Senate, provides $100 million a year for “healthy marriage promotion activities,” such as public advertising campaigns on the value of marriage, premarital education, and marriage skills programs.\textsuperscript{14} To promote these policies, President Bush declared that his administration “will give unprecedented support to strengthening marriages . . . [because] sta-

\textsuperscript{11} Id. at 286, 293.

\textsuperscript{12} See Jason DeParle, Raising Kevion, N.Y. TIMES, Aug. 22, 2004, § 6 (Magazine), at 27; V. Dion Haynes, Marital Classes Urged for Poor, CHI. TRIB., Jan. 18, 2004, at 11. Many of the working poor are childless. DeParle, supra, at 27; Haynes, supra, at 11. Of course, the Bush administration’s marriage promotion plan is not aimed at assisting this part of the population. See DeParle, supra, at 27; Haynes, supra, at 11. However, children with families have long been the focus of poverty policy in this country, since welfare was originally created to assist widows with children. See Weaver, supra note 1, at 16. Therefore, much of welfare policy today is aimed at assisting single-parent families. See id.

\textsuperscript{13} DeParle, supra note 12; Christine Heath, Marriage Promotion Debate Tied to Welfare, UPI, June 28, 2004, available at LEXIS, Nexis Library, UPI File. The 1996 welfare reform law expired in 2002, and since then Congress has considered various versions of a welfare reform reauthorization bill. DeParle, supra note 12; Heath, supra. In the meantime, Congress has passed six three-month extensions of the 1996 law since expiration to continue the program at its 1996 funding level. DeParle, supra note 12; Heath, supra; Cheryl Wetzstein, Senate Adds $6 Billion in Child Care for the Poor, WASH. TIMES, Mar. 31, 2004, at A12. However, states are clamoring for reauthorization, as it would set forth and clarify the rules governing how states will run their welfare programs for the next six years. Jon Frandsen, Minimum-Wage Increase, Welfare Reform Bogs Down in Senate, GANNETT NEWS SERV., Apr. 1, 2004, available at LEXIS, Nexis Library, Gannett News Service File; Robert Pear, Governors Ask for Extension of Welfare Law, N.Y. TIMES, Apr. 1, 2004, at A19. Without this information, it is difficult for the states to budget for welfare services or contract with providers of services for a fixed price. Frandsen, supra; Pear, supra.

\textsuperscript{14} See generally Personal Responsibility, Work, and Family Promotion Act of 2003, H.R. 4, 108th Cong, § 103(b) [hereinafter House Bill]; Frandsen, supra note 13. For a thorough review of the recent history of marriage promotion policies in the context of welfare policy in the United States, see Phoebe G. Silag, Note, To Have, To Hold, To Receive Public Assistance: TANF and Marriage-Promotion Policies, 7 J. GENDER RACE & JUST. 413 (2003) (examining the ways in which marriage promotion policies institutionalize particular religious beliefs, marginalize the gay and lesbian population, and are based on false assumptions).
ble families should be the central goal of American welfare policy."\textsuperscript{15} While no one, including Shipler, would dispute that many of the working poor are single-parent families, whether marriage promotion programs would ease their plight is a matter of intense debate.\textsuperscript{16}

This Book Review examines the federal government's healthy marriage policies to determine whether they will work their desired effect—helping working poor single-parent families.\textsuperscript{17} It also explores the federal government's reasons for pursuing an anti-poverty strategy that Shipler's extensive study of the working poor never mentions.\textsuperscript{18} Part I examines the problem these policies purport to address: poverty in single-parent families. Part II summarizes the healthy marriage policies in their most current form in Congress and how marriage promotion came to be a part of the welfare reform debate. Part III analyzes the ability of these marriage promotion policies to assist single income families out of poverty, and offers policy alternatives such as child support reform and Marriage Plus programs. This Book Review concludes that Shipler may have excluded discussion of these marriage promotion policies for a valid and purposeful reason—these policies, as currently formulated, are unlikely to significantly assist working poor single-parent families.

I. SINGLE-PARENT TRAP: POVERTY AND CHILD WELL-BEING IN SINGLE-PARENT FAMILIES

Unmarried women with children\textsuperscript{19} make up the majority of the

\textsuperscript{15} Cheryl Wetzstein, Welfare Promotes Marriage; Education Courses Up for Renewal Aim to Stabilize Families, WASH. TIMES, Sept. 16, 2002, at A1. As evidenced by this statement, President Bush virtually equates marriage and stable families. See id.

\textsuperscript{16} See Shipler, supra note 1, at 93. For background on the debate raging between feminist groups and social conservatives, see Heath, supra note 13.

\textsuperscript{17} Shipler focuses on the plight of the working poor in general. See generally Shipler, supra note 1. However, marriage promotion policies focus on the plight of working poor single-parent families. By analyzing these policies, this Book Review also focuses more narrowly on working poor single-parent families.

\textsuperscript{18} See infra notes 8, 9, 10, 11. Perhaps the greatest failing of Shipler's work is its failure to analyze, let alone mention, these marriage promotion policies, even though the Bush administration and Congress have been pushing these policies at least since 2002. See Wetzstein, supra note 15. Shipler devotes a chapter to his own proposals to help the working poor, but never examines the proposals of others. See Shipler, supra note 1, at 285–300. The structure of the book—which is divided into his observations of the lives of the working poor and then his policy proposals, which are based on his observations—leaves little room for an examination of the current debate in Congress. See id.

\textsuperscript{19} The term "single parents" is defined differently by various sources. Marriage promotion policies themselves tend to classify a single parent as an unmarried parent living with the children. See Press Release, White House, Working Toward Independence: Promote Child Well-
working poor. Children living in families headed by single women are five times more likely to live in poverty than children living in families with married parents. These statistics have led researchers to examine the link between poverty and single-parent families, and also the impact, if any, this family type has on children.

A. The Economic Disadvantages of Single Parenthood

The economic disadvantages of single parenthood derive from both the simple math that one parent can provide only one full income and the possible intrinsic attendant drawbacks due to the lack of support and stability provided by marriage. This economic disadvantage is especially apparent when the parent works in a low-wage job.

