

**A TRANSFORMATIVE ERA: LYNDON BAINES JOHNSON AND THE
DEVELOPMENT OF THE AMERICAN ADMINISTRATIVE STATE**

By

Serena D. Lowe

Submitted to the

Faculty of the School of Public Affairs

of American University

in Partial Fulfillment of

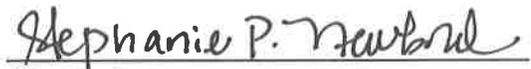
the Requirements for the Degree of

Doctor of Philosophy

In

Public Administration

Chair:



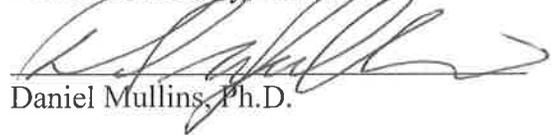
Stephanie P. Newbold, Ph.D.



David Rosenbloom, Ph.D.

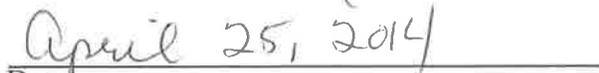


Howard McCurdy, Ph.D.



Daniel Mullins, Ph.D.


Dean of the School of Public Affairs


Date

2014

American University

Washington, D.C. 20016

© COPYRIGHT

by

Serena Lowe

2014

ALL RIGHTS RESERVED

I dedicate this to my daughter, Isabella, who has taught me more about life than I could ever learn in a book or classroom, and has brought more light in my life than the sun, the moon and the stars combined.

Isabella, may you go after every goal in life with tenacity and passion, and never let anything get in the way of you pursuing your dreams. I love you.

A Transformative Era:

Lyndon Baines Johnson and the Development of the American Administrative State

BY

Serena D. Lowe

ABSTRACT

The intellectual history of American public administration holds that the High Noon of public administrative orthodoxy was President Franklin Roosevelt's New Deal and the publication of the Final Report of the President's Committee on Administrative Management in 1937. A striking omission from the field's literature is a serious conversation about how the presidency of Lyndon Baines Johnson dramatically transformed the American administrative state. Johnson's efforts to create a Great Society and win the War on Poverty provide empirical evidence that legitimates the claim that if Roosevelt was responsible for public administration's High Noon, Johnson is subsequently responsible for the second coming of the administrative messiah. The following dissertation explores the profound contributions of the Johnson administration on today's administrative state, and the lasting impact of the Great Society agenda on the permanent infusion of democratic-constitutional norms, values, and practices within American public administration.

ACKNOWLEDGMENTS

As with any labor of love in life, a dissertation does not happen without an army of support, or apropos to Hillary Clinton's coined adage, "It takes a village." My village of support represents a caliber of quality that no single individual deserves in this life.

First, I'd like to take this opportunity to thank the entire team at the Lyndon Baines Johnson Memorial Library for their patience and technical expertise, as well as their extraordinary insights and tenacious passion for the "Flawed Giant". I also wish to thank my dissertation committee for their willingness to support this research, for their time and commitment, and for their tremendous insights. Working with two legendary academicians in the field of public administration – David Rosenbloom and Howard McCurdy – provided a unique opportunity to delve into the aspects of public administration with two truly great academicians, who have each made tremendous contributions to and lasting impressions on the field of public administration that will withstand the test of time.

There are no words that can express my enormous gratitude to my committee chair, Stephanie P. Newbold. Very seldom does a student get the chance to work with such an inspirational thought leader in their chosen field. What I appreciate the most about Dr. Newbold is her refusal to accept the constrictive parameters that have been placed on the public administration discipline for entirely too long. Dr. Newbold has challenged her academic peers to refrain from losing sight of the valuable lessons history has taught us about the administrative state. Her disciplined commitment and approach has already and will continue to contribute to the evolution of PA's theoretical framework. Furthermore, she exemplifies an amazing level of integrity, character and professionalism in all facets of her work. I not only owe her my gratitude for pushing me across the finish line, but also for giving me inspiration. It has been a privilege working under her guidance.

Stephanie is but one example of the women in my life who have given me such encouragement and support during this process. I also appreciate my friends and mentors for seeing me through the good, the bad and the ugly phases of my PhD program, and for never letting me give up on this dream.

And finally, I thank my family – for who without them, none of this has any meaning.

TABLE OF CONTENTS

ABSTRACT	ii
ACKNOWLEDGMENTS	iii
LIST OF TABLES	vi
PART I. Understanding the Relevance of the Great Society to the Evolution of the Political Administrative State	
Chapter 1. Lyndon Baines Johnson's Contributions to American Public Administration: The Advent of the Political Administrative State	2
Chapter 2: The Historical Evolution of the American Administrative State	19
Chapter 3: The Power of a Charismatic Leader: Lyndon Johnson's Executive Leadership & Its Transformative Impact on the American Administrative State	40
Chapter 4: Launch the Great Society: Building the Federal Administrative Apparatus to Fight the Nation's War on Poverty	64
PART II. Implementing Key Socioeconomic Facets of the Great Society: Implications for American Public Administration	
Chapter 5: Establishing the Democratic Constitutional Framework for the Great Society: Advancing the American Civil Rights Movement	95
Chapter 6: How Economic Realities Shaped the Nation's Civil Rights Framework: Johnson's Implementation Strategy to Win the War on Poverty	121
Chapter 7: The Pursuit of Educational Equality in the United States -- A Lasting Contribution to Public Administration	144
Chapter 8: Fair Housing, Full Employment -- Creating Equal Opportunity as Part of the Great Society Agenda	172
Chapter 9: Promoting Long-Term Security -- Federal Entitlement Policy in Health Care and Social Security	209
PART III. Assessing the Impact of Johnson's Great Society on Today's Administrative State: The Limits of Transformative Administrative Leadership	227
Bibliography of Resources	252

LIST OF TABLES

Table 1: First Year Requests for New Legislation by U.S. President (Truman-Clinton).....	59
Table 2: Number of Public Activities by President (Truman-Clinton).....	61

PART I.

UNDERSTANDING THE RELEVANCE OF THE GREAT SOCIETY TO THE EVOLUTION OF THE POLITICAL ADMINISTRATIVE STATE

CHAPTER 1:

LYNDON BAINES JOHNSON'S CONTRIBUTIONS TO AMERICAN PUBLIC

ADMINISTRATION: THE ADVENT OF THE POLITICAL ADMINISTRATIVE STATE

Lyndon Baines Johnson is a remarkable but often misunderstood figure in American history (Califano 1991; Caro 2002, 2012; Dallek 1998, 2004; Goodwin 1991; Kotz 2006; Skowronek 1997; Updegrove 2012; Woods 2006). A careful examination of Johnson's presidency reveals contributions and lessons learned that are essential for a comprehensive and proper understanding of the intellectual history of American public administration. Johnson's presidential tenure coincided during a period of dramatic cultural and sociological change in the United States, and his administration took full advantage of this opportune momentum to seize a specific type of momentum and push forward a series of transformational policies aimed at lifting the socioeconomic advancement of the American citizenry.

The magnitude of Johnson's domestic policy agenda and the administrative apparatus needed for implementation of the Great Society dramatically shaped the legislative process and transformed the American administrative state. Such efforts remain unprecedented in comparison to any other presidential administration since and present a formative opportunity to expand the field of public administration's intellectual history and collective understanding for how Johnson transformed the nation's administrative infrastructure to address social inequality, racial discrimination, and economic advancement for the poor. Furthermore, the administrative mechanisms applied to setting the Johnson domestic policy agenda into motion magnified the dominant and ever-growing role of the Federal government in policy implementation. In a word, many of the Johnson administration's landmark programs and initiatives – including Head Start; Job Corps; strong elementary, secondary, and higher education infrastructure; fair housing; Job

Corps; Medicare, Medicaid, and expanded Social Security coverage; and the quest to establish a Federal civil rights framework that would withstand the test of time – continue to represent the framework for major portions of the country’s domestic priorities and resource allocation today.

Historical reflection provides us with the benefit of retrospection. Critically reflecting on the Johnson presidency reveals that it was marred in American tragedy and shame, which has resulted in a historical tendency to emphasize the political failures of Lyndon Johnson as opposed to looking more holistically and objectively at the magnitude of administrative reforms his administration was responsible for accomplishing. The assassination of President John F. Kennedy left the country in a disarray of emotional upheaval and vulnerability, and the implications on the nation’s psyche were both an opportunity and a curse for Johnson as he assumed the role of Chief Executive Officer for the country.

Johnson’s commitment to socioeconomic justice and equality for all – men, women, and children – went well beyond Kennedy’s similar but less-evolved aspirations. The path Johnson took to not only secure passage of the Civil Rights Act (CRA) but implement a myriad of national anti-poverty and economic development programs under the Economic Opportunity Act (EOA) were imprinted with the youthful hope and spirit of Kennedy. At the same time, the still-grieving nation had little patience for the Johnson administration as it dealt with the various operational hurdles in making the CRA and EOA a practical and feasible reality. The 1960s were a time of national discord, radicalism, and sociocultural upheaval. Taking the Great Society straight to local communities was a brave, principled action of the Johnson administration – but not necessarily the most pragmatic strategy to implement given the various complex societal dynamics of the time.

While the death of Kennedy was the tragic impetus for the start of the Johnson White House, it was President Johnson's obsessive and often stubborn preoccupation with Vietnam that further clouded his contributions to the development of the American administrative state. Despite escalating costs, increased human loss, and plummeting public opinion, Johnson continued to push America farther into a war halfway around the world that most citizens at home had little understanding of or support for. Balancing the nation's increasing financial debts and the human costs in Vietnam with the audacious implementation of the Great Society was overwhelming, and as a result the Johnson administration suffered greatly. However, despite the dark cloud that Vietnam cast on Johnson's five-year tenure, the results of the Johnson administration and its unfettering impacts on today's domestic priorities cannot be minimized. Regardless of the implications for how Johnson assumed the presidency and his sordid focus with Vietnam, his executive legacy is vital for a comprehensive understanding for how and why the modern administrative state functions the way that it does currently. Quite simply, Johnson is responsible for creating the major elements of today's national domestic agenda and for providing the administrative infrastructure to implement these vast initiatives. And it was the administrative tactics deployed under this extraordinary set of political dynamics that serves as the impetus of this dissertation.

Purpose and Research Question

While there exists a plethora of political and biographical works on Lyndon Baines Johnson from a number of political experts most of whom worked for Johnson during his presidency (Dallek 1998, 2004; Caro 2002, 2012; Califano 1991; among others), the literature has paid very little attention up to this point on the distinctive impact the Johnson administration had over the evolution of today's American administrative state and its democratic institutions.

