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Contraction

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Sheltering the Homeless in New York City: Expansion in an Era of Government Contraction

DONNA WILSON KIRCHHEIMER

In the United States, expansion of public social functions was not expected in the 1980s. The growth trend in national social spending contracted after the Reagan administration's Omnibus Budget Reconciliation Act of 1981, which repealed certain benefits and capped the allocations for new block grants. National social expenditure later continued to increase, but the growth was principally in programs that were previously legislated and was rarely due to authorization of new social functions.

Research literature suggested it was unlikely that cities would surge forward independently to make a large and rapid addition of a social function. Studies of municipal expenditure change found that U.S. cities were historically preoccupied with their legal obligations to balance their budgets and made only conservative increments at the margin.¹ Research on urban politics asserted that the interest of a city's leadership in promoting economic activity created a bias against redistributive policies for low-income residents.² Moreover, when national policy ex-

¹ John P. Crecine, *Government Problem-Solving* (Chicago: Rand McNally, 1969).

² Paul E. Peterson, *City Limits* (Chicago: University of Chicago Press, 1981).

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panded social functions historically, research characterized subnational implementation as tragic theatre in which gleaming national hopes went astray.³

Despite such expectations, some new social functions were assigned to U.S. government and to subnational governments during 1978–1988. Large new social responsibilities were, however, few in number, and they invite explanation. This analysis examines a significant function that the U.S. government and many state, city, and county governments (as well as thousands of private nonprofit organizations) did initiate—the financing, regulation, and provision of emergency shelter for people who were homeless.

This analysis explores the proximate political conditions that may help to explain the magnitude and speed of growth of emergency shelters at the subnational level. On the assumption that a confluence of direct political factors would be necessary to account for large expansion, the analysis tests a series of hypotheses. These are: bureaucratic momentum, the political opportunity structure, the political culture, the policy regime, the political interest structure, media agenda, and authoritative bargaining arenas. To evaluate these multiple factors, the analysis focuses on a single site. It draws on the case of emergency shelter for the homeless in New York City during 1978–1988. New York City was a harbinger of the national increase in homeless people and of expansion of emergency shelters in other cities.

EMERGENCY SHELTERS IN NEW YORK CITY

The growth in New York City expenditures for emergency shelters was sudden and large, not at all the type of incremental creep that was thought to typify urban expenditure change. From 1978 to 1985, the city's annual spending increased from \$8 million to over \$100 million for operating and capital improvements for shelter services for homeless single men and women. Additionally, new city budget allocation for emergency shelter for homeless families started after 1982 and increased to \$100 million by 1985.

New York City government had on a small scale provided temporary shelter to the homeless for about a century, but significant changes during 1978–1988 transformed it into a new function. First, during that period, the average nightly census exceeded 2,000 persons for the first time since the Depression. In the Depression, the municipal lodging house overflowed until the Works Progress Administration supported new annexes for almost 10,000 people nightly in 1936. A half century later, the nightly census boomed again and reached over 10,000 single men and women in winter 1986–1987. Second, use of shelters climbed through the 1980s, while peak Depression use dropped after 1936 to only 300 per night in World War II. Third, homeless families appeared in large numbers; they quintupled from under

³ Jeffrey L. Pressman and Aaron B. Wildavsky, *Implementation*, 3d ed. (Berkeley: University of California Press, 1984).

1,000 per night before 1982 to about 5,000 (including 12,000 children) in 1987. Fourth, the period of stay elongated in the 1980s. Families remained in shelters an average of thirteen months in 1986. Many single men and women were repeat users, although many shelters prohibited return to the same bed every night. Fifth, the number of shelters mushroomed. Shelters for single men and women increased from three in 1978 to eighteen in 1985. Also, there were few hotels and residential centers for homeless families before 1982, but in 1983 there were more than fifty. Sixth, the content of service changed. Specialized shelters opened for subpopulations with different needs, such as pregnant women, women with infants, families, youth, the elderly, veterans, and substance abusers. Also, a new kind of shelter was created with facilities (such as private rooms for families, and refrigerators) that were intended for stays of several months. These were designed to be “transitional shelters,” a form of accommodation intermediate between barracks-style shelters for single nights and permanent housing. Seventh, shelters in the 1980s could no longer turn people away when they were full, and the city government became legally obligated to provide a bed to every person who requested one.⁴

Ironically, the principal source of revenue for expanding emergency shelter for families was a federal grant hit by the Reagan retrenchment, Aid to Families with Dependent Children (AFDC).⁵ Although the cuts curtailed a number of AFDC’s benefits (such as day care for children and work expenses), its program of Emergency Assistance to Families (EAF) was not affected. New York State opted to use EAF for emergency shelter and extended the emergency period beyond the statutory allowance for federal reimbursement. For homeless individuals, also, New York took initiative in expanding use of federal funding sources, such as Veteran’s Assistance, Social Security Disability Insurance, and the Supplemental Security Income program. New York’s initiative to diversify shelter costs into federal funding streams indicated that the drive for expansion was state and local, and not top-down implementation of national policy.