Single parents do not have the option of pooling their resources as married or cohabiting couples can, a practice that often results in great savings. When parents live apart, each must support a separate being and Healthy Marriages (Feb. 2002), available at http://www.whitehouse.gov/news/releases/2002/02/welfare-book-05.html [hereinafter Press Release: Working Towards Independence]. However, many researchers define a single parent as a biological parent living with children who lives separately from the children’s other biological parent, with marital status being irrelevant. See, e.g., SARA McLANAHAN & GARY SANDEFUR, GROWING UP WITH A SINGLE PARENT: WHAT HURTS, WHAT HELPS 5 (1994). Other researchers define single parents as a parent with children who lives with no other adults, and thus likely dependent on one income. See, e.g., Gregory Acs et al., Playing by the Rules but Losing the Game: Americans in Low-Income Working Families, in LOW WAGE WORKERS IN THE NEW ECONOMY 28 (Richard Kazis & Marc S. Miller eds., 2001). In the strictest sense, it is these single parents with only one income who are the most at risk for poverty. See id. Therefore, unless stated otherwise, this Book Review defines single parent to mean a parent who lives alone. See id.

There are no hard statistics as to how many of the working poor are single parents. SHIPLER, supra note 1, at xi; Acs, supra note 19, at 29. There are no hard statistics as to how many of the working poor are single parents. SHIPLER, supra note 1, at xi; Acs, note 19, at 29. Shipler explains that “most of the working poor in this book are women, as are most of them in the country at large. Unmarried with children, they are frequently burdened with low incomes and high needs among the youngsters they raise.” SHIPLER, supra note 1, at xi. Another researcher finds that about 40% of the working poor families are headed by women. Acs, supra note 19, at 29. This number comes from 1996 statistics, which is before welfare reform pushed millions of single parents into the workplace, so it is likely that this number has risen since that time. See id.


See generally Lerman, supra note 21; McLanahan & Sandefur, supra note 19.

Shipler, supra note 1, at 93; Lerman, supra note 21, at 5–6. In 1996, 17% of America’s low-income working population lived in a family with only one adult family and one or more children. Acs, supra note 19, at 27–28. Again, this percentage has likely changed since welfare reform. See id.

Shipler, supra note 1, at 93. Shipler himself calls this situation a “prescription for poverty.” Id.

McLanahan & Sandefur, supra note 19, at 24–25; Lerman, supra note 21, at 5–6.
Married or cohabiting parents communally support only one household, and thus save greatly by sharing living expenses such as housing, utilities and food. For example, in 2001, two parents with one child living together would have had to earn a combined total of $14,255 to live above the federal poverty line. If the parents lived apart, however, the number is increased to $21,421 for each to live above the federal poverty line—$12,207 for the parent with the child, and $9,214 for the absent parent. Simple addition reveals that living apart and out of poverty is $7,166 more costly.

Moreover, child support, a judicial tool to assist single parents raising children financially, is not adequately administered or enforced. Only about one-third of children with a child support award receive the full amount they are owed, and one-quarter of children with an award receive nothing at all. Furthermore, forty percent of those eligible for child support do not even have an award. Part of this is attributable to the common state practice of reducing welfare benefits for families receiving child support, or precluding families from receiving the entire award while on welfare. Such policies discourage mothers from filing to file for child support from the onset. Another possible reason for the disparity in need and compensation is that absent low-income parents may have difficulty paying child support, which often constitutes a high percentage of their income.

Research suggests that married parents have some intrinsic advantages over single parents that increase married parents' chances of financial success. The stability of marriage and two incomes provide

26 See McLanahan & Sandefur, supra note 19, at 24.
27 Id.
28 Lerman, supra note 21, at 4 n.1.
29 Id.
30 Id.
31 See McLanahan & Sandefur, supra note 19, at 25.
32 Id.
33 Id.
35 Id.
36 Id. at 157. The award is based on "presumptive income," which is how much the father is predicted to make in one year, regardless of his actual earnings. Id. Many fathers cannot afford to pay the award, or build up large arrearages in prison, putting an onerous burden on absent fathers and breeding resentment among the fathers. Id.
37 Lerman, supra note 21, at 5-6. As Director of the Urban Institute's Labor and Social Policy Center, Robert Lerman claims that cohabiting couples may not gain these intrinsic advantages because they are less "stable." For discussion of this topic, see Wade F. Horn,
married parents greater opportunity to save, plan and invest for the long term.\textsuperscript{38} Some research suggests that the greater emotional health of married couples may even translate into better performance on the job and higher earning power.\textsuperscript{39}

\textbf{B. Child Well-Being at Risk with Only One Biological Parent}

Children from one-parent families\textsuperscript{40} are less likely to be successful financially, academically, and socially than children from two-parent families.\textsuperscript{41} Studies have documented that as compared to children from two-parent homes, children living apart from one parent during their childhood were twice as likely to drop out of high school, to have a child before the age of twenty, and to be unemployed in their late teens and early twenties.\textsuperscript{42} Other studies show that children of

\textit{Fatherhood, Cohabitation and Marriage, in Family and Child Well-Being After Welfare Reform} 192 (Douglas J. Besharov ed., 2003) (claiming that three-fourths of children born to cohabiting parents will see their parents split up before turning sixteen, while only one-third of children born to married parents will see the same).

\textsuperscript{38} Lerman, supra note 21, at 5–6. For example, a couple might have enough of a financial cushion for only one spouse to work full-time while the other can attend school to get more skills to receive greater future earnings. \textit{Id.}

\textsuperscript{39} See id.; Linda J. Waite & Maggie Gallagher, \textit{The Case for Marriage: Why Married People Are Happier, Healthier, and Better Off Financially} 99–104 (2000). Studies have documented that married individuals are more likely to report that they were very happy with their life in general (40%) than single or cohabiting individuals (25%), separated individuals (15%), divorced individuals (18%), and widowed individuals (22%). \textit{Id.} at 67. Married individuals are also less likely to be depressed or anxious than those who are single, divorced or widowed. \textit{Id.} Although it is not entirely clear whether marriage causes greater emotional health or emotionally healthy people are more likely to marry, some research suggests the former. \textit{Id.} at 68–71.

\textsuperscript{40} In this Section, single-parent family is defined as one in which the child lives with only one biological parent, as that is how the research defines it. See McLanahan \& Sandefur, supra note 19, at 5; Horn, supra note 37, at 131.

\textsuperscript{41} McLanahan \& Sandefur, supra note 19, at 1; DeParle, \textit{supra} note 12; Horn, \textit{supra} note 37, at 129. Professors McLanahan and Sandefur, authors of the definitive work on this subject, conclude:

We have been studying this question for ten years, and in our opinion the evidence is quite clear: Children who grow up in a household with only one biological parent are worse off, on average than children who grow up in a household with both of their biological parents, regardless of the parents' race or educational background.

McLanahan \& Sandefur, \textit{supra} note 19, at 1.

