Alumni

The Architect of Social Security

America’s most popular social program turns 90 this year. Thank Frances Perkins 1910GSAS.

By
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Perhaps no Columbian has affected daily American life more than Frances Perkins 1910GSAS. As secretary of labor from 1933 to 1945 under President Franklin D. Roosevelt ’08HON, Perkins — the first woman to hold a cabinet position — responded to the Great Depression by proposing far-reaching economic protections for American workers and retirees. These radical plans included a minimum wage, a forty-hour workweek, universal health insurance, unemployment insurance, workers’

compensation, and social security.

Perkins was born in 1880 in Boston, but her road to Washington really started in New York, where she arrived in 1909. She earned her master's degree in economics and sociology from Columbia and got a job with the Consumers League, an advocacy group concerned with the safety of food, medicine, and the workplace. On the afternoon of March 25, 1911, Perkins was having tea near Washington Square Park when she heard fire trucks. She rushed to the scene on Washington Place, where the upper floors of the Asch Building were in flames. Perkins saw young women and girls jump from the windows to their deaths. The Triangle Shirtwaist Factory disaster claimed 146 lives and drew attention to dangerous and exploitative labor conditions. "The New Deal was born that day," Perkins later said.

After the fire, New York established a citizens' safety committee, with Perkins appointed executive secretary. Her investigations of factories statewide led to wide-ranging reforms. In 1919, Governor Al Smith '26HON appointed Perkins to the New York State Industrial Commission to enforce the reforms, and ten years later, Roosevelt — then New York's governor — named Perkins industrial commissioner. After FDR won the 1932 presidential election, he asked Perkins to be his secretary of labor.

Perkins agreed, on the condition that the president support her priorities. FDR promised he would, and Perkins, confirmed by the Senate, got to work. Her Committee on Economic Security, which focused on creating a social safety net for Americans, presented its final report to Roosevelt on January 15, 1935. Two days later, FDR sent the report to Congress, asking for "Social Security" legislation. Not everyone was onboard. Some lawmakers judged the idea unconstitutional and communist. But Congress passed a bill that summer, and on August 14, Roosevelt signed the Social Security Act — "An act to provide for the general welfare by establishing a system of Federal old-age benefits" — into law.

Opponents sued, seizing on an ambiguity of the Constitution's taxing and spending clause: *The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States.* What, exactly, was the "general welfare"? The debate went back to Federalist thinkers James Madison and Alexander Hamilton 1788HON: Madison felt taxes could be raised only for purposes spelled out in the Constitution, such as national defense (the "strict construction" doctrine), while Hamilton felt that

Congress could decide what the general welfare required and levy taxes accordingly (the “implied powers” doctrine).

On May 24, 1937, the court ruled 7–2 in *Helvering v. Davis* that Social Security did *not* violate the Constitution. “The hope behind this statute is to save men and women from the rigors of the poor house as well as from the haunting fear that such a lot awaits them when journey’s end is near,” wrote Justice Benjamin Cardozo 1889CC, 1890GSAS, 1915HON for the majority. Cardozo affirmed that Social Security addressed the “general welfare,” and that Congress could spend money in pursuit of it.

Perkins served as labor secretary for all twelve years of FDR’s presidency. She died in 1965, and last year President Joe Biden designated Perkins’s family homestead in Newcastle, Maine, a national monument.

As for her greatest legacy, Perkins was sanguine about its future. In 1962, twenty-five years after the Supreme Court upheld the program, Perkins spoke at Social Security Administration headquarters outside Baltimore. “One thing I know: Social Security is so firmly embedded in the American psychology today that no politician, no political party, no political group could possibly destroy this Act and still maintain our democratic system,” she said. “It is safe. It is safe forever, and for the everlasting benefit of the people of the United States.”

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