By means of comparison, the field of U.S. public administration has spent a considerable amount of time focusing on the managerial *and* constitutional contributions that the Franklin Roosevelt administration made to the development of administrative management, correctly asserting that it represents the High Noon of public administrative orthodoxy (Denhardt 1995; Fesler 1987; Karl 1963; Lynn 2001; Newbold and Terry 2006; Newbold and Rosenbloom 2007; Rohr 1986; Rosenbloom and Kravchuk 2002; Stillman 1988, 1991). Public administration scholars, however, have focused little if any on Johnson's role in crafting the last chapter of the New Deal through his administration's commitment to the Great Society and, more specifically, the War on Poverty. By radically transforming the size, scope, and purpose of the administrative state and its vast responsibilities to the citizenry at large, the Johnson administration had a predominant effect in substantially increasing the influence of the Democratic Party in advancing the nation's domestic agenda in terms of how the Federal government responds to the needs of the economically and socially impoverished, and in solidifying the administrative state as the primary vehicle of results-oriented policy implementation (March 1967; Heineman 1967; Califano 1991, 1999; Dallek, 1998, 2004; Kotz, 2006; Caro, 2012).

This is not to suggest that there were not critical mistakes made during the Johnson administration's implementation of the Great Society. It is just as important to extrapolate the important lessons learned from the failures in Johnson's administrative approach as it is to understand the unique successes that have significantly contributed to and shaped today's administrative state. Nevertheless, the Great Society represents the most elaborate domestic agenda ever established by an American president since Franklin Roosevelt, framed by the ambitious tenets to end poverty for economically disadvantaged Americans by improving public health for the aging, disabled, and other disadvantaged populations through the creation of

Medicare and Medicaid; by promoting racial equality and civil rights; by expanding public education; by rejuvenating cities and urban centers; and by finding more effective ways to protect the environment and America's artistic and cultural riches.

The most important domestic policy objective of the Johnson administration was to stake out a War on Poverty as the central component for establishing a Great Society (Califano 1991; Dallek 1998, 2004; Goodwin 1991; Kotz 2006; Updegrave 2012; Woods 2006) and bringing to life the principles behind the Civil Rights Act. President Johnson's charismatic leadership, his ability to forge dynamic relationships with congressional leaders in an effort to gain support for his legislative agenda, his courage to confront racial inequality by signing the Civil Rights Act of 1964, and his belief that the nation could not address its most pressing social problems without also interjecting meaningful discourse concerning equity and equality into the country's national policy agenda collectively illustrate his unique vision, leadership style, priorities, and approach to the American presidency. The administrative tactics that Johnson and his senior team utilized to implement his vision had a lasting impact on the managerial, budgetary, and operational characteristics of the U.S. Federal government for decades. And the tactical approach of the Johnson administration to implementing the various facets of the Great Society provide important lessons in the shaping of the intellectual history behind today's administrative state, as well as informing the important balance between values embedded in democratic constitutionalism and those aligned with New Public Management and similar schools of thought.

Anticipated Contributions to Our Understanding of American Public Administration

Unfortunately, in recent decades, public administration has suffered greatly from a lack of historical connectivity or theoretical exploration. Like any academic discipline or field, the

growth and maturation of public administration theory is contingent upon an ongoing stimulation of intellectual inquiry based deep in historical context and theoretical challenge. And while the field has been largely rooted in and informed by quantitative research and analysis over the last four decades, the theoretical questioning and investigation necessary for the field's continued evolution must be informed through historical context, practical experience, and normative research models as well. Quantitative analysis alone without the benefit of historical context and theoretical framing does not explain the rationale behind a trend or outcome in data. We cannot answer the underlying questions of "why" or "how" an administrative phenomenon occurs without dissecting the intent, motivations, actions, and consequences of political actors. As Stephanie Newbold argued (2006), "Judgment and moral arguments matter," and nothing could be more accurate in the theoretical dimensions of public administration. In recent years as quantitative and complex hybrid research methodologies have furthered the discipline's ability to model out anticipated impacts of key public policies and phenomena, less emphasis has been paid on the importance of developing strong historical case studies that provide clear theoretical insights and rationale behind complex and often underestimated dynamics between democratic-constitutional norms and administrative procedure and practice:

Applied normative theory that is grounded in constitutional thought and tradition emphasizes the practical application of theories, ideas and perspectives designed to improve our understanding for what ought to be within the confines of the administrative state (Newbold 2010, 5).

Indeed, the political and cultural shifts of our time are often transcended through those values emphasized by the existing public administration and shared or distinguished across the three branches of government. This was certainly the case of the Johnson administration, whose focus on equality, representativeness, and socioeconomic advancement of the poor and racially disenfranchised cannot be refuted. This focus on compassionate politics, coupled with the

aggressive marshaling of various executive powers through the no-nonsense, results-oriented leadership style of President Johnson himself, make this administration a distinctive subject of administrative inquiry and historical analysis. For as Herbert Kaufman (1969) described, such elements are essential to understanding the underlying principles of public administration fully:

On the contrary, the administrative history of our governmental machinery can be construed as a succession of shifts of this kind, each brought about by a change in emphasis among three values: representativeness, politically neutral competence, and executive leadership (3).

Coincidentally, the Minnowbrook Conference, held every twenty years to bring together the top scholars in public administration and public management to reflect on the state of the field and its future, was first held in 1968, at the pinnacle of the Johnson administration. The majority of scholars at the first Minnowbrook Conference were not necessarily supporters of the Johnson administration, many of them staunchly opposed to the Vietnam War and Johnson's perpetual preoccupation with continued military intervention in the region. But those academicians who participated in the conference understood the importance of Kaufman's point – that in order for public administration to evolve and thrive as a field separate and distinct from political science and organizational behavior, there had to be a continual intellectual discord focused on the balance and tensions between democratic-constitutional norms and the efficient operations of government as a set of ever-changing and politically fragile institutions. For what clearly sets the executive branch apart from other organizations is its dual function of administering the policy objectives and preferences of both the President and Congress, and simultaneously providing a base of stability and continuity in the construct of the government's various operations and responsibilities. And it is for these reasons that this dissertation seeks to provide a more in-depth reflection on the operational motives, strategic tactics, and structural transformation of the administrative state under Johnson's leadership.

Recent administrations have faced extraordinary challenges in achieving a balance between responding to various fiscal, military, and economic crises while simultaneously making progress in moving forward key domestic policy priorities. The ability to establish and secure support for a comprehensive domestic policy agenda focused on socioeconomic development is challenging at best, especially if reconciling it with the procedural, policy, and political implications of any simultaneous fiscal crisis or controversy. Further, the level of sophistication and strategic deployment of administrative tools and processes that must be marshalled during the implementation phase to assure operational success of any domestic priority cannot be minimized. Understanding the historical context of the role of the administrative state in developing and implementing a comprehensive socioeconomic reform package in the midst of crises is critical to informing the theoretical approach of collaborative governance in the future. Guy Adams (1992) has articulated much of the substance of this point with the following observation:

The American cultural preoccupation with modernity has shaped the study of public administration into an ahistorical and atemporal field that stresses technical rationality and has limited capacity to address critical questions facing society. This approach to public administration puts its emphasis on professionalism and the scientific and rigorous study of the field. Greater attention should be paid to history, so that a genuinely open inquiry in the field is produced. If critical, historically-based studies were in the forefront of public administration research, questions crucial to the present and future configuration of public administration could be considered. Critical, historically-based studies are needed to address in a meaningful way both the political and epistemological dimensions of modernity as they bear on public administration (1).

Theoretical Underpinnings behind Johnson's Contributions to the Evolution of American Public Administration

There are several important theoretical inquiries within the Johnson administration's implementation of the Great Society that could greatly inform future administrations, namely this president's masterful blending of powers across the three branches of the Federal government to

achieve the administration's domestic objectives; the layering of implementation tactics across multiple systems and layers of society and government (including the intertwining of bureaucratic procedure with community-based development programming); and the simultaneous implementation of the administration's War on Poverty with the War on Waste.

The appropriate blending of powers across the three distinct branches of government was a formative point discussed at great length by the nation's Framers. In *Federalist.47*, James Madison articulated the point that the U.S. Constitution balanced the government well with the separation of powers among the executive, judiciary, and legislature. He acknowledged that the three branches intertwined but asserted that the blending did not violate the principle of separation of powers (also see Rohr 1986).¹ Perhaps no other U.S. President before or since Lyndon Johnson has danced so elegantly across branches of government to administer his administrative agenda. A seasoned politician most comfortable among the halls of Congress, Johnson was the master of negotiation, and as such was able to utilize his experience as a former Congressman and Senator to move massive landmark legislation through the Congress at unprecedented speeds. During this time, Johnson negotiated arguably the most ambitious passage of legislative proposals of any first term president, many of which rivaled in scope and magnitude to today's Affordable Care Act.²

¹ This issue was specifically addressed in Federalist No. 47 (James Madison) (Jacob E. Cooke ed., 1961): "From these facts by which Montesquieu was guided it may clearly be inferred, that in saying "there can be no liberty where the legislative and executive powers are united in the same person, or body of magistrates," or "if the power of judging be not separated from the legislative and executive powers," he did not mean that these departments ought to have no *partial agency* in, or no *control* over the acts of each other. His meaning, as his own words import, and still more conclusively as illustrated by the example in his eye, can amount to no more than this, that where the *whole* power of one department is exercised by the same hands which possess the *whole* power of another department, the fundamental principles of a free constitution, are subverted... In citing these cases in which the legislative, executive and judiciary departments, have not been kept totally separate and distinct,...what I have wished to evince is, that the charge brought against the proposed constitution, of violating a sacred maxim of free government, is warranted neither by the real meaning annexed to that maxim by its author; nor by the sense in which it has hitherto been understood in America."

² During the 89th Congress, the Johnson Administration submitted eighty-seven bills to Congress, and Johnson signed eighty-four, or 96 percent, arguably the most successful legislative agenda in U.S. Congressional history.

What is less clear is the magnitude by which the Johnson administration was as methodical and intentional in its persuasive techniques over the federal judiciary. However, the appointment of Thurgood Marshall as the first African-American Solicitor General followed by his appointment as the first African-American justice on the U.S. Supreme Court, was a clear strategic move to protect the future sustainability of Johnson's domestic agenda around civil rights, the War on Poverty, and the Great Society.

While careful not to overstep the boundaries of the nation's separation of powers regime, Johnson and his senior leadership team worked hard to influence and utilize the powers of both the legislative and judicial branches to ensure swift and ongoing support for the various elements of the administration's domestic policy agenda. In addition to blending powers across the three branches of the Federal government, the Johnson administration also applied the core principle of "maximum feasible participation" to its implementation strategy for the War on Poverty and other tenets of the Great Society agenda. These strategic efforts were based on the premise that successful implementation of the Great Society required Washington-based technocrats to engage local community activists within America's urban centers proactively to help develop and execute the implementation strategies around key legislative initiatives.