\textsuperscript{42} McLanahan \& Sandefur, \textit{supra} note 19, at 2. Professor McLanahan groups stepfamilies with single-parent families, because in stepfamilies children still only have one biological parent. \textit{Id.} at 5. Her research does show that these child well-being indicators are likely to be lower in stepfamilies than in two-parent families. \textit{Id.} at 29. However, stepfamilies do have an economic advantage over single-parent families living alone. \textit{Id.} at 82.
single-parent families are more likely to commit crimes and to rely on welfare as adults than children in two-parent families. These statistics suggest that family structure may contribute to the inheritance of poverty from one generation to the next.

Poverty or economic hardship is the most important predictor of the lesser achievement and well-being of children from single-parent families. Poverty often has broad negative effects on children that frequently influence their adulthoods. For example, poor children may be malnourished, which in turn impairs brain development and the immune system, as well as the ability to learn and concentrate. Children from poor families are also likely to attend inferior public schools, while families with higher incomes can afford to relocate to a neighborhood with good schools, or to send their children to private schools. Families with high incomes can also pay for extracurricular activities, which are generally seen as positively affecting children.

Research suggests that single-parent families may have non-economic negative consequences on children as well, because children in single-parent families generally receive less parental supervision and involvement than children in two-parent families. Parental involvement is important to a child's well-being, especially in the area of academic achievement. Children whose parents read to them and help them with their homework are more likely to excel academically than those living with uninvolved parents. In a single-parent home, the parent is more likely to be juggling work and family, leaving little time to provide this support. Additionally, the nonresident parent is typically unavailable to give daily support. Moreover, studies show that the quality of the nonresident parent's involvement in his or her chil-

43 Horn, supra note 37, at 129.
44 See McLanahan & Sandefur, supra note 19, at 2; Horn, supra note 37, at 129.
45 McLanahan & Sandefur, supra note 19, at 3. Professor McLanahan ascribes half of the disadvantage to poverty. Id.
46 Shipler, supra note 1, at 215-16. Old and decrepit housing may create other health problems for poor children, such as asthma and lead paint poisoning. Id. at 226-27.
47 Id., at 239-40; McLanahan & Sandefur, supra note 19, at 33. Funding for schools is directly tied to area property taxes, and therefore when property is worth little, public schools will have little funding. See Shipler, supra note 1, at 239-40; McLanahan & Sandefur, supra note 19, at 33.
48 McLanahan & Sandefur, supra note 19, at 33.
49 Id. at 33-34; Horn, supra note 37, at 131.
50 Horn, supra note 37, at 130-31.
51 See id.
52 McLanahan & Sandefur, supra note 19, at 33.
53 Id. In this context, absent parent merely means a parent who lives apart from his or her child. Id.
dren's lives further affects academic performance. Children with nonresident parents who helped with homework, provided discipline, and offered advice generally did better academically and were healthier psychologically than children whose involvement with nonresident parents consisted of recreational activities. Unfortunately, visitation agreements tend to encourage nonresident parents to engage in the latter form of activities, reinforcing the negative consequences of single-parent households.

Children in single-parent families also generally possess less "social capital," a commodity defined as the benefits, such as jobs or opportunities, that flow to children through their parents' relationships with other adults and community institutions. Children in two-parent families can take advantage of the connections and networks of both of their parents. Children growing up in single-parent households, however, typically only benefit from the social networks of the parent they live with, as the other parent may live in another city or state, or may possess a weakened bond to the child. Consequently, he or she may have fewer opportunities as a child or more difficulty finding a job as an adult.

Given the economic and social disadvantages that children of single-parent families face, it is unsurprising that many in the federal government are promoting marriage as a policy panacea. What follows is a discussion of how marriage became part of the federal welfare agenda in the last decade, and the proposals currently under consideration.

54 Horn, supra note 37, at 131.
55 Id.
56 See id. at 131-32. Absent parents often only have limited time to spend with their children, perhaps because of court-ordered visitation rights. Id. Because the time together is limited, parents want to make sure their children "enjoy themselves" and consequently, tend to engage in recreational activities, as opposed to doing homework together or setting appropriate limits. Id.
57 McLanahan & Sandefur, supra note 19, at 3; McLanahan, supra note 50, at 37. The concept of social capital was created by sociologist James Coleman. McLanahan & Sandefur, supra note 19, at 3.
58 McLanahan & Sandefur, supra note 19, at 3. For example, a parent's friend, because of the friend's good feelings toward the parent, might give the child his or her first job after high school. Id. at 35. Or a parent who has community connections may learn from neighbors which teacher to request, or what after-school activities may be available and free. Id. at 34.
59 Id. at 35.
60 Id. at 3-4, 35.
61 Id. at 22-23.
II. FEDERAL GOVERNMENT WEDS MARRIAGE PROMOTION PROPOSALS AND WELFARE REFORM

Currently, the Bush administration and Congress are advocating healthy marriage policies as a solution to ease the existing poverty of single-parent families living alone and the continuing cycle of poverty for the children of these families.63 These policies had their genesis in the 1996 welfare reform law, which allowed states great flexibility to experiment with marriage promotion.64 In response to these efforts and the focus of the Bush administration, Congress made marriage promotion a central part of the welfare reauthorization proposals.65 This Section assesses the most recent welfare reform bill.

A. 1996 Welfare Reform Bill and State Efforts on Marriage Promotion

The 1996 welfare reform law was the first attempt to place marriage promotion as a poverty solution on the national agenda.66 The Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA) dismantled the previous welfare entitlement system, and created the Temporary Assistance for Needy Families (TANF) in its place.67 TANF awards states block grants to manage their welfare programs with few restrictions, requiring only that the funds be spent pursuant to the guidelines and stated purposes of PRWORA.68 PRWORA's fourth purpose allows TANF funds to be spent to "en-

64 Hearing, supra note 63, at 51, 53 (testimony of Theodora Ooms, Director and Senior Policy Analyst of the Resource Center on Couples and Marriage Policy at the Center on Law and Social Policy).
65 See Fagan, supra note 63; Jacqueline Marino, How Marriage Has Gone from a Private Matter to a Public Policy, PLAIN DEALER (Cleveland, Ohio), Sept. 14, 2003, Sunday Magazine, at 17; Wetzstein, supra note 15.
66 See Hearing, supra note 63, at 53 (testimony of Senior Policy Analyst Ooms).
68 See PRWORA § 103. A block grant means that states are given a fixed amount of money every year to spend on welfare within certain guidelines, while previously states would have received money to spend on welfare depending on how many people are in need. JASON DEPARLE, AMERICAN DREAM: THREE WOMEN, TEN KIDS, AND A NATION'S DRIVE TO END WELFARE 124-35 (2004). Such guidelines included minimum work requirements that all states must have at least 50% of their welfare caseload working at least thirty hours a week, a sixty-month lifetime limit of adults receiving TANF benefits, and no benefits to most legal and all illegal immigrants. See PRWORA §§ 103(a)(1), 401(a), 407, 408(a)(1)(B).
courge the formation and maintenance of two-parent families,\textsuperscript{69} which permits state use of block grants to encourage marriage.\textsuperscript{70}