Expansion of shelters came in response to a deterioration in living conditions that was visible to the city’s general population. Homeless people were an everyday sight because of the magnitude of outdoor sleeping, its location in downtown and well-to-do areas, and the intrusiveness of begging. The problem spread over time. Single homeless men increased in the late 1970s, and then single women. After 1982, homeless families began to seek emergency shelter. The inequalities in living conditions were self-evident and represented deterioration below the historical threshold of popular acceptance. Thousands of beggars were able to subsist on donations from passers-by.

In summary, in the 1980s New York City government invested in a vast network

⁴ New York City Human Resources Administration, *New York City Plan for Homeless Adults* (New York: Human Resources Administration, 1984); New York City Mayor’s Office of Operations, *Mayor’s Management Report* (New York: Citybooks, 1987).

⁵ John L. Palmer and Isabel V. Sawhill, eds., *The Reagan Experiment* (Washington, D.C.: The Urban Institute, 1982).

of emergency shelters that were designed for short-term use. The shelter response was a minimal, emergency, protective function that mirrored the crisis definition of the problem. By the end of the decade, this system was embedded in the city's housing market, and temporary shelter for the homeless was institutionalized as a large new public social function. It became likely that only expansion of another public function, permanent housing for low-income renters, would diminish the scale of emergency shelter in the 1990s. The following sections test the series of direct political factors that hypothetically could have influenced expansion of public resources to shelter the homeless in New York City.

Bureaucratic Momentum

The push of bureaucratic momentum is said to impel a public organization to expand its domain. Internal forces are described as a "ghost within the machine," which generates new policy realms and new costs.⁶ Bureaucrats are said to have self-interests like everyone else that propel them to ever expand their spheres of activity.⁷ Bureaucratic factors can be linked to forces outside an agency through professional organizations, which are said to be driven by similar compulsions to dominate new terrain.⁸

Was bureaucratic empire-building a force in the New York City administration that impelled expansion of public shelters? City government did reject its prior practice of turning people away when emergency facilities were full, and its new policy offered shelter of some type to all persons upon request.⁹ This policy reversal was, however, not self-initiated but came in response to litigation, which triggered higher institutional authority. Decisions to open new shelters were the mayor's, and hiring authority was controlled by the city's Office of Management and Budget, the deputy mayor, and the mayor, who were preoccupied with budget control. Decisions on geographic locations were mayoral. Opposition from neighborhoods was a well-recognized force that spawned the slogan "NIMBY," "Not in My Backyard!" Because political risk was high, mayoral control was critical to prevent, appease, and stonewall the opposition. Mayoral agencies were barraged by consumer demand and were preoccupied with the mammoth challenge of keeping up with the crisis in a responsive, not aggressive, fashion.

In sum, expansion of the shelter function was not automatic, and it was not self-propelled by a bureaucratic juggernaut. The mayor was not overwhelmed by the functional power of autonomous bureaucracies. City managers were fully cognizant of their obligations to provide a floor of social protection in the face of

⁶ Richard Rose and Guy Peters, *Can Government Go Bankrupt?* (New York: Basic Books, 1978).

⁷ Thomas E. Borcharding, *Budgets and Bureaucrats: The Source of Government Growth* (Durham, N.C.: Duke University Press, 1977).

⁸ Samuel H. Beer, "Political Overload and Federalism," *Polity* 10 (Fall 1977): 5-17.

⁹ Thomas J. Main argued that New York City's shelter policy itself contributed to the homeless family problem. See "The Homeless Families of New York," *Public Interest* 85 (Fall 1986): 3-21.

emergency, but they did not seek out or exploit opportunities for bureaucratic aggrandizement and did not open shelters solely of their own volition.

Political Opportunity Structure

Opportunity for action by the U.S. national government has been associated with the opening of policy windows. Empirical examples include a change in administration that introduces a newly elected official with a fresh electoral mandate, a redistribution of congressional seats that shifts voting coalitions, a national mood shift, or a crisis or focusing event such as a natural disaster or major accident.¹⁰ In New York City, however, none of the classic policy windows occurred. There was no new mayor who perceived his electoral mandate to be helping the poor. There was no new voting block in state or city legislatures. There was no natural disaster or accident, such as an earthquake or airplane crash. Nor was there any other major socioeconomic dislocation such as a war or mass migration. National social policy was retrenchment; and national, state, and local governments were preoccupied with cutback.

While the crisis was not a natural disaster or accident, the cumulative impact of the visibly homeless can be compared to an objective event to which the public reacts directly. The intrusive and prolonged image of homeless people was a focusing event, when a shared sense of crisis can lead to a widespread expectation that something be done, and people may tend to be receptive to remedial action by government. In this sense, the opportunity structure contributed to a potentially receptive environment that indirectly helped to make government action politically feasible. Mass temporary shelter was not, however, an old policy idea whose time had come; it developed as an “acute innovation”¹¹ that was desirable solely in crisis.