Finally, the Johnson administration's focus on establishing civil rights protections and socioeconomic advancement among the country's racial and impoverished minorities coincided with an often-competing commitment by the administration to maintain a fiscally responsible government. Johnson was every bit as focused on establishing a perception of government efficiency as he was in pursuing his beloved Great Society agenda, and this dual focus created a dilemma for his administration, that resulted in a variety of underfunded mandates and federal agencies strapped thin of both monetary and human resources. Simultaneous to his launching of

the War on Poverty came the War on Waste, and while not toted in history as one of the administration's major priorities, the War on Waste ironically became a cornerstone of Johnson's focus throughout his presidency. According to Johnson, "All this and more can, and must, be done. It can be done by this summer, and it can be done without any increase in spending. In fact, under the budget that I shall shortly submit, it can be done with an actual reduction in Federal expenditures and Federal employment."³ In true Johnson spirit, the president had just committed his administration to not only rolling out the most ambitious domestic agenda since the New Deal, but to do so simultaneous to making significant reductions to the overall Federal budget. The War on Waste resulted in the introduction of a number of administrative processes to improve the efficiencies and effectiveness of the federal government, including the government-wide implementation of the Planning-Programming Budget System (PPBS) model. PPBS served as the impetus for promoting a methodical linkage between the planning, program development, and budgeting functions of every Federal agency. These are precisely the types of administrative reform efforts that make President Johnson distinctive – for better or worse – and they should not be lost within the intellectual history of the field.

Scope & Methodology of Research Endeavor

This dissertation is focused primarily on the administrative implementation of key components of the Great Society, which demonstrated the Johnson administration's commitment to lifting citizens out of poverty through the implementation of revolutionary public policy initiatives aimed at promoting sustained social and economic advancement of America's disadvantaged citizens, including racial minorities, the sick, disabled, elderly, rural, and inner-city poor. The legislative efforts and policy initiatives that substantiated the Great Society

³ Lyndon B. Johnson: "Annual Message to the Congress on the State of the Union," January 4, 1965. Online by Gerhard Peters and John T. Woolley, *The American Presidency Project*. <http://www.presidency.ucsb.edu/ws/?pid=26907>.

included: the Civil Rights Act (CRA) of 1964 and supplemental initiatives designed to reinforce the tenets of this landmark legislation; the Voters Rights Act; the War on Poverty (including implementation of the Economic Opportunity Act of 1965 and the Fair Housing Act of 1965); the development of a strong K-12 general education infrastructure to ensure all children had equal access to a free, high quality education; and the establishment of a lasting Federal entitlement framework, including the creation of Medicaid and Medicare and expansion of Social Security. There were other components of the Great Society including but not limited to: the introduction of numerous environmental protections, continued investments in the nation's space program, and a focused dedication toward growth and protection of the arts, all of which offer additional insights into the impact of the Johnson administration on today's national domestic policy agenda. But for the purposes of this dissertation, the scope is focused predominantly on an examination of the executive methods deployed to push forward the driving forces under Johnson's values-based vision to ensure social equality, economic advancement, and long-term security for all citizens and working families.

While examining the Johnson administration's plans, strategies, and tactics for implementing these key components of the Great Society, it is prudent to examine and compare the quantity and quality of the administrative tools used relative to other prior and subsequent administrations to identify patterns of administrative behavior that may shed light on the unique characteristics that the Johnson administration brought to American public administration. And as previously mentioned, it is just as important to also reflect on the strategic mistakes made by this administration that can provide further insights into the approaches that did not produce the intended results and the implications of these lessons learned on today's administrative state.

With regard to methodology, historiography is the primary methodological approach used for this dissertation. A thorough investigation of President Johnson's public and private correspondence, speeches, taped telephone communication, internal memorandum, and the reflective thoughts and analyses of his closest advisers is relied upon to provide the primary data needed to examine how the Johnson administration transformed the relationship between the national government and the individual citizenry, and a consequential reshaping of the administrative state. Extensive archival research was conducted at the Lyndon Baines Johnson Presidential Library at the University of Texas at Austin. This includes a review of specific personal papers and oral histories of Fred Bohlen, Horace Busby, Joseph Califano, James C. Gaither, Kermit Gordon, Ben Heineman, Bill Moyers, Frederick Pamzer, Harry McPherson, Lawrence O'Brien, Charles Schultze, Robert Weaver, and Robert Wood. In addition, the review also included dozens of boxes of material from the White House Central Files (WHCF) on topics ranging from education reform to the War on Poverty to Job Corps to Medicaid. Archival research was also conducted spanning several years of congressional papers, floor debates, and hearings at The Center for Legislative Archives at the National Archives in Washington, D.C. This included proceedings from over twenty-five congressional hearings, twenty floor debates, and revised drafts of numerous legislative bills passed from 1963-1968. A number of online archival collections, including the *Presidential Papers of Lyndon B. Johnson* within the University of California-Santa Barbara's American Presidency Project (www.presidency.ucsb.edu) and the Presidential Recordings Program sponsored by the Miller Center of Public Affairs within the University of Virginia (www.whitehousetapes.net) were relied upon for this dissertation research.

The review of pertinent primary data from the Johnson administrative also included a thorough investigation of the administrative histories of key Federal agencies directly involved in the implementation and oversight of the socioeconomic components of the Great Society generally, and the War on Poverty, specifically. In keeping with Franklin Roosevelt's request to preserve the history of the administrative state for future generations by organizing historical documents from prior presidencies and eventually making them publicly available, President Johnson directed each federal agency to prepare a formal administrative history of its operations. The Johnson administration implemented this systematic collection of narrative histories, and has come to be prized by historians as one of the most accessible sources of documentation regarding this period. For the purposes of this dissertation, the administrative history collection for the following agencies was also reviewed: U.S. Department of Health, Education, and Welfare; U.S. Department of Housing and Urban Development; U.S. Department of the Treasury; Office of Economic Opportunity; Social Security Administration; and the Bureau on Budget.

A number of secondary resources were also ascertained and reviewed in preparation for this dissertation research. A compilation of dozens of newspapers were searched using the Lexis Nexis search engine for relevant articles in recent years related to the impact of Great Society programs on current domestic policy. A representation of newspapers and periodicals where the search generated articles that were quoted in the dissertation include *The Washington Post*, *The New York Times*, *The Los Angeles Times*, *The Houston Chronicle*, *The Chicago Tribune*, *The Dallas Morning News*, and *The National Journal*. Finally, several literature searches generated secondary sources, and hundreds of secondary sources were reviewed for this work. The search engines used to conduct these searches included, but were not limited to, EconLit, JSTOR, and PubMed.

In terms of scope, despite the short term of Johnson's presidency, the span of the presidency was entirely too much to cover in one dissertation. In fact, even all of the multifaceted components of the Great Society were too numerous to be included in this research endeavor. As such, the following work seeks only to focus on those aspects of the Great Society agenda that were directly linked to realizing the aims of the civil rights agenda fully through the infusion of democratic-constitutional principles that focused on bringing American citizens with multiple barriers to social equality and economic opportunities in to active citizenship so that the country could establish a level playing field. This focus resulted in limiting the scope to areas of public education reform, full employment, fair housing, and long-term entitlement security. The scope of this dissertation did not include the implementation of environmental policy priorities within Johnson's Great Society agenda, and only briefly touches upon key aspects of the Johnson administration's investments in urban renewal, which included mass transit, community and neighborhood beautification projects, and the Model Cities program.

Additionally, while not an emphasis of this dissertation, it is important to acknowledge the impact of Johnson's foreign affairs agenda, and his overwhelming focus on the Vietnam War. The Vietnam War was also an integral, dominating force throughout much of the Johnson administration and towards the end of 1967 it overshadowed most of President Johnson's foreign and domestic agenda. It would be a gross mistake to minimize the effects of this war and its implications on the administration specifically and the nation generally. However, the purpose of this dissertation is to focus exclusively on Johnson's domestic policy agenda and how these programs transformed the American administrative state.

Outline of Dissertation Contents

This dissertation examines the administration of the nation's 36th president, and establishes the foundation that Lyndon Johnson remains one of the most important yet unacknowledged figures in American administrative history.

Part I seeks to understand the historical, theoretical, and sociological dynamics that paved the way for the Johnson administration to propose and implement the Great Society platform. Chapter 2 explores the effects of Franklin Roosevelt's New Deal and the subsequent efforts of Presidents Truman, Eisenhower, and Kennedy in mapping out additional efforts to address inequality and impoverishment in the United States. Chapter 3 explores Johnson's leadership qualities and organizational preferences for executive branch management and describes both the benefits and challenges of Johnson's management style on the administration. Chapter 4 explains the various tactical strategies that the Johnson administration used to develop the administrative apparatus needed to implement the War on Poverty and other key elements of the Great Society.

Part II provides a deeper analysis into the Johnson administration's methods and approaches to tackling the various socioeconomic components within the Great Society. Chapter 5 explores civil rights; Chapter 6 focuses on economic empowerment; Chapter 7 emphasizes education reform; and Chapter 8 examines the sustained health and long-term entitlements for America's disadvantaged, including the poor, elderly, and disabled. In each chapter, common themes that are distinctive to the Johnson administration's approach to addressing and implementing the various elements of the Great Society and War on Poverty are examined, providing important evidence and primary data for how this presidency transformed the priorities associated with the nation's domestic policy agenda.

Part III draws attention to the various administrative hurdles and challenges in implementing the War on Poverty and how the Johnson administration addressed those dilemmas. This was the primary subject matter for Chapter 9. The dissertation concludes with a comprehensive reflection on how the presidency of Lyndon Johnson impacted public administration theory and the development of the modern administrative state.

CHAPTER 2:

THE HISTORICAL EVOLUTION OF THE AMERICAN ADMINISTRATIVE STATE:

MOVING FROM THE NEW DEAL TO THE GREAT SOCIETY

The intellectual history of American public administration holds that the High Noon of public administrative orthodoxy was President Franklin Roosevelt's New Deal and the subsequent publication of the Final Report of the President's Committee on Administrative Management in 1937 (Denhardt 1995; Karl 1963; Newbold and Terry 2006; Newbold and Rosenbloom 2007; Rohr 1986; Rosenbloom, Kravchuk, and Clerkin 2014; Stillman 1988, 1991). A striking omission from the field's literature is a serious conversation about how the presidency of Lyndon Baines Johnson further transformed the American administrative state in dramatic ways and led to a domestic program agenda that rivaled the New Deal in scope, magnitude, and longevity. The empirical evidence associated with Johnson's efforts to create a Great Society and win the War on Poverty serves as the theoretical basis for this dissertation. Stated succinctly, if Roosevelt was responsible for public administration's High Noon, Johnson is subsequently responsible for writing the last chapter of the extraordinary expansion of the modern roles and social responsibilities of the American administrative state to the citizenry it serves. In short, Johnson could be credited for facilitating the "High Noon" of equality and political administration.