Only a handful of states have devoted significant TANF funds to marriage promotion programs.\textsuperscript{71} Some states such as Arizona have created marriage education programs for couples of all income levels.\textsuperscript{72} Some programs are aimed at the general public, such as a Virginia public service announcement promoting marriage before having children, and an Oklahoma pilot program for a new high school elective fostering relationship skills and realistic expectations of marriage among students.\textsuperscript{73} Other programs focus solely on low-income couples, including a six-week class in Michigan to teach parenting skills, the benefits of marriage, healthy relationships and other issues for single mothers on welfare and their partners.\textsuperscript{74}

\textsuperscript{69} PRWORA §§ 103(1), 401. Note that the fourth purpose does not mention creating low-income two-parent families, but two-parent families in general. \textit{See id.} This allows states to use TANF money to support programs that assist the middle class and upper class, not just those living in poverty. \textit{Hearing, supra} note 63, at 53 (testimony of Senior Policy Analyst Ooms).

\textsuperscript{70} \textit{See Hearing, supra} note 63, at 54. However, PRWORA did not mention any specific marriage promotion programs. \textit{Id.} Instead, PRWORA focused on programs that would deter out-of-wedlock births and teenage mothers. \textit{See, e.g., Weaver, supra} note 1, at 331. For example, PRWORA including an illegitimacy reduction bonus for five states a year that showed the greatest reduction in out-of-wedlock births without an increase in abortion rates. PRWORA §§ 103(1), 403(a)(2). After welfare reform passed, most states followed Congress's lead and used their block grants to prevent out-of-wedlock birth instead of promoting marriage. \textit{Hearing, supra} note 63, at 54 (testimony of Senior Policy Analyst Ooms).

\textsuperscript{71} Theodora Ooms et al., Ctr. for Law & Social Pol'y, Beyond Marriage Licenses: Efforts in States to Strengthen Marriage and Two-Parent Families 11 (Apr. 2004), available at http://www.clasp.org/publications/beyond_marr.pdf. Arizona, Louisiana, Michigan, New Mexico, Oklahoma, Utah, and Virginia all have created significant marriage promotion programs. \textit{Id.} While most states have not started marriage promotion programs, the vast majority have changed their rules to make it easier for two-parent households to apply for welfare. \textit{Id.} at 10. Prior to PRWORA, federal law mandated that two-parent families were eligible for assistance only if the parent who was considered the primary wage earner was unemployed or worked less than one hundred hours a month. \textit{Id.} at 15–16. Many researchers believed this requirement deterred poor couples on welfare from marrying. \textit{Id.} After PRWORA allowed states to determine the rules for administering assistance, thirty-six states changed their eligibility requirements for two-parent households, so that these households are now considered solely based on financial circumstances, as one-parent families and individuals are. Ooms et al., supra, at 10.

\textsuperscript{72} \textit{See id.} at 25; Wetzstein, supra note 15. Arizona subsidizes the cost for any couple to attend such classes, paying 85% for middle class couples and 100% for low-income couples. Ooms et al., supra note 71, at 10; Wetzstein, supra note 15. As of 2002, 517 couples have taken these courses through the program, but only twenty-six were low income. Wetzstein, supra note 15.

\textsuperscript{73} Ooms et al., supra note 71, at 50–51, 59.

\textsuperscript{74} \textit{Id.} at 40. However, this program was eliminated due to budget cuts. \textit{Id.}
B. Federal Welfare Agenda Focuses on Marriage

In 2001, the Bush administration made marriage a top priority in welfare reauthorization, a move that was welcomed by the two bases of the Republican Party: social and fiscal conservatives.\(^75\) The Bush administration sought to advance this priority in several ways. First, President Bush authorized the Administration for Children and Families (ACF), an agency of the Department of Health and Human Services, to disperse grants to marriage promotion projects and research around the country.\(^76\) In 2002–2003, the ACF distributed more than $90 million in such grants.\(^77\) The Bush administration also published a policy paper in February 2002, outlining methods to incorporate healthy marriage programs into welfare reform.\(^78\) The paper proposed declaring healthy marriages to be an independent purpose of TANF, setting up a $100 million fund to research healthy marriage projects, creating a competitive $100 million grant fund for states to create healthy marriage programs, and requiring states to provide annual reports on their progress in promoting marriage.\(^79\)

C. Current Congressional Proposals and Prospects

Congress has adopted and expanded many of the Bush administration’s healthy marriage proposals in several welfare reauthorization

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\(^{75}\) See id. at 7. Many social conservatives had complained that states were not spending enough of their block grants to achieve the two-parent family goal. See id., Robert E. Rector & Melissa G. Pardue, Understanding the President’s Healthy Marriage Initiative, HERITAGE FOUND. BACKGROUNDER No. 1741 (Heritage Found., Washington, D.C.), Mar. 26, 2004, at 5, available at http://www.heritage.org/Research/Family/bg1741.cfm. For example, the Heritage Foundation, a conservative think tank, expressed disappointment that states had only spent $20 million promoting marriage out of the total $100 billion of TANF funds since 1996. Rector & Pardue, supra, at 5. Moreover, many fiscal conservatives supported marriage promotion, arguing that, since the federal government already spends enormous sums through welfare to “subsidize” single income parents, the government had a right to promote marriage to reduce these costs. Id. at 2; Wetzstein, supra note 15.

\(^{76}\) OOMS ET AL., supra note 71, at 8. These grants were not funded out of federal TANF funds, but out of independent funding vehicles. Id.

\(^{77}\) Id.