Political Culture

New York City has historically been called a “social welfare city” because of its “cosmopolitan liberalism,” which supported government action to protect the less fortunate through redistribution of wealth and resources.¹² When the number of homeless people soared during 1978–1988, however, the mayor was not an exponent of liberal political culture. Mayor Edward Koch’s inaugural speech in 1978

¹⁰ John W. Kingdon, *Agendas, Alternatives, and Public Policies* (Boston: Little, Brown, 1984).

¹¹ Nelson Polsby, *Political Innovation in America* (New Haven: Yale University Press, 1984).

¹² Bernard R. Gifford, “New York City and Cosmopolitan Liberalism,” *Political Science Quarterly* 93 (Winter 1978–79): 559–584. The present analysis understands political culture to be the discourse over central values concerning the legitimacy and appropriate roles of government. The argument is taken to be between egalitarian beliefs, which call for use of government to redistribute economic resources to the poor, and individualistic beliefs, which oppose redistribution by government (although public action may be supported for other purposes). The concept of political culture lacks a shared operational definition, but its appeal to scholars is recurrent, and its different meanings continue to

blamed the “monumental problems” that New York City faced on its history as a “lifeboat for the homeless.” Koch’s social policies were fiscally conservative and were supported by a majority of the voting population. The NIMBY opposition was sometimes spearheaded by local elected politicians, and it charged a political price for opening shelters. Nevertheless, cosmopolitan liberalism was not quashed in the 1980s. Egalitarian beliefs motivated the policy community that mobilized against the mayor and contributed to the size and strength of advocacy by social welfare, public law, and religious groups on behalf of the homeless.

New York City’s political culture was not a unitary belief system. Expansion of the shelters resulted from conflict between opposing beliefs within the political culture. Egalitarian values supporting redistributive policy were advanced mainly by opponents to the mayor, while the mayor himself represented fiscal conservatism on social issues. Cosmopolitan liberalism within the political culture had, therefore, only an indirect influence that helped to shape the policy-making context to be partially receptive. Political culture was not a direct or immediate cause of shelter expansion, nor did it have a unitary or singular effect.

The Policy Regime

Regime theory calls attention to the dominant coalition of interests in a city and to the political leadership’s connection to the economic and political environment. It treats a policy agenda as the product of struggle over the political arrangements in a city’s governing coalition.¹³ It thus connects policy choices to the interests of a coalition of actors who have substantial concerns. Public officials face cross-pressure from multiple imperatives that compel them to balance conflicting structural interests.¹⁴ Current research on urban development argues that politics matters. Although emphasis lies on the economic and political context, it accords a central role to political choice and leadership. Clarence Stone notes: “The common good is something that doesn’t just happen. It is something that must be brought into being, albeit imperfectly, by a set of political actors.”¹⁵

How can the concept of a policy regime help to explain expansion of a social

provoke argument. See for example, Aaron Wildavsky, “Choosing Preferences by Constructing Institutions: A Cultural Theory of Preference Formation,” *American Political Science Review* 81 (March 1987): 3–22; and David D. Laitin and Aaron Wildavsky, “Controversies: Political Culture and Political Preferences,” *American Political Science Review* 82 (June 1988): 589–596; Gabriel Almond and Sidney Verba, eds., *The Civic Culture Revisited* (Boston: Little, Brown, 1980); John Kincaid, ed., *Political Culture, Public Policy, and the American States* (Philadelphia: Institute for the Study of Human Issues, 1982); Raymond Wolfinger and John Osgood Field, “Political Ethos and the Structure of City Government,” *American Political Science Review* 60 (June 1966): 306–326.

¹³ Stephen L. Elkin, *City and Regime in the American Republic* (Chicago: University of Chicago Press, 1987).

¹⁴ Martin Shefter, *Political Crisis/Fiscal Crisis* (New York: Basic Books, 1985).

¹⁵ Clarence N. Stone, “The Study of the Politics of Urban Development” in Stone and Heywood T. Sanders, eds., *The Politics of Urban Development* (Lawrence: University Press of Kansas, 1987), 10.

function in New York City? The empirical questions are to identify the coalition of interests that municipal leadership represents, to examine its links to the economic and political context, and to assess its impact on expansion of the shelter function. In New York City during 1978–1988, the dominant coalition was not a liberal one, and it had not incorporated minority groups.¹⁶ Mayor Koch's voting block was not among the poor, the minorities, or the liberals, but among the white working-class and middle-class populations and the party machines in the outer boroughs. His constituency included real estate, developer, business, and financial interests that had promoted redevelopment since the late 1960s. Renovation and gentrification had displaced residents from flophouses and single-room-occupancy hotels; landlords had abandoned apartment buildings for more prosperous investments, leading to displacement of thousands of poor households. Koch's coalition thus tended to represent interests that favored economic redevelopment that had contributed to displacement and to underrepresent the poor and mostly minority people who had to seek emergency shelter.