The Johnson administration accomplished a remarkable number of domestic policy reforms unprecedented by any other administration, especially given the constrained timeline in which Johnson served as President of the United States. The policy vision and democratic ideals, however, behind the Great Society were not exclusive to the 36th presidency. In fact, the genesis of the Great Society was a culmination of social, economic, and cultural reforms developed over

three former presidential administrations. It is, therefore, important to examine not only the impact the New Deal had in establishing a visionary framework and administrative protocol for a domestic agenda as comprehensive as the Great Society, but also to evaluate the specific characteristics and challenges between the Roosevelt and Johnson administrations with regard to creating a domestic policy infrastructure that would address social welfare, civil rights, and economic empowerment. These efforts provide a more comprehensive understanding as to the specific conditions, dynamics, and strategic tactics that led to the successful implementation of many of the Great Society's key objectives.

Revisiting the High Noon of U.S. Public Administration: The Implications of President Roosevelt's New Deal on the Great Society

The New Deal was “a revolutionary response to a revolutionary situation” (Degler 1955; Hofstadter 1959). It fostered the transformation of a fiscal system dominated by local expenditures with relatively small amounts of intergovernmental transfers into a system dominated by federal expenditures with large amounts of intergovernmental transfers (Perry-Clark 1938; Key 1937; Benson 1941; Bitterman 1938; Patterson 1969). Roosevelt's administration established a roadmap for the creation of a “Big Democracy” (Appleby 1945). Wallis (1984) described the historical effects of the New Deal on the administration of governance in the following way:

The relative importance of federal and local government was reversed between 1932-1940. This changing composition of government expenditures by level of government accounts for the rise of “big” government during the Depression. State governments expanded their fiscal activity, maintaining their share of total government expenditures. Utilizing data on federal grants and state and local expenditures, I find that the relative decline of local governments and sustained growth of state governments can be explained by the financial and administrative provisions of the federal New Deal programs (139).

Roosevelt's entrée to the presidency laid the foundation for institutional reconstruction, and he provided a measured rationale for the establishment of the New Deal to the American people in his weekly radio fireside chat on May 7, 1933:

Two months ago, we were facing serious problems. The country was dying by inches. It was dying because trade and commerce had declined to dangerously low levels; prices for basic commodities were such as to destroy the value of the assets of national institutions such as banks, savings banks, insurance companies, and others. These institutions, because of their great deeds, were foreclosing mortgages, calling loans, refusing credits...[I]t is easy to see that the result of this course would have not only economic effects of a very serious nature but social results that might bring incalculable harm. Even before I was inaugurated I came to the conclusion that such a policy was too much to ask the American people to bear. It involved a further loss of homes, farms, savings and wages but also a loss of spiritual values – the loss of that sense of security for the present and the future so necessary to the peace and contentment of the individual and of his family. When you destroy these things you will find it difficult to establish confidence of any sort in the future. It was clear that mere appeals from Washington for confidence and the mere lending of more money to shaky institutions could not stop this downward course. A prompt program applied as quickly as possible seemed to me not only justified but imperative to our national security....We are working toward a definite goal, which is to prevent the return of conditions which came very close to destroying what we call modern civilization. The actual accomplishment of our purpose cannot be attained in a day. Our policies are wholly within purposes for which our American Constitutional Government was established 150 years ago. I know that the people of this country will understand this and will also understand the spirit in which we are undertaking this policy. I do not deny that we may make mistakes of procedure as we carry out the policy (Roosevelt May 7, 1933; 2).

Roosevelt challenged friends and foes of the New Deal alike to judge its merits on three key areas: relief, reform, and recovery (Morris 2001, Best 2002). With regard to relief, the New Deal proved to be highly successful; in terms of reform, the New Deal legacy may have been unmatched in American history; but when it came to recovery, the New Deal's performance was woefully uninspiring (Best 2002, Brinkley 1995, Garraty 1973, Manza 2000). Millions of Americans, unable to find work in an economy that was still badly broken four years into the Great Depression, survived the nation's turbulent economic waters specifically because of secure public employment opportunities that arose through the birth of new government agencies like the Civilian Conservation Corps and the Works Progress Administration. The New Deal also

represented a dramatic alteration in the relationship between the nation's capitalist economic conditions, the American public, and the Federal government, which created for the first time a series of commitments designed to protect individual citizens from the unpredictability of the economic market.

Whether the government's inflated role in American society helped or hindered the country in the long run remains at the center of multiple debates in American politics and public administration today, but there can be no denying the magnitude of change wrought by Roosevelt's presidency (Patterson 1969, Manza 2000, Hannsgen and Papadimitriou 2009). Beyond stimulating bigger democracy, the New Deal also perpetuated the expansion of a bigger business and bigger labor (Leuchtenberg 1963; Johnson 1964). But while the New Deal demonstrated successful achievements in both short-term relief and in implementing long-term structural reform, in terms of recovery, the New Deal failed to do what Roosevelt and Congress intended -- end the Great Depression. Throughout the 1930s, unemployment continued to skyrocket while economic growth remained painfully slow. Recovery only came about as a result of mobilization efforts as America became engaged in World War II, thus triggering optimal levels of employment again (Best 2002; Brinkley 1995; Garraty 1973; Manza 2000).

Despite failing in its central objective, however, the New Deal dramatically changed the nation and its administrative infrastructure. The structural stability and social security provided by the New Deal's reforms underscored a postwar economic boom that has been described as "golden age of American capitalism" (Hedges 2008). The administrative reforms generated through the implementation of the New Deal forever changed the landscape of public administration (Patterson 1969, Manza 2000, Hannsgen and Papadimitriou 2009).

Challenged with the intellectual and practical limitations of the executive branch in effectuating the aims of the New Deal, Roosevelt created the President's Committee on Administrative Management in 1937 to set forth a blueprint for modernizing the nation's administrative apparatus (Karl 1963; Patterson 1969; Fesler 1987; Manza 2000; Newbold and Terry 2007; Hannsgen and Papadimitriou 2009). Louis Brownlow, Charles Merriam, and Luther Gulick served as the principal advisers to the Committee and were responsible for the seminal product of the Committee, commonly referred to as the Brownlow Report. The final report President Roosevelt submitted to Congress in January 1937 contained five primary recommendations: first, expanding the number of technical and administrative staff within the White House to more adequately support the Office of the Presidency; second, strengthening the managerial agencies of government as "arms of the chief executive;" third, establishing a strong merit-based system for attracting and incentivizing the best talent of careerists within the civil service; fourth, reorganizing the entire executive branch so as to reduce the number of umbrella departments by merging and consolidating agencies with overlapping objectives or synergistic missions; and fifth, extensively revising the fiscal system to create greater executive powers of the President over the budget and managerial processes of the Federal government (Fesler 1987; Newbold and Terry 2006).

Eventually, these recommendations served as the legislative framework for the Reorganization Act of 1939, which allowed for the addition of six executive-level administrative assistants to the president, and a reorganization of the executive branch. In conjunction with Executive Order 8248, it allowed for the expansion of presidential powers, including the transitioning of the Bureau of Budget (later to be known as the Office on Management and Budget) from the Department of the U.S. Treasury to the newly created Executive Office of the

President. Given the substantial reforms made as a result of the Brownlow Report, this period of time in U.S. administrative history further constitutes the “high noon” of orthodox public administration (Emmerich 1963; Mosher 1976; Fesler 1987).

The New Deal also affected U.S. judicial branch dynamics. Throughout Roosevelt’s first term as president, the Supreme Court invalidated several New Deal initiatives that were critical for the success of the New Deal and combating the economic challenges of the Great Depression. An aging, conservative Supreme Court began to strike down several laws that initiated the New Deal. For example, in the 1935 ruling *Schechter v. United States* (295 U.S. 495), a majority of justices declared that the National Recovery Act was unconstitutional, arguing that the act gave too much power to the president and was an unreasonable attempt to control intrastate commerce. The following year, the Court also ruled against the Agricultural Adjustment Administration in *Butler v. United States* (297 U.S. 1) on the grounds that it also was unconstitutional, because the law exerted too much federal control over agricultural production.

The National Recovery Act and the Agricultural Adjustment Administration were critical elements of Roosevelt’s plans to revive the American economy (Best 2002; Brinkley 1995; Garraty 1973; Manza 2000). The president feared that if the Supreme Court overturned further New Deal legislation and initiatives it would undermine the executive branch’s efforts to advance its policy agenda. As a result, Roosevelt initiated a plan to alter the composition of the Supreme Court in 1937, arguing that the age of certain justices was affecting their ability to interpret the Constitution impartially (Holt 2013). Roosevelt requested that Congress grant him the power to replace justices over the age of seventy, and appoint as many as six new justices, expanding the size of the High Court to 15 members (Holt 2013). Had Congress approved Roosevelt’s request, he would have been able to pack the Court with justices who were more

likely to support New Deal programs and policies.⁴ Even some of the president's closest congressional allies, however, were outraged by Roosevelt's strategy, accusing him of abusing his executive powers and undermining the constitutional separation of powers between the branches (Caldeira 1987; Wallis 1984; Hooks 1990). Although Congress instituted some minor reforms impacting the lower federal courts, it did not change the composition of the Supreme Court. Additionally, Roosevelt's credibility with both Congress and the American people was greatly diminished, affecting his administration's ability to gain support for additional New Deal proposals (Caldeira 1987; Wallis 1984; Hooks 1990; Morris 2001).

Budgetary decisions and economic miscalculations also impacted Roosevelt's implementation of the New Deal. Indeed, the budget deficit increased dramatically every year of Roosevelt's presidency, and the national debt more than doubled from 1933-1945 (Miller Center 2005). Assuming the worst of the Great Depression's wrath was over by 1937, Roosevelt began to reduce deficit spending in an effort to work more effectively with members of Congress. The president was grappling with the political reality that Republicans advocated for a more conservative Federal budget and many Democrats were also no longer comfortable with escalating Federal budgets or Roosevelt's overreaching administrative methods. Roosevelt instituted personnel cuts, resource constraints, and decreased commodity subsidies. On the horizon, however, was another stock market crash, making it painfully obvious that the nation's economy could not yet function independently without the influx of continued government investments and infusion of economic incentives. The result was a return to congressional power

⁴ *West Coast Hotel Co. v. Parrish*, 300 U.S. 379 (1937), was a decision by the United States Supreme Court upholding the constitutionality of minimum wage legislation enacted by the Washington state assembly. The decision is typically credited with initiating an end to the *Lochner* era, a period in American legal history during which the Supreme Court was known to invalidate legislation through judicial ruling aimed at regulating business.

to the Republicans in the mid-term elections of 1938, effectively ending any chance of sustaining or expanding many of the aims of the New Deal that Roosevelt had yet to implement.

The Roosevelt administration continued to face tumultuous times. Congress' passage of the Hatch Act of 1939 further weakened Roosevelt's powers. The act forbade most civil servants from participating in political campaigns and prohibited public office holders from using federal dollars to fund their reelection campaigns. It also made it illegal for Americans who received federal assistance to donate money to politicians. Many conservatives in Congress argued that these measures would divorce the functions of government from the politics of running for elected office while also dislodging Roosevelt's political constituency, many of whom benefited from the New Deal (Caldeira 1987; Wallis 1984; Hooks 1990; Morris 2001).