\(^{78}\) See Press Release: Working Towards Independence, supra note 19. ACF Assistant Secretary Wade Horn justified this incorporation of marriage proposals and welfare reform in his statement that “the overarching purpose of the TANF program will not be poverty reduction . . . but improving child well-being.” See Marino, supra note 65.

bills, the most recent of which is H.R. 4.\textsuperscript{80} As proposed by the Bush administration, this bill would alter the language of the fourth purpose of welfare reform, from encouraging the maintenance of “two parent families,” to “healthy, 2-parent married families.”\textsuperscript{81} H.R. 4 also echoes the Bush administration’s prior policy proposals by creating a competitive grant award system of $100 million a year for states “developing and implementing innovative programs to promote and support healthy, married, 2-parent families.”\textsuperscript{82} As a condition of the award, states must match these grants, but they may then use TANF block grants to pay their matching amount.\textsuperscript{83} Congress amplified the Bush administration’s proposal by spelling out sample marriage promotion programs in H.R. 4.\textsuperscript{84} Among the suggested programs are high school classes about the value of marriage, marriage education programs for unmarried pregnant parents, and public service announcements promoting marriage.\textsuperscript{85}

\textsuperscript{80} Ooms et al., supra note 71, at 7–8; Rector & Pardue, supra note 75, at 6. Although this Book Review focuses on the status of the most recent welfare reauthorization bill, two previous bills existed as well. The House passed a welfare reauthorization bill in May 2002, but the Senate never picked up this bill. See Ooms et al., supra note 71, at 8–9. The Senate Finance Committee also passed a welfare reauthorization bill in 2002, but it was never brought to the Senate floor for a full vote. Id.

\textsuperscript{81} See Personal Responsibility and Individual Development for Everyone Act, H.R. 4, 108th Cong. § 101(4) (2004) [hereinafter Senate Bill]; House Bill, supra note 14, § 101(4). The House and Senate passed slightly different versions of H.R. 4, but the marriage promotion provisions are nearly identical. See id. As the numbering of provisions is different in each bill, this Book Review will only cite to the House version for clarity’s sake.

\textsuperscript{82} House Bill, supra note 14, § 103(b) (2) (A), (C) (i).

\textsuperscript{83} Id. § 103(c) (V).

\textsuperscript{84} Id. § 103(b) (2) (B) (i)–(viii). The actual text of the suggested programs included:

i) Public advertising campaigns on the value of marriage . . .

ii) Education in high schools about the value of marriage . . .

iii) Marriage education . . . programs that may include parenting skills, financial management, conflict resolution and job and career advancement, for non-married pregnant women and non-married expectant fathers.

iv) Pre-marital education and marriage skills training for engaged couples . . .

v) Marriage enhancement . . . programs for married couples

vi) Divorce reduction programs . . .

vii) Marriage mentoring programs . . . in at risk communities

viii) Programs to reduce the disincentives to marriage in means-tested aid programs.

\textit{Id.}

\textsuperscript{85} Id. The Senate version of H.R.4 restricts these types of programs, with the caveat that participation in (iii)–(vii) must be voluntary. Senate Bill, supra note 81, § 102(b) (2) (C). The Senate version also mandates that all grant recipients must consult with experts to ensure all programs, if possible, will raise awareness of domestic violence. \textit{Id.} § 102(b) (2) (E) (i)–(ii) (II).
The marriage promotion programs in H.R.4 garnered little discussion and almost no dissent during debates in Congress. Due to the lack of articulated opposition, H.R. 4 sailed through the House in February 2003 with 230 for and 192 against. However, H.R 4 stalled in the Senate in April 2004, when Republicans failed to get the three-fifths vote needed to close debate on the bill for reasons unrelated to marriage promotion policies. There has been no activity on the bill since.

III. DO MARRIAGE PROMOTION PROGRAMS HELP THE WORKING POOR?

The marriage promotion programs described in H.R. 4 are unlikely to have the intended effect of helping single-parent families and their children escape the cycle of poverty. These programs clearly attempt to address legitimate problems of poverty and child well-being in...
single-parent families.\textsuperscript{91} However, the healthy marriage programs in H.R. 4, however, have three fatal shortcomings: (1) no empirical evidence suggests that the programs will induce marriages or otherwise assist the working poor; (2) the programs are not sufficiently targeted to help the working poor in need today; and (3) the programs ignore the real reason many of the working poor do not marry.\textsuperscript{92} Underlying all three of these flaws is the issue of whether marriage is truly the best way to assist working poor families escape poverty.\textsuperscript{93} This Section concludes with policy alternatives that better address this important issue.\textsuperscript{94}

\section*{A. No Proof That Such Programs Would Help the Working Poor}

Very little research exists to show that marriage promotion programs are effective in creating marriages among low-income families.\textsuperscript{95} Marriage education has been documented to help preserve existing marriages among the middle class, but little research analyzes marriage education’s effect in creating new marriages or preserving marriages in lower-income communities.\textsuperscript{96} Moreover, studies of existing programs do not prove that pro-marriage policies actually reduce poverty among low-income families.\textsuperscript{97} Therefore, before millions of dollars a year are spent on these programs, more research must be conducted to show their efficacy in creating marriage and reducing poverty.\textsuperscript{98}

Research conducted on the characteristics of single-parent families suggests that marriage counseling alone may not assist these families in escaping poverty.\textsuperscript{99} One study, which followed unwed parents for the first four years of their child’s life, suggests that many unwed

\begin{footnotesize}
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\item \textsuperscript{91} See discussion \textit{supra} Part I.
\item \textsuperscript{92} See Hearing, \textit{supra} note 63, at 56–58 (testimony of Senior Policy Analyst Ooms); \textit{id.} at 76–82 (testimony of Professor Edin); WILSON, \textit{supra} note 90, at 72.
\item \textsuperscript{93} See Hearing, \textit{supra} note 63, at 56–58 (testimony of Senior Policy Analyst Ooms); \textit{id.} at 76–82 (testimony of Professor Edin); WILSON, \textit{supra} note 90, at 72.
\item \textsuperscript{95} See Haynes, \textit{supra} note 12. This is specifically true among marriage education programs, couples counseling, and divorce reduction programs. \textit{Id.}
\item \textsuperscript{96} DeParle, \textit{supra} note 12.
\item \textsuperscript{97} Cheryl Wetzstein, \textit{Groups Question Marriage Initiative; Call It Well-intentioned but Dangerous}, WASH. TIMES, Feb. 4, 2002, at A4.
\item \textsuperscript{98} See Hearing, \textit{supra} note 63, at 57 (testimony of Senior Policy Analyst Ooms). Ooms suggests there are gaps in the research relating to the low-income population and people of color, and before moving forward, there should be some pilot demonstration programs to measure the effects on different populations. \textit{Id.}
\item \textsuperscript{99} See McLanahan et al., \textit{supra} note 34, at 153.
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parents are unlikely to benefit greatly from marriage without further services.\textsuperscript{100} Large numbers of unwed parents studied were high school dropouts, parolees, or currently unemployed.\textsuperscript{101} This situation suggests that many unwed parents and their children would not have benefited economically from marriage, because their marriage partners possessed low employment skills and currently lived in low socio-economic circumstances.\textsuperscript{102} Moreover, at the time of their child’s birth, half of the unwed mothers lived with the child’s father, and so were already receiving many of the economic benefits of sharing a household.\textsuperscript{103} For most unwed parents today, marriage is not likely to be the answer to get them out of poverty.\textsuperscript{104}