The economic context of political leadership buttressed the preferences of the mayoral coalition for a conservative social policy. Because of the city's fiscal crisis and budget deficit, and the national cuts in intergovernmental grants in 1981, municipal priorities concentrated on cost control and reducing personnel positions. Competition for resources was high, and the city's budget process required that any new expenditure be justified on the basis of its potential to generate new revenues, its promise to save future costs, or its compliance with federal or state legislative, executive, or judicial orders.

Nevertheless, New York City was not Calcutta. A significant historical resource floor did exist, and policy response was not precluded. Several potential barriers that could have blocked revenue sources were weak in the 1980s. For example, there was no unusual inflation, nor a major taxpayers' revolt, nor an acute fiscal crisis, and economic recovery was rebuilding tax resources. The city achieved a balanced budget by 1981; short-term borrowing, net city debt, and debt service as a percent of total expenditures were by then below 1976–1977 levels.¹⁷ Nevertheless, the municipal budget remained austere compared to its historical rates of increase, and in 1981 the Omnibus Budget Reconciliation Act cut millions of federal dollars. The mayor's ability to replace some, but far from all, of the federal cuts in social programs indicated that by 1981 there was some room for mayoral discretion to make modest increments for political needs.

Because the mayor's electoral coalition was fiscally conservative on social issues, he was under pressure to justify increased spending for shelters. He criticized the underfunding of affordable permanent housing by the state and national governments and took an entrepreneurial initiative to expand use of federal programs. Koch also blamed the homeless themselves for swelling shelter requests. He as-

¹⁶ John Mollenkopf, "New York: The Great Anomaly," *PS* 19 (Summer 1986): 591–598.

¹⁷ New York City, Office of the Comptroller, *Comparative Analysis of New York City's Financial and Economic Indicators, Fiscal Year 1982* (New York: Citybooks, 1983).

sailed religious organizations for the paucity of shelters, and his criticism motivated churches and synagogues to add more beds. Broadening private suppliers and accusations of shirking municipal obligations enabled the mayor to share the political liability for expanding shelter costs.¹⁸ Mayoral policy on the homeless was reluctant; the first mayoral plan for family shelters predicted a decrease in use of family shelters, the course of least political risk.

In summary, growth of the shelter function did not result from voluntary action by the city's dominant coalition of interests. The mayor's electoral coalition remained fiscally conservative on redistributive policy, and it did not incorporate the interests of shelter beneficiaries who were largely poor and minority. 1978–1988 was a period of fiscal constraint and not relative abundance, and sheer wealth did not spur public social spending. Regime theory helps to explain the pattern of conflict and its connection to economic and political interests. This case does illustrate how politics matters. Expansion of this function was neither automatic nor neutral, but was conflictual and political.

OUTSIDE PULL FACTORS

Were there more proximate political factors in the environment of city government that directly affected functional expansion? This section assesses the effects of the political interest structure, the media agenda, and authoritative bargaining arenas.

Political Interest Structure

The structure of expressed political interests has been typed as subgovernments and as issue networks. The main threads of difference are the degree of cohesion and collusion among the participants; their degree of like-mindedness; the intensity of interest or commitment they feel; their ability to assert autonomy; their definitions of success; and their orientation toward achieving results. What was the structure of interests in New York City that might have exerted an outside pulling force on governmental decision makers that induced them to expand the shelter function?

First, subgovernments have been classically configured as iron triangles composed of interest groups, congressional committees, and federal administrators.¹⁹ The label denotes their tight bonds, autonomy, shared interests that are deeply felt, and effectiveness in obtaining public benefits for their constituencies. Was there in New York City a structure of interests resembling an iron triangle on the homeless issue?

Provider interests can be strong forces for expanding public benefits, as when

¹⁸ *New York Times*, 20 January 1983.

¹⁹ Harold Seidman, *Politics, Position, and Power*, 2d ed. (New York: Oxford University Press, 1975).

defense industries lobby for military contracts. In New York City, however, profit-oriented providers of permanent housing were increasingly disinterested in welfare consumers. Owners of private apartment buildings and single-room-occupancy hotels were leaving the low-rent market, and developers aimed to attract higher-income tenants. Moreover public administrators did not form iron bonds with committees in the city's legislative bodies.

Also, the beneficiary population was a weak political force. The homeless were the poorest people in New York City and had no financial resources for political mobilization. The poor did not have an organizational base from which to press for their own needs. They tended to be inactive in electoral politics, and their support was not heavily courted by elected officials. The homeless also did not exert their force of numbers through organized protests or street demonstrations, which have been important to New York City's day care and senior citizen movements. About a third of homeless single persons were handicapped by major mental disabilities, and many suffered from substance abuse. Most heads of homeless families were young single women who had less than a twelfth grade education and less than a year of work experience, and they were preoccupied with caring for small children in unstable residences from which they had to move almost every other year. The main resource that the homeless possessed was moving their own bodies. By sleeping and begging in the streets and public places, their needs caught the public eye and activated the city's media and social welfare communities. In sum, there was no evidence of an iron triangle.