Despite these major setbacks, the New Deal era represents a critical turning point in the administrative history of the U.S. government. The Federal government had never before been so engaged in or exerted more control over the socioeconomic aspects of American life as it did during the Franklin Roosevelt presidency. New Deal programs and initiatives created new jobs, built houses and shelters for the homeless, and distributed food to the hungry. Moreover, the New Deal created a number of long-standing government institutions and changed the roles and responsibilities of U.S. public administration.

Transitioning from Roosevelt's New Deal to Truman's Fair Deal: The Administrative Challenges of Converting a Nation to a Post-War Economy

Following the legacy of the only U.S. president elected for four-terms was daunting, but transitioning the country to a post-war domestic agenda was also an extraordinary challenge for President Harry Truman. Modeling his initial domestic policy agenda on Roosevelt's New Deal programs, Truman offered a more temperate, but equally challenging, set of domestic priorities.

Unfortunately, Truman's first-term was politically turbulent, and his executive priorities centered on transitioning the nation from a war-time economy to a peace-time economy. One of the key challenges for the Truman administration, as a result, was working to help socio-economic conditions so that the national economy could meet rising consumer demands (Dallek 2008; Hamby 1995; McCullough 1992; Troy 2008).

Advances in industrial programs and innovations as well as two World Wars had dramatically changed the nation's domestic priorities. Focused primarily on increasing employment opportunities and improving economic conditions, the Truman administration called for a number of domestic investments in new public works programs, supported an increase in the Federal minimum wage, promoted the expansion to the Social Security System, and advocated for the establishment of a national health insurance system (*Presidential Papers of Harry Truman* 1953). Collectively, this policy agenda outlined a commitment to maintaining and building upon the New Deal, but was overshadowed by the myriad of politico-economic challenges that the Truman administration faced amidst pressures of avoiding another economic downfall in peace time economy (Hamby 1974; Miler 1974; Mitchell 1998; Troy 2008).

One of President Truman's key political and administrative accomplishments during his first term was Congress's passage of the Employment Act of 1946 ([15 U.S.C. § 1021](#)). The purpose of this legislation was to prioritize the full employment of Americans returning home from active military service abroad and for those who lost their jobs as a result of the decline of military-based industries. Additionally, the Employment Act established a new administrative framework for ensuring the economic stability of inflation in the post-war economy. Within this new administrative construct, the Act created the Council of Economic Advisers within the Executive Office of the President (EOP) and the Joint Economic Committee, which were both

designed to provide greater coordination and connectivity between the role of President in economic affairs, the development of legislative proposals aimed at improving the economic security of the nation, and the Federal budgetary process.

Behind the scenes, the Truman administration's Bureau on Budget (BOB) initially played a prominent role in the development of the Employment Act of 1946. Realizing the important role of establishing a national budget as a prominent tool in crafting fiscal policy, BOB Director Harold Smith established the Fiscal Division of the BOB to ensure strong interconnectivity between the economic programs advocated for by the President and the fiscal policies that were impacting the American public (Hamby 1974). Smith's concept of a national budget evolved as did BOB's desire to effectuate national economic policy, and the Employment Act provided a critical opportunity for solidifying BOB's authority and role in overseeing a national regulatory and budgetary process (Hamby 1974).

Although the original versions of the Employment Act designated the BOB as the primary agency responsible for implementing this legislation, overtime Congress amended the original draft to create the Council of Economic Advisers and Joint Economic Committee. This decision stemmed, in part, to concerns that the anonymity and autonomy of the BOB was not an appropriate vehicle for setting national economic policy that directly impacted the American public in such profound ways. When asked during a 1945 Congressional hearing on the Employment Act about which branch of government should be responsible for establishing the nation's economic policies, George Terborgh, one of the nation's leading economists during this time, discussed the potential implications of affording the BOB executive oversight in setting out and implementing national economic policy:

It might be the Bureau of the Budget. In consequence, both the economic analysis and the economic policy may be prepared and promoted by men unknown to the public, whose

appointment has not been confirmed by Congress, and who have no formal public responsibility. This set-up invites behind the scenes manipulation by Presidential advisers of the moment, possessed, it may be, both by a passion for anonymity and passion for controlling national economic policy. However able and high-minded these advisers may be, the arrangement is bad. If the Federal Government is really serious about developing and implementing a full-employment policy--as it should be--it ought to make better organizational provision than is made in this bill (1945, 11).

Congress agreed with Terborgh's analysis and created the Council of Economic Advisers to serve in an advisory capacity to the President on economic policy, although the BOB maintained its responsibilities around resource allocation.

Unfortunately, Congress provided little to no administrative powers to the CEA, which undermined its influence in the implementation of economic policies by the executive branch.

According to the first chairman of the Council of Economic Advisers:

The Purpose of the Employment Act in setting up the Council was to have an agency that would concentrate on advising the President and not be sidetracked or diverted by other responsibilities. This is the basic reason why a new organization was established instead of having the economic advisory function added to the management tasks of the Budget Bureau, or to the coordinating and expediting job of the then existing Office of War Mobilization and Reconversion. Moreover, it was felt that the President would receive better balanced and therefore more useful advice from a three-man group than from a single official. **Under the Act, the Council has no administrative powers or responsibilities. It does not issue directives to other agencies.** It does not supervise the execution of presidential policies. It does not engage in activities to build up popular support for the President's program. It has not taken on the task of explaining the President's proposals before congressional committees. After the President has translated the Council's material into an action program, he turns to other agencies to do what may be needed to get the wheels of government rolling (Tozzi 1979, 4-5: emphasis added).

This analysis speaks to some of the challenges in a separation of powers regime when governmental powers are blended across the legislative and executive branches.

As a result of these challenges, more fiscally conservative members of Congress were adamantly opposed to many of President Truman's other proposed reforms, including an extension of the Fair Employment Practices Commission (FEPC), the establishment of national health insurance, and creating a higher minimum wage (Dallek 2008; Hamby 1995; McCullough

1992; Troy 2008). The public, moreover, was greatly divided over the prospects of an enlarged social welfare state and continued government intervention in the economy (Hamby 1974; Miller 1974; Mitchell 1998; Troy 2008). Although Truman attempted to utilize various executive powers and administrative tools to further implement his domestic agenda, his policy achievements during his first term remained largely unfulfilled.

One of the most challenging administrative responsibilities of the Truman presidency was leading the economic transition from a military-focused production of goods and services to an economy that prioritized consumer-based goods and services (Dallek 2008; Troy 2008). Americans were anxious to resume their pre-war lives and purchase goods and services they had gone without during the war years. This growing demand for consumer goods and services that the country sacrificed during World War II created an economic environment that was largely affected by scarcity, chronic delays, and inflationary prices. As a result of this panicked situation, President Truman lost his most powerful administrative vehicle for assuring balanced prices for goods in high demand when Congress, in 1946, made the decision to eliminate the majority of administrative powers from the Office of Price Administration. This, coupled with ongoing battles among both big labor and key industries (including steel, coal, and agriculture), led to insurmountable administrative challenges that would be difficult for the Truman administration to overcome (Hamby 1974; Miller 1974; Mitchell 1998; Troy 2008).

During his 1947 State of the Union address, Truman challenged Congress to bring forth legislation to solve the most pressing economic problems, particularly unemployment and labor unrest (*Presidential Papers of Harry Truman* 1947). Shortly after this speech, Truman established a temporary commission to study this issue and declared that he would sign no bill that attacked organized labor. Then, he waited for the Congress to respond. During this time, the

Republican controlled Congress passed the Taft-Hartley bill, which greatly limited the power of labor unions, giving Truman the upper hand in ongoing labor disputes affecting the national economy. Truman vetoed the Taft-Hartley legislation in 1947 in an effort to maintain political appearances, but he was well aware that Congress had more than enough votes needed to override his presidential objections (McCullough 1992). Once Congress put the Taft-Hartley bill into effect, Truman focused extensively on carrying out the law's provisions and used some of the new administrative powers authorized in the legislation to bring an end to specific types of worker strikes that were plaguing the country's economic conditions (Hamby 1974).

Despite Truman's tactical deployment of the Taft-Hartley legislation, the president's initial veto of the bill made him the "lesser of two evils" from the standpoint of organized labor, and he recovered a great deal of lost credibility with the political base of the Democratic party (McCullough 1992). Inflation continued to soar through the early years of Truman's presidency, and the American public was understandably more concerned about escalating prices for food and oil than they were about seeing through the commitments set forth in the New Deal and in Truman's subsequent employment policy objectives (Hamby 1995; McCoy 1984). Truman suggested a return to price controls, but ended up agreeing to more subdued legislation initiated by the Republican-controlled Congress, which mandated economic controls and rationing. Finally, in 1947, Truman reaffirmed his support for liberal initiatives like public housing for the poor and federal assistance for education, while simultaneously vetoing Republican-backed tax bills that seemed to favor the wealthy. Such actions, although purely political in nature, positioned Truman as the chief defender of the New Deal against Republican backlash in the eyes of the American people (Mitchell 1998; Troy 2008).

President Truman also was able to support civil rights. Undeterred by the defeat of his proposal to extend FEPC in 1945, Truman established a presidentially-appointed Civil Rights Commission to develop policy recommendations for expanding civil rights efforts to ensure greater equality for racial minorities. The Commission's report, *To Secure These Rights*, outlined a detailed roadmap for potential civil rights legislation (Miller Center 2005). Truman proceeded cautiously in this domestic policy arena, however. While he did submit some measured civil rights proposals to Congress in 1948, he invested little political capital in pushing for their passage. He did, nevertheless, issue executive orders desegregating the U.S. military and outlawing discrimination in the civil service (Best 1993; Miller Center 2005).

After Truman's shocking defeat of New York Governor Thomas Dewey in the 1948 presidential election, the reelected president laid out an ambitious domestic policy agenda for his second term, affectionately dubbed, "The Fair Deal." The Fair Deal was a collection of Democratic-backed policies and programs including: greater economic controls, repeal of the Taft-Hartley Act, an increase in the minimum wage, expansion of the Social Security program, a housing bill, the establishment of national health insurance, increased public works and development, liberalized immigration laws, and ambitious civil rights legislation for African-Americans (Hamby 1974).

Unfortunately, congressional conservatives were vehemently opposed to Truman's Fair Deal proposals, and the largest aspects of the Fair Deal agenda failed miserably. There were some minor but significant victories, however. Congress did approve the American Housing Act of 1949 (Title V of P.L. 81-171), which resulted in a sweeping expansion of the federal government's role in mortgage insurance and issuance and the construction of public housing.

Congress also moved forward with an increase in the minimum wage that same year, and a significant expansion of Social Security in 1950 (Miller Center 2005; Troy 2008).