B. Programs Do Not Target Today’s Working Poor

Even if marriage promotion programs were proven to assist single-parent families in escaping poverty, the programs contained in H.R. 4 are unlikely to significantly assist the working poor.\textsuperscript{105} These programs are not means-tested,\textsuperscript{106} which permits marriage promotion programs to be aimed at individuals from all income levels, thus diverting funds from truly needy families.\textsuperscript{107} Marriage promotion programs are “preventative—not reparative,” aimed at preventing single-parent family poverty from occurring, not assisting single parents who

\textsuperscript{100} Id. at 153–55. The study was the famous Fragile Families and Child Well-Being study.

\textsuperscript{101} Id. More than a third of the unwed fathers and mothers in the study lacked high school diplomas. Id. at 153. Thirty-eight percent of unwed fathers had been incarcerated, which is likely to create a significant barrier to future employment. Id. at 154. Twenty percent of non-custodial fathers earn less than $6,000 annually, and almost thirty percent had not worked in the past week when questioned. Id. at 153.

\textsuperscript{102} See id. at 155. At a federal welfare conference, Professor McLanahan estimated that a third of the unwed parents in the study were ready for marriage and would benefit from pro-marriage policies. Cheryl Wetzstein, Traditional Marriage Seen as Antidote to Welfare; ‘Culture Change’ Needed to Solve Social Ills, HHS Conferences Told, WASH. TIMES, May 31, 2004, at A3. Professor McLanahan commented further that another third needed additional services such as education, job training, or mental health counseling, and the last third would not be candidates for marriage at all. Id.

\textsuperscript{103} McLanahan et al., supra note 34, at 155.

\textsuperscript{104} See id.

\textsuperscript{105} See Hearing, supra note 63, at 53 (testimony of Senior Policy Analyst Ooms); Rector & Pardue, supra note 75, at 5.

\textsuperscript{106} Means-tested programs only provide benefits to individuals of a certain income level, enabling the government to target those most in need. WEAVER, supra note 1, at 13. Most poverty programs such as the earned income tax credit, food stamps, and TANF benefits are means-tested programs. Id.

\textsuperscript{107} See House Bill, supra note 14, § 101; Hearing, supra note 63, at 53 (testimony of Senior Policy Analyst Ooms).
are currently in poverty. Such unfocused programs should have no place in a welfare reauthorization bill with such limited funds, as they divert funds from programs proven to assist the poor.

Since the marriage promotion programs are not means-tested, poor single-parent families are unlikely to be the main beneficiaries of the programs. The structure of TANF encourages this shift, as it allows states to spend their block grants on the fourth purpose of PRWORA, promoting two-parent families, a non means-tested goal. Those states that have already used part of their block grants to promote marriage under the fourth purpose generally have created programs that did not target the poor. If H.R. 4 were to pass, it is reasonable to assume that states would continue to aim their marriage promotion programs at the middle class or, at a minimum, the general public. Furthermore, the marriage promotion programs in H.R. 4 do not require these programs to target the poor specifically, and the bill suggests only two programs that focus on the poor. Therefore, marriage promotion programs in H.R. 4 likely would not significantly assist poor single-parent families.

Marriage promotion policies also shift funding and focus from assisting single-parent families currently living in poverty, to encouraging couples to marry to prevent poverty. These programs have a preventative focus; they seek to persuade couples to marry before or just after having a child in an effort to increase material and child well-being. This is evident from the sample programs H.R. 4 suggests, such as high school classes concerning the value of marriage, marriage education for unmarried expecting parents, and marital

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108 Rector & Pardue, supra note 75, at 5.
110 See supra note 63, at 53 (testimony of Senior Policy Analyst Ooms).
111 See supra II.A. See Adams, supra note 109, at 1; Casey, supra note 109, at 1; Ooms et al., supra note 71, at 26–60. Programs such as marriage skills classes for teenagers and public service announcements are focused at the public at large. See Ooms et al., supra note 71, at 26–60. While some programs may not target any specific income level, attendance in such programs may be primarily middle class. See, e.g., Wetzstein, supra note 15. In Arizona as of 2002, 517 couples had participated in marriage counseling classes, but only twenty-six were low income. Id.
112 See Weaver, supra note 1, at 28; Ooms et al., supra note 71, at 26–60. Programs that benefit only the poor generally have a narrow political base. Weaver, supra note 1, at 28.
113 House Bill, supra note 14, § 103(b)(vii), (b)(B)(viii).
114 See Casey, supra note 109; Ooms et al., supra note 71, at 26–60.
115 Rector & Pardue, supra note 75, at 5.
116 Id.
education for engaged couples. These programs do not address marriage promotion for current single parents, based on the belief that it would be a task akin to "trying to glue Humpty Dumpty together after he has fallen off the wall." H.R. 4 thus prioritizes assisting future generations from falling into poverty, and largely ignores single-parent families currently in poverty. Moreover, since marriage promotion grants in H.R. 4 must be matched by the states likely from TANF funds, this priority literally diverts money from assisting current families in need. Though poverty prevention is admirable, in a time of limited funds and an uncertain economy, it is hard to justify siphoning money away from programs that improve the lives of single parents and their children in poverty right now.

C. Ignoring the Real Problem: No Jobs and Poor Marriage Prospects

The greatest fault of the marriage promotion programs may be their failure to address the more fundamental reason many low-income single mothers do not marry: a lack of eligible, financially stable marriage partners. Marriage promotion programs presume that individuals become single parents because it is culturally acceptable. These programs thus try to change cultural norms about marriage by teaching individuals both marriage skills and the value of marriage. Research suggests, however, that many single low-income

117 See House Bill, supra note 14, § 103(b); Rector & Pardue, supra note 75, at 5. Part of this is based on research that unwed couples are most likely to marry around the "magic moment" of their child's birth, but the longer they wait, the less likely they are to marry. McLanahan et al., supra note 34, at 156.

118 See Rector & Pardue, supra note 75, at 5. This is because for many single parents, their relationship with their child's other parent is no longer romantic or may even be troubled. Id.