Second, was an issue network influential in pulling an expansion of public functions out of city government? Issue networks, in Hugh Hecló's definition, are loose associations of disinterested "journeymen" whose ties are for communication and ad hoc coordination.²⁰ In New York City, experts on the homeless issue did spring up in public bureaucracies, universities, and private nonprofit organizations, and their ties were open and informal. Many could be described as journeymen who were not personally identified with controversial opinions and were not independent political actors. Technicians contributed information on homelessness, such as studies of socioeconomic characteristics and shelter utilization; but they did not bring a direct or independent force for expansion to bear on government decision makers. Technicians in the public bureaucracy aided the top appointed officials who were their clients to manage the crisis according to mayoral policy.

If neither iron triangles nor issue networks of technicians impelled expansion, was there no pulling force from any political interest structure? This case suggests a hybrid type, in the middle of the continuum between iron triangles and issue networks, which can be called a "policy community."²¹ A policy community

²⁰ Hugh Hecló, "Issue Networks and the Executive Establishment" in Anthony King, ed., *The New American Political System* (Washington, D.C.: American Enterprise Institute, 1978).

²¹ Alice Sardell, *The U.S. Experiment in Social Medicine: The Community Health Center Program* (Pittsburgh: University of Pittsburgh Press, 1988), 206-208.

resembles an iron triangle in that its participants share a commitment to a particular policy direction. However, like an issue network, it has loose internal ties and does not exert autonomous power.

How can the activities of a policy community help to explain expansion of shelters for the homeless? The New York City environment was a likely breeding ground for a new policy community because of its high and conflictual level of political organization and its group activity that historically had mobilized on social issues.²² Within this milieu, a new policy community sprang up to specialize on the issue of homelessness. It was an identifiable community of shared values, which consciously challenged the existing institutional structure. It consisted of people who were committed social advocates, not neutral technicians, and they were not based in the city bureaucracy. The internal structure of this policy community was loose and open, and contacts were ad hoc and informal. Many members knew each other, exchanged information, shared strategies, and at times coordinated particular actions.

The political impact of this policy community was diverse. The groups publicized the needs of the homeless before the city, state, and national executive and legislative branches. They evaluated the quality of public shelter services and monitored enforcement of governmental standards. They developed proposals for emergency and transitional shelters and advocated models for replication. Many groups were service providers who ran overnight shelters, drop-in centers, soup kitchens, and food pantries, and some tried to organize homeless people on their own behalf. They recruited thousands of volunteers who were an important resource base for donated labor and transmission of community education. The groups informed the public about the homeless and attracted attention particularly from religious organizations, student populations, and the media. Two channels of influence were most important, educating the media and triggering the authoritative apparatus of the state courts.

The policy community had a varied resource base. Many of the groups were nonprofit social welfare organizations whose board members included the social and economic elites of the city. Advocates more recent to the scene dubbed them a “charitable industrial complex.” Some organizations, including religious federations, had succeeded in obtaining public and private support for human services for a century, and some had ties to business corporations. These groups were joined by prominent individuals from the professions, such as two co-chairs of a new watchdog group, the Emergency Alliance for Homeless Families and Children, who were former deans of two graduate schools of social work and former commissioners in past mayoral administrations.

Most striking were the many new groups without significant resources that sprang

²² James W. Fossett, *Federal Aid to Big Cities* (Washington, D.C.: Brookings Institution, 1983); J. David Greenstone and Paul E. Peterson, *Race and Authority in Urban Politics* (New York: Russell Sage Foundation, 1973).

up in response to the homeless problem. Many were grassroots efforts that relied on volunteers to operate church basement shelters and soup kitchens. Some direct services received aid from the Federal Emergency Management Agency and later from New York State programs. A significant new organization was the Coalition for the Homeless, which was started by a young attorney then practicing at a well-known law firm and by individuals conducting advocacy research for the Community Service Society. The coalition formed initially on the problem of homeless single men in the late 1970s, but as the homeless grew to include single women, families, and children leaving foster care, their agenda widened also. The coalition developed ties with groups in other cities and helped to mobilize a national social movement on homelessness. The coalition started a newsletter in 1982, and a national conference of advocates for the homeless met in 1985.

The issue agenda of these groups had a high degree of specialization that reflected the diverse characteristics of the homeless population. Some groups focused only on the homeless, or only on homeless families, or only on hunger as a problem distinct from homelessness. People from the mental health and health fields might emphasize homeless single individuals among whom mental illness was significant, while those with a social service background might stress homeless families. More than fifty organizations became active on the specific problem of homeless families in only a three-year period. Initially, most social welfare and health-related groups entering the homeless issue were distant from groups that specialized in housing. Many groups with a homeless agenda wanted to alleviate the immediate crisis and concentrated on emergency shelters and feeding; and they initially lacked expertise on legislating, financing, and operating permanent housing for the poor. Their emergency emphasis paralleled the mayor's assignment of the new shelter system to a city agency that had long experience in social welfare but no jurisdictional authority over permanent housing.