Clearly, Truman had miscalculated in reading his electoral victory as a mandate to enact a liberal political, social, and economic agenda. The public wanted Truman to protect the New Deal, not enlarge it. Likewise, Truman underestimated congressional opposition to a larger social welfare state—opposition strengthened by the public's lack of support for the Truman agenda. Whatever enthusiasm remained for the Fair Deal was lost after the summer of 1950, when the nation began its preoccupation with the Korean War.

As Truman fought for the Fair Deal in 1949, he also battled a fairly severe economic slowdown. As the economy stalled, Truman signaled that his primary concern was the maintenance of healthy economic growth, viewing ever-larger budget deficits as temporary expedients. Nevertheless, many Americans complained about the government's intervention in the economy, especially its controls on credit. Foreign affairs and the impending military intervention in Korea impeded Truman's administrative agenda similar to the challenges President Johnson would later experience with the conflict in Vietnam.⁵ This, coupled with the nation's anti-communist preoccupation and McCarthyism, further deterred any major advancement of the Fair Deal agenda (Hamby 1974).

Although the Truman administration itself did not make major administrative strides in the advancing the nation's social infrastructure, the field of U.S. public administration was being transformed during the Truman years. World War II left Congress without a clear sense of identity in terms of its role and responsibility within the context of a relatively new, powerful, and ever-growing administrative state. Before 1946, the congressional role in public

⁵ One exception to this was Truman's push back on the steel industry, and his use of the pressures around the Korean War to pressure labor unions to move forward with increased production.

administration had been limited to authorization, funding, and review of federal administrative operations. The modernization of structural processes and operational practices of both the executive and legislative branches of the Federal government were long overdue. The confluence of these emerging developments threatened the relevance of the Congress and its ability to lead the nation in the midst of a new era of federalism. These dynamics led to a congressional makeover, in which Congress self-consciously designed a “legislative-centered public administration” (Rosenbloom 2002). Through passage of the Administrative Procedure Act (APA) and subsequent Legislative Reorganization Act, which included the Federal Tort Claims Act, Congress carved itself a prominent role in the administration of the nation’s affairs. Treating Federal agencies as extensions of itself, Congress established a framework for comprehensive regulation of the agencies’ procedures, and reorganized itself so it could provide continuous supervision of the administrative state. These changes had dramatic implications for public administration over the last 50 years, and have further blurred the lines between the legislative and executive branches of government (Dallek 2008; Hamby 1995; McCullough 1992; Troy 2008).

While President Truman made little headway in seeing his Fair Deal platform come to fruition, his presidency still made progress in taking important first steps toward making civil rights a reality, protecting and sustaining many of the New Deal's initiatives, and presiding over an economy that would enjoy nearly two decades of unprecedented growth.

Eisenhower’s Converse Executive Style: Administration thru Moderation

Whereas President Dwight D. Eisenhower’s predecessors played a direct role in the implementation of their domestic priorities, Eisenhower was deliberately less visible, instead preferring to take more of a “hidden hand” approach to guiding policy and delegating

responsibility for enacting administrative priorities to his senior advisers. During this tenure as president, Eisenhower helped strengthen domestic programs established under the New Deal as well as the modest contributions of the Truman administration. However, Eisenhower's only major domestic priority for which he proactively conceived, nurtured and advocated for was the establishment of the federal highway trust fund. This program would become the largest public works program in American history at the time and result in strategic Federal investments to ensure stronger transportation infrastructure across the nation (Weingroff 2010).

Beyond this, Eisenhower's contributions to the intellectual evolution of the American administrative state or to informing the development of the Great Society were minimal at best. In contrast to Roosevelt's and Johnson's aggressive nature, Eisenhower reflected a moderate approach to public administration focused on balancing the preservation of individual freedom while promoting the market economy. He continued to support the expansion of Social Security, increased the minimum wage, and favored continued government investment in and construction of low-income housing. But overall, Eisenhower applied executive powers to intervene in socioeconomic policy implementation only in the most critical of circumstances where it was absolutely necessary (Ambrose 1983; Krieg 1987; Newton 2011).

For example, although he signed civil rights legislation in 1957 and 1960, Eisenhower failed to use his administrative authority to ensure swift compliance with the 1954 Supreme Court case of *Brown v. Board of Education* and subsequent rulings that maintained the segregation of public schools were unconstitutional. In fact, while Eisenhower is remembered for sending in the National Guard to ward off mobs trying to block the desegregation of public high schools in Little Rock, Arkansas in 1957, he intervened only out of constitutional obligation to

uphold the law and provided little assistance beyond this decision to advance civil rights in the southern states and throughout the Union (Ambrose 1983; Krieg 1987; Newton 2011).

Laying the Foundation for the Great Society: Kennedy's New Frontier

President John F. Kennedy originally conceived of several visionary initiatives that would later lead to the conceptual framework for Johnson's Great Society. Kennedy's tragic assassination, of course, did not afford him the opportunity to achieve these goals or demonstrate whether he was capable of operationalizing his vision. Continuing in the tradition of Roosevelt and Truman, Kennedy advocated for socioeconomic reforms, including the raising of the minimum wage and increasing of Social Security benefits. He also promoted increases in biomedical research as well as Federal funds to assist struggling impoverished rural communities. He demonstrated approval for the civil rights movement and paved the way for a robust national space program (McCurdy 1998, 2001).

However, most of Kennedy's more revolutionary proposals languished in the more politically conservative Congress. He tried to institute strong Federal protections for thousands of acres in wildlife lands from industrial development, but failed to get the congressional backing for his proposal. Congress rejected his efforts to provide federal funds for elementary and secondary schools. His proposals to institute a national health insurance program for the aging went ignored by congressional leaders. In a word, for as long as conservative Republicans and southern Democrats dominated Congress, there was little political support for expanding upon the tenets of the New Deal (Brauer 1977; Harper 1988; Giglio 1991). And unlike Roosevelt and Truman, Kennedy lacked the opportunity or experience to implement administrative maneuvers that would have allowed him to circumvent Congress to initiate some of his domestic agenda through executive powers (Manchester 1967; Heath 1976; Brauer 1977; Parmet 1983; Burner

1988; Harper 1988; Giglio 1991). With the exception of creating administrative task forces to help design his New Frontier agenda, much of Kennedy's executive focus centered on the international crises that plagued his administration.

In his abbreviated presidency, Kennedy was unable to accomplish the majority of his domestic goals. But the foundation associated with establishing the tenets of the New Frontier agenda served as a foundation for what was to become the Great Society. Based largely on Kennedy's initial domestic goals, Johnson developed a roadmap for the Great Society based on a policy portfolio encompassing a number of socio-economic initiatives, all of which served as an attempt to build a collective vision of egalitarianism for the future. These goals included direct attention and focus on Kennedy's key domestic priorities including civil rights; poverty prevention; health, education, and workforce investments; environmental protections; and the preservation of the arts and cultural enrichment (Manchester 1967; Heath 1976; Brauer 1977; Parmet 1983; Burner 1988; Harper 1988; Giglio 1991). In his new role as president, Johnson felt compelled not only to deliver on Kennedy's unfinished goals, but to forge ahead with an unprecedented, overwhelmingly comprehensive social agenda designed to withstand changes in the nation's future political and economic environments. This grand commitment on behalf of the Federal government to the citizenry at large, Johnson argued, would improve the lives of Americans immediately as well as for future generations (Heath 1976).

Understanding this effort is critical to the development of the American administrative state in the middle stages of the twentieth century. It marked the first time since the New Deal that an American president developed a comprehensive agenda to tackle not only the core socioeconomic challenges that plagued many parts of the nation, but also to advance a more equitable society for the future by bridging the divides between the affluent and the poor.

Revisiting the Past to Understand the Revolutionary Magnitude of the Great Society to American Public Administration

As a complement to Johnson's energetic attempts to address key social dilemmas impacting the nation throughout its history, his administration also advocated some of the nation's most bitter political and racial disagreements, championing the position that the continued economic desolation of the urban poor was a corollary to the continued segregation and discrimination of African-Americans and other racial minorities (Andrew 1999; Caro 2012; Dallek 2004; Schulman 1995).

As such, Johnson built his War on Poverty on the premise that poverty was a social condition for which the Federal government needed to tackle directly in order for the nation to uphold its core democratic-constitutional principles, especially those associated with equality, due process, and equal protection under the law (Califano 1991; Dallek 2003; McNamara 1993; Schiller 1992). Since Johnson equated poverty reduction with democracy, this effort became a centerpiece of his presidency and domestic agenda. While the domestic policy accomplishments of the three presidencies immediately following Roosevelt's administration pale in comparison to either the New Deal or Johnson's Great Society in terms of scope and magnitude of administrative reforms, they all serve as important linkages for developing a comprehensive understanding of the evolution of the American administrative state that set the political stage for establishing the Great Society platform.

When traditional institutions in the for-profit and nonprofit sectors failed during the Great Depression, the Federal government under President Roosevelt was forced to create new institutional relationships in an attempt to solve the most devastating economic crisis in the nation's history. That is, Roosevelt was forced to establish a significant role for the Federal

government in maximizing social welfare throughout the country. President Johnson significantly expanded the Federal partnership in American social welfare initiatives, a partnership that included the Federal government, private organizations, and other public institutions designed to promote the principles shaping the Great Society.

The Johnson administration initiated the War on Poverty on June 8, 1964, during the president's first State of the Union address. Here, Johnson called for an "unconditional war to defeat poverty" (1964, 2). Johnson knew that the successful realization of the Great Society was contingent upon the ability of his administration to address head-on the historical "conflicts between North and South, black and white, labor and capital, left and right – all the conflicts that had riddled liberal politics since its inception" (Skowronek 1997, 347). The Great Society represented some of the most ambitious goals in the history of the American presidency, and resulted in the creation of much of the infrastructure and domestic-specific apparatus still in existence in today's administrative state.

The remaining chapters of this dissertation will explain how the Great Society platform and War on Poverty transformed the roles and responsibilities of the Federal government and wrote the last, great chapter of the New Deal legacy.

CHAPTER 3:

THE POWER OF A CHARISMATIC LEADER:

LYNDON JOHNSON'S EXECUTIVE LEADERSHIP &

ITS TRANSFORMATIVE IMPACT ON THE AMERICAN ADMINISTRATIVE STATE

President Lyndon Johnson was a dynamic leader (Caro 2003; Dallek 1998, 2001; Goodwin 1991; Neustadt 1960; Skowronek 1997; Woods 2006; Updegrove 2012). His modest economic roots, his wealth of legislative experience, and his tenacious ability to negotiate and execute administrative actions of massive proportions each contributed to his leadership style and approach to executive branch management. No other president in modern American history came to the head of government with the type of legislative expertise and negotiation skills that Johnson brought to the job. The power of persuasion Johnson cultivated as a Texas New Deal Democrat in the House of Representatives and later as arguably one of the most powerful leaders in U.S. Senate history were remarkable leadership experiences that helped him transform executive branch dynamics from one of reaction to one of vision (Caro 2003; Dallek 1998, 2001; Goodwin 1991; Neustadt 1960; Skowronek 1997; Woods 2006; Updegrove 2012). Johnson was not charismatic in the traditional sense, or in the ways that lured the American people to adore his predecessor. In fact, Johnson was the quintessential opposition of Kennedy in terms of persona and physical attraction, and his bullying tactics and personal habits were often labeled offensive. But despite these flaws, Johnson was a master tactician and brought a physical prowess to tough political negotiations that made him an effective, charismatic leader in theoretical (if not literal) terms.