119 See id.

120 House Bill, supra note 14, § 103 (b)(2)(A), (c)(V). States that are awarded the optional marriage promotion grants must match the amount out of their own funds, including from their block grants. Id. § 103(c)(V). Thus states may be taking away money from other programs that are specifically targeted at the working poor, such as job training, in order to pay the matching funds. See id.

121 See id.

122 See Wilson, supra note 90, at 73.


124 See DeParle, supra note 12. DeParle, a reporter for the New York Times, comments:

My own time in the inner city leaves me with some sympathy for what the Bush plan is trying to achieve... Expanding economic opportunity is clearly a big part of the solution, but probably not the answer in whole, given the hurdles to fatherhood and marriage posed by community norms.
mothers remain single not because they do not believe in marriage, but because they find few eligible men for them to marry in their communities.\textsuperscript{125} Men in lower-income communities are not considered eligible because of the lack of well-paying jobs in those areas.\textsuperscript{126}

Low-income inner city men have suffered greatly from the restructuring of the economy over the last thirty years.\textsuperscript{127} In that time period, the American economy has shifted from predominantly manufacturing jobs to predominately service jobs,\textsuperscript{128} hurting low-skilled male workers the most.\textsuperscript{129} Manufacturing jobs that provided decent pay were open to relatively unskilled workers and generally were held by men.\textsuperscript{130} Living wage jobs for low-skilled workers in general have also declined, and many new positions require some years of college education.\textsuperscript{131} Moreover, while most of the new low-skilled jobs are found in the suburbs, most low-skilled workers live in the inner city—creating a spatial “mismatch” that is hard to overcome due to limited public transportation.\textsuperscript{132} In combination, these factors have led to a decline in employment for low-skilled and low-income men.\textsuperscript{133}

Thus, in low-income communities where most men are unemployed or work in low-wage jobs, women have few eligible marriage prospects and consequently are less likely to marry at all.\textsuperscript{134} Low-income single mothers generally consider economic stability “a necessary, though not sufficient, condition for marriage,”\textsuperscript{135} in large part

\textsuperscript{Id.} See, e.g., Hearing, supra note 63, at 78–79 (testimony of Professor Edin).
\textsuperscript{126} Wilson, supra note 90, at 91.
\textsuperscript{127} Wilson, supra note 123, at 25.
\textsuperscript{128} Wilson, supra note 90, at 39. From 1967-1987, New York City lost 58% of its manufacturing jobs, Chicago lost 60%, Philadelphia lost 64%, and Detroit lost 51%. Wilson, supra note 123, at 29.
\textsuperscript{129} Wilson, supra note 123, at 25. Service jobs requiring low skills generally go to women. \textit{Id.} at 27.
\textsuperscript{130} \textit{Id.}
\textsuperscript{131} \textit{Id.} at 30–31.
\textsuperscript{132} \textit{Id.} at 37.
\textsuperscript{133} \textit{Id.} at 26. For example, two-thirds of male high school dropouts in the 1970s worked full-time in eight out of ten years, while only one-half did so in the 1980s. \textit{Id.} In the 1990s, one-quarter of all male high school dropouts were unemployed for all of 1992. \textit{Id.} Moreover, the number of both white and minority men who were not working and had given up looking for work has more than doubled since 1967.
\textsuperscript{134} See Wilson, supra note 90, at 83, 91.
\textsuperscript{135} Hearing, supra note 63, at 78 (testimony of Professor Edin). Professor Edin, an urban ethnographer, has interviewed over three hundred low-income single mothers in Chicago over the span of a decade. \textit{Id.} at 76.
because they must worry constantly about money.\textsuperscript{136} They fear attachment to a marriage partner who does not contribute steadily to the household finances.\textsuperscript{137} These basic facts suggest that low-income single mothers will only marry someone who is steadily employed in a good job, a rarity in the communities in which they reside.\textsuperscript{138} Thus, however well-intentioned, marriage promotion programs cannot succeed communities where, despite valuing marriage, women have no one eligible to marry.\textsuperscript{139}

D. Policy Alternatives

If marriage promotion programs, as typified by H.R. 4, do not adequately address the twin problems of poverty and child well-being in single-parent families, other policy solutions must be found. Two policy alternatives, Marriage Plus and reforming child support, may better address these problems while and avoiding the three shortcomings mentioned above.\textsuperscript{140}

Marriage Plus is an approach that recognizes that marriage is legitimate governmental goal, but also that marriage alone is not sufficient to lift couples out of poverty.\textsuperscript{141} A Marriage Plus program

\textsuperscript{136} Id. at 78. One interviewee commented that when her children’s father did not work, she “didn’t let him eat my food. I would tell him, ‘If you can’t put any food here, you can’t eat here. These are your kids and you should want to help your kids, so if you come here, you can’t eat their food.’” Id.

\textsuperscript{137} Id. Moreover, these poor single mothers often view marriage to an unemployed man as undesirable because of the loss of respect from the community. Hearing, supra note 63, at 79 (testimony of Professor Edin). Contrary to the belief of many, Professor Edin’s research finds that poor single mothers think very highly of marriage and believe it has “sacred significance.” Id. These women believe marriage should be for life. Id. Because of this, poor women tend to want to marry someone well-off, someone who would elevate their own status. Id. The idea of marrying someone who is unemployed would make “one a fool in the eyes of the community.” Id.

\textsuperscript{138} See id. at 82 (testimony of Professor Edin). As Professor Wilson points out, this decision is sensible: “Single mothers who perceive the fathers of their children as unreliable or as having limited financial means will often—rationally—choose single parenthood.” Wilson, supra note 123, at 104.

\textsuperscript{139} See Hearing, supra note 63, at 82 (testimony of Professor Edin).

\textsuperscript{140} See McLanahan et al., supra note 34, at 157; Ooms, Marriage and Government, supra note 94, at 4. The Center for Law and Social Policy proposed Marriage Plus as a counterweight to the Bush administration’s plan, believing that marriage education alone would have little effect. Ooms, Marriage and Government, supra note 94, at 4.

\textsuperscript{141} Ooms, Marriage and Government, supra note 94, at 4. As Ooms has commented, “marrying a low-income unmarried mother to her child’s father will not magically raise the family out of poverty when the parents often have no skills, no jobs, and terrible housing, and may be struggling with depression, substance abuse, or domestic violence.” Theodora
would include not just marriage counseling and relationship training, but services that focus on removing the barriers to marriage and poverty in low-income communities, such as employment training and placement.\textsuperscript{142} Ideally, marriage would provide a panoply of services, including pregnancy prevention,\textsuperscript{143} mental health support and greater childcare services.\textsuperscript{144} The goal of Marriage Plus is primarily to promote the well-being of children, by either helping more children to be raised in married parent families, or if this is not possible, assisting single parents to become more economically self-sufficient.\textsuperscript{145} Thus, children of parents who participate in Marriage Plus programs will likely see an increase in general well-being, even if the parents do not ultimately marry.\textsuperscript{146} As compared to H.R. 4, Marriage Plus would reduce poverty rather than merely promote marriage by targeting those who truly need assistance.\textsuperscript{147}

A second option, reforming the child support system, would address the root problems of single-parent poverty and child well-being


\textsuperscript{142} Ooms, \textit{Marriage Plus}, supra note 141.