Certain elected city officials were a significant part of the policy community. Main examples were City Council President Carol Bellamy, Comptroller Harrison Goldin, and Manhattan Borough President David Dinkins, all of whom were rivals of Koch within the Democratic Party for the mayoral position. The first mayoral plan for homeless families was produced at the request of the city's Board of Estimate, and it resulted from competition between the mayor and members of the board.²³ However, Bellamy went out of office in 1986, and Dinkins only came in then. Also, activist City Council members lacked an institutional base with strong committee resources and powers.

In sum, in this case the political interest structure was an issue network composed of congeries of organizations and individuals with homelessness on their agendas. Connections within the network were loose, and participants included committed advocates and disinterested journeymen providing information. Within the network, a nexus of organizations shared beliefs on desirable policy content.

²³ New York City Government, *A Comprehensive Plan for the Temporary and Permanent Needs of Homeless Families in New York City*, mimeographed, 1984.

This policy community was a direct and immediate force that helped to pull functional expansion out of city government.

This case suggests a modification in the theoretical concept of issue networks. The idea of an issue network can denote a dynamic collection of participants who may include, however, not only neutral journeymen but also a hub of organizations who share policy prescriptions and who compose a policy community that may have direct policy impact.

The Media Agenda

Two functions of the media can be direct political forces that might directly help to impel government to expand social policy. First, attention from the media can increase the salience of an issue in the public mind and thus can help to shape the agenda of governmental decision makers.²⁴ Second, particularly in the field of social policy, media attention can be crucial to the success of protest groups.²⁵

First, media publicity on the homeless increased sharply in New York City from 1978 to 1988. Television ran news and human interest topics that visually depicted human suffering and poor shelter conditions. Often television reporters covered the same story several days in a row and drew prolonged attention; they also provoked responses from government. All the city's major newspapers increased their attention. Before 1978, homeless persons were not categorized in *The New York Times Index*, but were included under "vagrants and migrants," which had few entries. But as the numbers of homeless persons grew, *New York Times* coverage of homelessness increased from 4 items in 1978 to 8 in 1979, 12 in 1980, 60 in 1981, 85 in 1982, 72 in 1983, 159 in 1984, 235 in 1985, 290 in 1986, 370 in 1987, and 302 in 1988.²⁶

New York Times editorials favored responding to the needs of the homeless by opening shelters and permanent housing. *Times* editors supported mayoral efforts in the face of opposition from elected politicians, private nonprofit organizations, unions, and NIMBY proponents. They considered public resources to be overwhelmed and called for cooperation from volunteers, private nonprofit agencies, and the business sector. Editorials supported city efforts to place homeless men in permanent jobs, to use public assistance monies to prevent eviction, and to decentralize to smaller shelters citywide. Their most critical voice urged the city government to open shelters more speedily, to empty the mass shelters and welfare hotels,

²⁴ Maxwell E. McCombs and Donald L. Shaw, "The Agenda Setting Function of the Press" in Doris A. Graber, ed., *Media Power in Politics* (Washington, D.C.: Congressional Quarterly Press, 1984); Elihu Katz and Tamas Szecsko, *Mass Media and Social Change* (Beverly Hills, Calif.: Sage Publications, 1981).

²⁵ Michael Lipsky, *Protest in City Politics* (Chicago: Rand McNally, 1970).

²⁶ See *New York Times Index*. Items included news and feature stories, editorials, op-ed articles, letters to the editor, and photographs of homeless individuals and families in New York City and elsewhere.

and to renovate permanent housing; the editors also prescribed federal and state actions to rebuild national subsidies for low-rent housing.

The effect of media coverage was, at a minimum, to cause the attention of public officials to focus on the homeless, among the welter of issues that competed for public recognition. To a large extent, the media agenda became the agenda of public officials. However, media contacts included press releases, personal communications, briefings, and meetings with city officials; and the city government influenced the media agenda. While *New York Times* coverage was urgent, it was sympathetic to the mayor's problems, including the scale of operations and his political opposition. To some extent, the *Times* could help the mayor to build the coalition he needed to expand shelters and permanent housing. Fundamentally, however, media coverage constituted a political liability for city officials. Media visibility increased the political cost of nonintervention. All coverage, sympathetic or confrontational, was implicitly a call for government action and set an expectation of results.

Second, media attention was an important political resource for the policy community active on the homeless issue. Their leadership considered the press a valuable ally and invested time and effort in courting its attention. Robert Hayes, who headed the Coalition for the Homeless, said that he was "educating the fifth generation of *New York Times* reporters."²⁷ The policy community used the media to communicate their policy recommendations to public officials. Hayes commented, "Our real purpose, though, is to be able to take this and get the *New York Times* to write about how wonderful it is that these 40 families are no longer in the Martinique Hotel, and Look, Governor Cuomo, if you — dope! — raise the welfare allowance by 50 bucks a month for these families, you could get a lot more families out of there! So there's a political edge as usual to this, too." In sum, media publicity offered the policy community a legitimate avenue of communication for educating their audience, including the general public, elected officials, and third parties.