According to Stephen Skowronek (1997), a leading scholar of presidential leadership, Johnson's leadership of the executive branch was in a league all its own:

Johnson had it all – a Monroe-like appeal to a truly overarching national consensus, a Polk-like determination to deliver on each and every commitment, the urge of Teddy Roosevelt to act himself like the founder of the regime ... He [Johnson] was determined from the start to use his presidency to trump the political achievement of his mentor, Franklin Roosevelt (330).

Johnson's management style, while not necessarily appealing to many public sector managers, was certainly pivotal for producing the magnitude of administrative changes achieved during his five-year presidential tenure. Throughout George Edwards's (1985) research on the effectiveness of previous presidents to influence policies related to economic stabilization and prosperity, he described Johnson as having "greater willingness to use the power of the Presidency for compliance through appeals, arm-twisting and threat" than many of his predecessors (xviii). This suggests that within the Johnson administration, administrative formality and procedural sensitivity were less important than the tangible and intangible techniques used to secure results. This observation complements Skowronek's position that Johnson was far more interested in the idea that "differences among leaders hinge less on the nature of the historical project at hand than on the amount of power and skill that might be brought to bear in executing it" (1997, 330).

One of the most effective leadership qualities Johnson established early on in his political career was expecting success out of the impossible. As president, Johnson pushed his senior political advisers to achieve what he considered was their maximum potential – not necessarily what was reasonably reasonable or possible in a given political climate – in order to accomplish optimal results with regard to the full execution of his policy goals for the Great Society and War on Poverty. Even when Congress questioned the administration's ambitious objectives, Johnson demanded that the executive branch be afforded the resources, administrative tools, and authority to achieve his economic and social vision for the nation. Of course, in an attempt to demonstrate fiscal constraints while still maintaining an aggressive timeline for implementing his ambitious

domestic policy agenda, Johnson often had unrealistic expectations of his senior advisers in terms of what could be accomplished within the scope of available resources or desired timelines. Johnson's stubborn "get it done" attitude was often met with resistance among his closest advisers, although it was not long before they, too, were wed to the president's ambitious demands.

Johnson biographer Robert Dallek (1993) and Secretary of Defense Robert McNamara (1969), one of Johnson's closest advisers, interviewed Johnson extensively. One of the key collective findings that emerges from these interviews is the tremendous determination Johnson demonstrated with regard to the major legislative initiatives central to the administration's domestic success as well as the tactics of persuasion he used to achieve his policy goals.⁶ These findings support the notion that Johnson was a very hands-on president and often wanted to be directly involved and accessible when it came to negotiating support for policies, programs, or items of contention that he deemed important to his administration. Johnson's senior advisers and closest professional confidants often recall his stubborn tenacity and continuous expectation to achieve whatever monumental goal he deemed essential for advancing the socioeconomic status of the nation (March 1967; Califano 1991, 1999; Dallek 1998, 2004; Caro 2012). Despite the perspective laid out by many historians that Johnson's five-year tenure in the White House was largely a colossal disaster due to the failures in Vietnam, the reality was that Johnson's tenacious focus resulted in the creation of an administrative culture that harnessed various political resources to attempt to address the most pressing economic, social, and racial challenges affecting the nation at large, regardless of failing public opinion, decreased appropriations from Congress, or implementation challenges at the street level (Califano 1999; Dallek 2004).

⁶ This finding is especially prevalent in McNamara's (1969) interviews.

Known as the “Johnson Treatment,” Johnson’s no-nonsense, take-no-prisoners managerial style of the Senate transcended to his administration, where both he and his senior political advisers continued to rely on their vision for transforming the nation’s social infrastructure, political bargaining, and political coercion to intimidate, strong arm, and persuade critics or opponents into conceding on key national policy issues (Califano 1999; Caro 2002; Woods 2002). Of course, as his political capital began to diminish because of increased opposition to the war in Vietnam, Johnson’s political effectiveness and charismatic leadership also decreased exponentially toward the end of his presidency. But it is clear that his political stubbornness and focused commitment to his goals was a driving force behind his administration’s aggressive, results-oriented tenure, thus earning him the reputation of being an “Architect of American Ambition” (Woods 2006).

Despite significant opposition towards many of the Great Society’s socio-economic objectives and the international crisis in Vietnam that lasted from the end of Johnson’s presidency until his death in 1973, there is little doubt that Johnson demonstrated noteworthy organizational skills, negotiating tactics, a creative vision coupled with an overpowering persuasive persona that illustrate elements of charismatic leadership (Shils 1965; Tucker 1968; Edwards 1985; Skowronek 1997; Goodwin 1998; Javidan et al. 2003). His masterful negotiation skills helped navigate the turbulent political waters between Congress and the White House. And unlike other presidents before him, Johnson’s administrative prowess and leadership skills were often emblematic of a vision so ambitious in scope that it simultaneously required the transformation of the role of the presidency in public administration. When describing Johnson’s personal involvement in the Civil Rights movement, for example, McNamara (1993) observed:

My impressions of him really in a sense are epitomized by his interest in and actions on the Civil Rights law ... Number one, I think he had a very deep-seated belief in the

necessity for that law and a very deep-seated desire to see it pass ... the second element had to do with the way he did it. I've never seen anybody work any harder nor with more determination, to achieve what he desired (3).

This reflection demonstrates the level of dedication and tenacity that was inherent in Johnson's executive leadership and what was required to realize the type of monumental change he aimed to achieve with the Civil Rights Act and other landmark initiatives associated with the Great Society platform. Without Johnson's fortitude to envision a country that was more open, more democratic, and more responsive to the needs of the citizenry, especially in the areas of civil rights, healthcare, and economic advancement for the poor, the nation's domestic policy infrastructure would look vastly different than it does today.

Illustrating Johnson's contributions as an intellectual figure in today's administrative state more fully requires a deeper understanding of what his administrative values were, how he worked to blend powers across the executive and legislative branches, and his utilization of both traditional and non-traditional administrative vehicles to further his administration's interests.

A Comprehensive Examination of President's Johnson's Administrative Values & How They Affected the Implementation of the War on Poverty

Comprehensively reviewing Johnson's recorded telephone conversations and personal papers during his White House years illustrates noteworthy themes that demonstrate what the War on Poverty should emphasize in both theory and practice.⁷ Johnson's commentary in various telephone conversations and speeches depict the general values he maintained about the role and responsibility of the Federal government to not only help poor Americans become economically self-sufficient but also what was necessary from citizens in terms of individual

⁷ A thorough review of executive orders, public statements, policy communications and speeches from the *Presidential Papers of Lyndon B. Johnson*, Volumes I & II, was conducted as part of the analysis of the Johnson administration's implementation of the War on Poverty. Additionally, a review of all domestic-related calls with chief senior advisers and Johnson from 1963-1968 was also completed, using the web-based archive managed by the Miller Center at the University of Virginia.

responsibility. In a word, Johnson argued that nation had a moral obligation to invest in the well-being of their communities and the citizens who resided within the parameters of the nation, which is why he often relied heavily on one of the key theological arguments associated with the Civil Rights Movement: “We Shall Overcome” (Andrew 1999; Caro 2012; Dallek 2004; Schulman 1995).

The historical record clearly notes that Johnson was not interested in creating a social welfare system that perpetuated cyclical poverty and discouraged productivity; on the contrary, he wanted to use the resources authorized through the Economic Opportunity Act to instill a “hand up” as opposed to a “hand out” approach to improving the socioeconomic advancement of American citizens living in poor communities. In other words, the value of equality transcended not just to individual rights and resources, but also to individual responsibility and civic duty. On the morning of his 1964 State of the Union speech, the president spoke to Robert Anderson, former Secretary of the Treasury under Dwight D. Eisenhower, and conveyed his vision for the War on Poverty:

What we’re trying to do—instead of people getting something for nothing, we’re going to try to fit them where they can take care of themselves. . . . That’s our program. We don’t want them to get something for nothing. We want to get them where they can carry their own weight (McKee 2005, 3).⁸

Another major indicator of Johnson’s perspective on the implementation approach for the War on Poverty was his insistence that the Federal government should empower local and state administrators to serve as the primary mechanism for bringing the War on Poverty to reality. Although community activists at this time were lobbying for a federal antipoverty program with a strong street-level approach towards implementation and outreach efforts, Johnson’s views of

⁸ Johnson to Kermit Gordon and Robert Anderson, 10:37 A.M., 8 January 1964, in *The Presidential Recordings, Lyndon B. Johnson: The Kennedy Assassination and the Transfer of Power, November 1963–January 1964*, vol. 3, January 1964, ed. Kent B. Germany and Robert David Johnson (New York: Norton 2005), p. 275.

community action and street-level participation to end the War on Poverty effort were very different (McKee 2012). Based largely on his previous experiences as the Texas state director of the National Youth Administration (NYA) during the New Deal, Johnson argued firmly in empowering local and state administrators to implement innovative and cost-effective strategies for addressing the specific socioeconomic challenges of their local communities. He made the case that the War on Poverty should encompass many of the principles from the NYA, namely local and state administrators carry out the program's goals and objectives, and that these administrators be incentivized through outcomes-based performance measures. In a conversation with economist Walter Heller, Johnson affirmed this vision:

I'm an old NYA man, and I had the best record of any administrator in the nation . . . I put a little steel in some statewide roadside parks. But I got 4,600 of them down there now . . . and they're still lasting. And I got a dollar to show for every dollar I spent (McKee 2005, 3).⁹

Johnson also believed strongly in the power of engaging young people as recipients in the program in an effort to cultivate and foster leaders who could later take on prominent positions in their communities and local economies:

[Johnson] suggested that the best approach to fighting poverty lay in equipping young people, and specifically young men, to take on responsible and productive positions in the national life and economy. This would define his view of what community action meant: decentralizing bureaucratic authority so that creative administrators at lower levels of government could find and implement innovative solutions to poverty (McKee 2005, 2).