\textsuperscript{143} Daniel Lichter, \textit{Marriage as Public Policy}, POL’Y REP. (Progressive Policy Inst., Washington, D.C.), Sept. 2001, at 8–9, available at http://www.ppionline.org/documents/marriage_lichter.pdf. Professor Lichter argues that discouraging out-of-wedlock birth should be the core of Marriage Plus, because he believes single mothers face large barriers to marriage later on. \textit{Id.} at 9. Women who bear children outside of marriage are significantly less likely to ever marry than women who do not, and marriages between women who have had a child outside of marriage with their child’s father are very unstable. \textit{Id.} at 5–6. Professor Lichter believes that this evidence suggests that marriage promotion may come too late for current single mothers, and so any marriage promotion policy must impact this problem before it starts: before the birth of children. \textit{Id.} at 8–9.

\textsuperscript{144} See Ooms, \textit{Marriage and Government}, supra note 94, at 4–5; Ooms, \textit{Marriage Plus}, supra note 141.

\textsuperscript{145} Ooms, \textit{Marriage and Government}, supra note 94, at 4–5. Marriage Plus explicitly recognizes that for some single parents, marriage is not the answer. \textit{Id.} For example, in the situation when a single mother has children by more than one man, it may be unclear whom she should be encouraged to marry. Ooms, \textit{Marriage and Government}, supra note 94, at 4. Similarly, many children’s parents are no longer romantically involved, and it would make little sense to encourage marriage then. See id.

\textsuperscript{146} See id.

\textsuperscript{147} See \textit{House Bill}, supra note 14; Ooms, \textit{Marriage and Government}, supra note 94, at 5. The Marriage Plus approach has been savagely critiqued by conservative critic Robert Rector as “a counterfeit policy that promotes healthy marriage in name but not in substance.” Robert Rector et al., \textit{“Marriage Plus”: Sabotaging the President’s Efforts to Promote Healthy Marriage}, HERITAGE FOUND. BACKGROUNDER No. 1677 (Heritage Found., Washington, D.C.), Aug. 22, 2003, at 7, available at http://www.heritage.org/Research/Welfare/BG1677.cfm. Rector believes that the job training and pregnancy prevention programs of Marriage Plus duplicate existing programs in the federal system, tend to sap funds from the traditional marriage promotion policies, and have little to do with promoting marriage. \textit{Id.} at 7–8.
without directly promoting marriage at all. Currently, child support is often overly burdensome on low-income fathers, which may discourages them from both payment of child support and involvement in their children’s lives. A simple solution would be to index child support as a flat percentage of the father’s income, so it would automatically decline if the father is unemployed or incarcerated. A similar existing problem is that even if unwed parents live together, the father must still pay child support, creating a double burden on the father and an incentive for him to move out. Altering this rule so that fathers living with the mothers of their children do not have to pay child support, may encourage such fathers to stay in the household and to be involved in their children’s lives. Lastly, as mentioned above, many states reduce TANF benefits for families receiving child support, which intensifies poverty in single-parent families. Ending this policy might significantly increase the child’s standard of living.

CONCLUSION AND ALTERNATIVES: MARRIAGE IS NOT AN ANTI-POVERTY TOOL

Marriage promotion programs in H.R. 4 are likely to fail to assist working poor families escape poverty because this initiative confuses the ends with the means. Marriage promotion programs are trumpeted as a method to reduce poverty and improve child well-being. However, these programs are unlikely to achieve their stated goals, primarily because these programs do not tackle the fundamental reason many poor single parents do not get married. Therefore, these programs simply promote marriage for marriage’s own sake. While marriage may be a legitimate governmental goal, these marriage promotion programs are dangerous because they are framed not as

148 See McLanahan et al., supra note 34, at 157.
149 Id. This lack of parental involvement often leads to lower child well-being. See supra Part I.
150 See McLanahan et al., supra note 34, at 157.
151 Id. The double burden results from the father paying child support, even though he is likely to be supporting the family financially by splitting the rent and other household expenses. Id.
152 See id.
153 Id. at 158.
154 Id.
155 See supra Part I.
156 See supra Part IIIA–C.
157 See supra Part IIIA–C.
pro-marriage programs, but as anti-poverty vehicles. They divert attention and money away from formulating policies that are more likely to assist the legitimate problems of poverty and child well-being among single-parent families. Both Marriage Plus and child support reforming are policy alternatives that better address these problems and avoid some of the dangerous pitfalls of marriage promotion policies as currently formulated.

Such options suggest that American policymakers already have what Shipler calls "the skill," or the capability, to alleviate poverty among single-parent working poor families. The question remains whether American society has the "will" to spend the money to make such programs a reality. Marriage promotion programs are enticing because they are relatively cheap and suggest that marriage is an easy answer to poverty. Unfortunately, as Shipler has demonstrated, the situation of the working poor is a complex one, unlikely to be solved by a quick fix, and likely to require a great deal of time and energy. Shipler suggests that the value of American society depends on how America confronts challenges to injustice and suffering, such as the dilemma of the working poor. America has a long way to go if it adopts marriage promotions as a panacea for poverty.

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159 See supra Part I. The scope of this paper does not encompass a full exploration of alternatives. For alternatives that address the problems of the working poor in general, see Shipler, supra note 1, 285–300.
160 See supra Part III.D.
161 Shipler, supra note 1, at 286.
162 Id.
163 See Zoë Neuberger, TANF Spending in Federal Fiscal Year 2001, REP. (Ctr. on Budget & Policy Priorities, Washington, D.C.), last revised Mar. 27, 2002, at 4 available at http://www.cbpp.org/3-21-02tanf.pdf. In 2001, for example, the federal government dispersed $16.8 billion to states. Id. Clearly a $200 million annual program is a drop in the bucket compared to that vast sum. See House Bill, supra note 14, § 103.
164 See Shipler supra note 1, at 4–5, 286; supra Part III.C.
165 Shipler supra note 1, at 298–99.