Authoritative Bargaining Arenas

In two respects, the availability of an authoritative bargaining arena may be central to explaining growth of a local public function. First, use of bargaining arenas can facilitate policy change in the intergovernmental system by providing sites where actors can compete for political resources such as authority for programs, money, and jobs.²⁸ To be effective, bargaining arenas have to be authoritative institutions whose decisions to approve action and commit funds are binding on government policy. Jeffrey Pressman's examples of potentially effective arenas included political parties, interest groups, bureaucracies, the federal poverty programs, and the

²⁷ *Village Voice*, 28 July 1987, 21–37.

²⁸ Jeffrey L. Pressman, *Federal Programs and City Politics* (Berkeley: University of California Press, 1975), 14–15, 58, 72–78.

electoral process. However, another hypothesis can be posed that authoritative bargaining arenas may be just as important to expansion that springs from local policy communities, as Pressman showed they were to implementing national policy downward in the intergovernmental network.

Second, the policy community on the homeless was the weaker party in a conflict with the mayor over expansion of a new social function. While the policy community did have strengths of various sorts, it did not possess the authority to compel public resources for the purposes it advocated. Elmer Schattschneider predicts that in a contest the weaker party will broaden the scope of conflict to involve third parties that possess distinctive powers; the result of third party intervention will be a change in the bias in the status quo.²⁹

This analysis conceives of a state judicial system as a potentially effective bargaining arena that can be activated by the weaker party in a dispute. How in New York City did the policy community on the homeless trigger the courts, and what was the impact of the state judiciary on expanding the shelter function?

In October 1979, the Coalition for the Homeless brought a class action law suit in the New York State court system. *Callahan v. Carey* became a seminal case for the decade of litigation that followed.³⁰ *Callahan* was brought on behalf of homeless men who ate meals at the city-operated Men's Shelter in Manhattan or who received vouchers that were redeemable in hotels or other shelters. The suit charged a critical shortage of beds, as well as conditions that were unhealthy and dangerous in the shelter that was available. Two months later, the court ordered a preliminary injunction. The court held that the New York State Constitution provided for the "aid, care, and support of the needy," and a consent decree was negotiated under the auspices of the court in August 1981. The decree set detailed standards for quality of public shelters and voucher hotels, including limits on capacity, the staff to resident ratio, the size of beds, and services such as laundry, mail, and telephones. The decree also contained a monitoring requirement, which had the city government send reports on shelter conditions to plaintiffs' attorneys.

When the number of homeless women increased sharply and the women's shelters overflowed, litigation recurred. The State court held in *Eldredge v. Koch* in December 1982, that the terms of the Callahan consent decree extended to homeless women on grounds of the equal protection clause.³¹

When numerous homeless families appeared in city shelters and emergency welfare offices, a third class action was filed in 1983 by the Legal Aid Society. The Appellate Division of New York State Supreme Court ruled in *McCain v. Koch* in May 1986 that all homeless families have the legal right to emergency shelter under the New York State Constitution and ordered the city to comply with state

²⁹ Elmer E. Schattschneider, *The Semi-Sovereign People* (Hinsdale, Ill.: Dryden Press, 1975).

³⁰ *Callahan v. Carey*, New York County Supreme Court, Index #42582/79.

³¹ *Eldredge v. Koch*, 469 N.Y.S.2d 744 (A.D. 1 Dept. 1983).

regulations on safety and sanitation standards for the shelters.³² The immediate effect was to bar the city government from letting welfare families spend the night sitting in chairs or lying on countertops at the welfare department's emergency offices.

Although the judiciary tended to support the plaintiffs' arguments, judges were aware of the impact that compliance with court orders would have on the public treasury. The courts were periodically sympathetic to the cost arguments raised by city attorneys. For example, the court was willing to lower the plumbing ratios, and it increased the number of residents per toilet from six to ten, and the number of residents per shower from ten to fifteen. This result, nevertheless, represented a compromise from the city's initial proposed relaxation of standards, which the court branded a "cruel and unacceptable hoax."

Judicial decisions were not, however, automatically self-executing. The plaintiffs remained active in monitoring implementation and triggering enforcement. They obtained orders requiring the city to provide more beds, adhere to standards, and reduce the population of certain shelters. In fact, the perspective of plaintiffs' attorneys was that litigation was not a very efficient avenue for social change. Hayes saw the litigation route as a "last resort," because lawsuits were "slow, god-awful, very ineffective, bull-in-china-shop kind of efforts."³³ Although litigation was their "central tool" and injunctions were their "main objective," Hayes thought litigation for economic rights was only the beginning of a "much longer race."

In summary, the *Callahan*, *Eldredge*, and *McCain* cases were the start of a litigation campaign brought in New York state courts on behalf of the homeless. These suits, as well as others, focused sequentially on homeless subpopulations and obtained a series of court actions over a ten-year period. Leadership of the policy community used the cases as rallying points for an educational campaign aimed at elected officials, the media, and the general public. Lawsuits, Hayes noted, had to stand up not only to judicial scrutiny but also to media scrutiny.

Litigation campaigns, composing a series of cases brought over a decade or more, have been found to be important in explaining expansion of social policy at the national level.³⁴ Activism of New York State courts on the homeless issue thus mirrored the expansion of judicial responsibility in social policy noted in federal courts over the last three decades.³⁵ Just as federal courts gradually engaged in general social problem solving, issued decisions with significant budgetary effect, and assumed supervisory responsibilities for the remedies they awarded, New York state courts acted similarly regarding the homeless.

³² *McCain v. Koch*, 523 N.Y.S.2d 112 (A.D. 1 Dept. 1988).

³³ Robert Hayes, "Litigating on Behalf Of Shelter for the Poor," *Harvard Civil Rights-Civil Liberties Review* 22 (Winter 1987): 79-93.

³⁴ Jack Greenberg, "Litigation for Social Change: Methods, Limitations and Role in Democracy," *Record of the Association of the Bar of the City of New York* 29 (April 1974): 320-355.

³⁵ Donald L. Horowitz, *The Courts and Social Policy* (Washington, D.C.: Brookings Institution, 1977).

CONCLUSION

This analysis explored how human needs that are generated by inequalities in the mixed economy can become transformed by political conditions into political liabilities that can impel municipal leaders to expand social functions. The investigation tested the roles of multiple political factors in accounting for growth of a public social function in a single site. It assessed the case of expansion of the financing, regulation, and provision of emergency shelters for the homeless in New York City during 1978–1988.

Three major political forces—a policy community advocating on behalf of the homeless, the media agenda, and the state courts acting as authoritative bargaining arenas—were found to have a direct and immediate impact on the decisions by city officials to expand emergency shelters. Their joint effect magnified the political liability of perpetuating the status quo and engendered self-interest in the top elected officials to expand social policy. The case of the homeless in New York City portrayed a conflict model between the local elected executive and the policy community; and the government response can be understood as a result of the development of political liability, which made the cost of action outweigh the cost of inaction.

Growth of the shelter function resulted from confrontation by a new policy community, which was the weaker party in the dispute. The policy community represented the interests of the poor, minorities, and liberal reformers who generally were outside the dominant coalition represented by the top elected official. It therefore could not win policy change through cooptation or incorporation. Also, because shelters required a large magnitude of public funds and because of the retrenchment environment, the policy community had to trigger third parties that possessed resources that it did not. Policy expansion was compelled by a litigation campaign, which won judicial interpretation of the New York State Constitution, and standards for emergency shelters were monitored by the policy community and enforced by state courts over the period of a decade.

Two factors, the political opportunity structure and political culture, were found to have an indirect role. They helped to shape the environment in which political leaders made decisions and set outer limits on the political feasibility of public action. One factor, bureaucratic momentum, had a negligible role in initial expansion of the new function.

The results of this case suggest two models to explain expansion of subnational social functions. In short, an incorporation model could predict expansion when building an electoral coalition requires a mayor to satisfy significant constituencies who demand redistributive policies. Alternatively, a confrontation model would point out that if the dominant coalition excluded liberal reformers, minorities, and the poor, it could still be compelled to expand social functions by a combination of proximate political factors. The most important of these might be the activities of a policy community, the media agenda, and decisions by authoritative

bargaining arenas, which together can transform inequalities in the mixed economy into political liabilities for the dominant political leadership.

Is this case a pluralist's dream, a success story of the "service-demanders" over the "money-providers"?³⁶ The case does demonstrate the ability of organized, educated groups with access to institutional resources to shift the local status quo to redistribute benefits to the poor. The more important point, however, is that temporary shelters persisted for a decade as the main response to homelessness in lieu of permanent housing. Expansion of the large new shelter function does not signal the permeability of political authority, but rather its sluggish response to major and enduring inequalities in living standards. The need for emergency shelters represented a bottoming out in the floor of social protection. Shelters offered only bedrock protection necessary for survival and were therefore well within the historically acceptable protective functions of the partial U.S. welfare state. The policy community had to seek that minimum because it was from their perspective the best policy they could initially win, given the existing economic and political structure. The courts authorized only shelters, because only emergency social protection was within the current interpreted parameters of New York state law. However, the policy community on the homeless, as well as other observers, have increasingly argued that successful long-term responses to homelessness must also include permanent housing, higher incomes, jobs, social services, day care for children, residential services for people with severe and chronic mental disabilities, and other aid from public and private sectors.³⁷

³⁶ Wallace S. Sayre and Herbert Kaufman, *Governing New York City* (New York: Norton, 1965); 514.

³⁷ National Academy of Sciences, Committee on Health Care for Homeless People, *Homelessness, Health, and Human Needs* (Washington, D.C.: National Academy Press, 1988); Bruce C. Vladeck et al., *Supplementary Statement on Homelessness, Health, and Human Needs* (New York: United Hospital Fund, 1988).