Johnson asserted that with the right combination of innovative and effective public administrators investing in the development and socioeconomic advancement of the nation's young people, the government would see a high rate of return on its initial investments from the War on Poverty. In a telephone conversation on January 20, 1964, Johnson conveyed this

⁹ Johnson to Walter Heller, 12:00 P.M., 23 December 1964, in *The Presidential Recordings, Lyndon B. Johnson: The Kennedy Assassination and the Transfer of Power, November 1963–January 1964*, vol. 2, December 1963, ed. Robert David Johnson and David Shreve (New York: Norton, 2005), p. 699.

sentiment in his guidance to Chicago Mayor Richard Daley regarding local level preparation for how the Windy City would use resources appropriated through the Economic Opportunity Act:

Get your planning and development people busy right now to see what you do for the crummiest place in town, the lowest, the bottom thing, and see what we can do about it. We'll get our dough, and then you can have your plan ready, and we'll move.¹⁰ Johnson's focus on community activism emphasized two key points: (1) create incentives to promote high performance by local and state administrators; (2) infuse greater access of low-income minorities to opportunities that would increase their socioeconomic advancement and self-sufficiency; and (3) conduct rigorous evaluation activities to measure effectiveness of such efforts. A key hurdle for Johnson in achieving these goals was that many racially-divided, low-income communities across the country were resistant to community action efforts, primarily because residents in these neighborhoods did not necessarily embrace local and state administrators as representing their interests.

Distrust fueled the dynamics underlying the various complex social relationships inherent in the Johnsonian War on Poverty model. First, there was often a very real tension between those actually living in poverty and the individuals designated by local civil rights groups to represent their views, as these local representatives were often considered "outsiders," and part of the hierarchical problem that perpetuated class (if not racial) barriers. Additionally, community activists regarded outreach efforts by local and state administrators as disingenuous and not reflective of what the top priorities of struggling lower income neighborhoods should be.¹¹ Finally, poor communities as well as local and state administrators were often aligned in their apprehension of regional federal officials, largely because they feared that Federal

¹⁰ Richard Daley to Lyndon Johnson, 6:10 P.M., 20 January 1964, in *Presidential Recordings, Johnson*, vol. 3, *January 1964*, ed. Germany and Johnson, p. 651.

¹¹ Indeed, low-income neighborhoods were skeptical of local, state, and Federal efforts to recruit young people from their communities and cultivate them into future administrators and political operators, because there was an inherent distrust of officials in positions of power or authority.

involvement would result in loss of local control of resources and decision-making. This would become one of the greatest implementation challenges for the Johnson administration as it progressed with its War on Poverty.

Johnson was concerned by the divergence between his vision of the implementation of the War on Poverty and the varying perspectives of local community activists and the technocratic plans laid out by the Washington bureaucracy. In an attempt to address this issue early on, Johnson focused on Peace Corps Director Sargent Shriver, and essentially intimidated Shriver into accepting responsibility for leading the task force that would write the Economic Opportunity Act (Schulman 1995; Andrew 1999; Dallek 2004; McKee 2005; Woods 2006). When Johnson originally approached Shriver, he was reluctant to take on yet another arduous role in the administration. Johnson, however, was adamant that Shriver accept this new role, and after four brief phone calls, the president announced Shriver's appointment at a press conference without further conversation or input from Shriver.¹²

Once Congress passed the EOA, Johnson placed further demands on Shriver to accept the role of Director for the Office of Economic Opportunity (OEO). With a budget of \$1 billion and sixty days to design and launch the various programs under the War on Poverty, Shriver initially objected to the rigid timeline and constrained resources with which to implement the administrative structure necessary to execute the president's objectives. Johnson's response to these administrative concerns was decisive and cutting, suggesting that Sargent had the authority and resources necessary (if not the gumption) to carry out the leadership role and responsibilities

¹² See Johnson to Sargent Shriver, 1:02 P.M.; Sargent Shriver to Johnson, 2:25 P.M.; Johnson to Sargent Shriver, Time Unknown; and Sargent Shriver to Johnson, 6:28 P.M., all occurring on 1 February 1964, in *The Presidential Recordings, Lyndon B. Johnson: Toward the Great Society, February 1, 1964–May 31, 1964*, vol. 4, *February 1, 1964–March 8, 1964*, ed. Robert David Johnson and Kent B. Germany (New York: Norton, 2007), pp. 13–25, 36–49, 55–70.

the president had provided him.¹³ After Johnson concluded with his aggressive and persuasive tactics, Shriver begrudgingly accepted this position. In this role, he was responsible for the administration's comprehensive War on Poverty agenda. To complicate matters further, shortly after Shriver assumed the directorship of OEO, Johnson required that Shriver also develop a more comprehensive regulatory framework to provide greater clarity and guidance for state and local administrators who were responsible for addressing poverty in local communities. Johnson was confident that more detailed regulatory guidelines would help to ensure greater implementation success throughout the country (Bornet 1983; Bernstein 1996; Andrew 1999; McKee 2005).

Johnson's overwhelming expectations of Shriver as Director of the OEO to develop a complex winning strategy for carrying out the president's War on Poverty agenda provides important insight into Johnson's approach to executive branch management. Shriver's reluctance to take on these prominent roles was of little concern to Johnson. The president was keenly aware that Shriver was the most competent and capable public figure to assume these various positions. President Johnson was incredibly effective at persuading – often by using intimidating tactics – to convince the most experienced leaders possible to execute his vision (Bornet 1983; Bernstein 1996; Andrew 1999; McKee 2005). And there was never any doubt that while Johnson assigned the responsibility of managing the OEO's activities both at the Federal level and in the

¹³ See Lyndon Johnson to Sargent Shriver, 6:10 P.M., 20 January 1964, in *Presidential Recordings, Johnson*, vol. 3, *January 1964*, ed. Germany and Johnson, p. 651. Also, according to the Sargent Shriver Peace Institute, in a telephone conversation between LBJ and Shriver in which the President informed him of his intentions to announce his intentions to appoint Shriver as the first Director of the War on Poverty via press conference later that afternoon, Shriver originally protested about whether the President's timeline for executing key tenants of his poverty agenda were realistic. But the President was quick to respond in his infamously aggressive way by putting the challenge back on Shriver by inferring, "You've got the responsibility, you've got the authority, you've got the power, you've got the money. Now, you may not have the glands," to which Shriver supposedly replied, "I've got plenty of glands." (<http://www.sargentshriver.org/articles/war-on-poverty>).

field, the president was still very much in charge and intimately involved in the decision-making process.

While Johnson relied heavily on the expertise of senior advisers and technocrats, he would not stand for minimalizing or narrowing policy objectives, nor would he accept failure in meeting targeted goals, regardless of the lack of connectivity between what was envisioned and what was practical. To further complicate administrative matters, as the Great Society and War on Poverty platforms advanced, Johnson was not always able to provide the necessary direction or sustained funding over time to ensure the full implementation of these grand goals and objectives, creating ongoing tensions between the President and his senior advisers in what he expected versus what was truly possible.

Johnson's Competing Agendas: Implementing the War on Poverty & Cost Containmentment

Another major dilemma that greatly impacted the domestic success of the Johnson administration was the competing priorities Johnson set for addressing social investments and operating within budget constraints. In terms of historical context, it must be remembered that Johnson grew up in one of the poorest areas of the country and his early life experiences dramatically influenced his views on the fiscal management of the Federal government (Califano 1991; Goodwin 1991; Skowronek 1997; Dallek 1998, 2004).

From the start of his political career in Washington in 1937 when the citizens of the 10th District of Texas first elected him as a U.S. Representative, Johnson had little sympathy for government agencies that advocated for more resources from Congress to enhance their budgetary status within the Federal government. As a Representative, Senator, and President, Johnson continuously advocated for budget and personnel cuts as major internal priorities for ensuring sound governance. In fact, many presidential historians and contemporary scholars of U.S. fiscal management at the Federal level often forget that President Johnson waged a

prominent War on Waste within his administration. During the Johnson White House years, this created an almost untenable situation for those agencies that were also being pressured to produce strong results around the War on Poverty, for Johnson was mandating cuts at the same time he was pushing the implementation of an extraordinary number of new initiatives. Johnson's emphasis on creating a War on Waste illuminates our understanding of his managerial preferences and leadership style as president.

In an effort to acquiesce members of the various appropriations committees in Congress from impeding progress on the implementation of the Great Society agenda, Johnson made an unrealistic commitment to reduce Federal expenditures concurrently. Simultaneous to his launching of the War on Poverty came Johnson's efforts to establish a War on Waste. Although presidential historians and scholars of public administration do not regard this as one of the Johnson administration's major priorities, the War on Waste ironically became a cornerstone of Johnson's focus throughout his presidency. According to the President, "All this and more can and must be done. It can be done by this summer, and it can be done without any increase in spending. In fact, under the budget that I shall shortly submit, it can be done with an actual reduction in Federal expenditures and Federal employment."¹⁴

In true Johnsonian spirit, the president had just committed his administration to not only rolling out the most ambitious domestic agenda since the New Deal, but aimed to do so while making significant reductions to the overall Federal budget. And were it not for the Vietnam War and its costs to the nation, Johnson might have even prevailed. What is important for the field of U.S. public administration to understand is that the War on Waste was not just a motto or a political cliché, rather, it was a systematic process by which the Johnson administration

¹⁴ Lyndon B. Johnson: "Annual Message to the Congress on the State of the Union.," January 8, 1964. Online by Gerhard Peters and John T. Woolley, *The American Presidency Project*. <http://www.presidency.ucsb.edu/ws/?pid=26787>.

implemented performance-based management throughout the Federal government, and regularly required the reporting of consistent data and information on expenditures and outcomes as a way to manage Federal agencies as efficiently as possible (March et al. 1983; Stever 1993; Halachami 2002).

One of Johnson's most impressive leadership characteristics that he relied on throughout his presidency was his ability to persuade powerful members of the Democratic Party and those of the opposition to move forward with key legislative proposals associated with the Great Society framework. In doing so, President Johnson pledged a "progressive administration which is efficient, honest and frugal."¹⁵ What Johnson failed to convey publicly in his grand vision and call to action, however, was the reality that no administration had ever attempted to implement a domestic policy agenda that resembled what he was taking on in the Great Society and the economic and political costs for doing so. As such, maximizing governmental efficiencies on the one hand and adhering to Johnson's policy expectations on the other became all the more challenging. The political environment was not accustomed to appropriating vast amounts of tax dollars for social programs, especially those specifically targeted towards the poor. Furthermore, as the administration required more civil servants to gather data and implement program initiatives in the field instead of from Washington this also began to affect implementation efforts associated with the original goals of the Great Society negatively. Chronic shortages of resources and personnel in the field led administration officials to cut corners in how they achieved "maximum feasible participation," often relying on the easiest, most visible community action and civil rights organizations to represent "the poor," which produced mixed and often times disappointing results (Strange 1973; Alcock 2003).

¹⁵ Ibid, Footnote 15.

In a telephone conversation with Hubert Humphrey concerning Republican critics who were complaining about the size of government in early 1964, Johnson articulated what would become the centerpiece of his administrative philosophy: “Now, this is what we stand for: a government of strength, a government that’s solvent, and a government that’s compassionate.”¹⁶ Johnson’s statement was more than just a political strategy – it was the centerpiece of his administrative vision for both executive branch management and running the administrative state.

Much of the empirical evidence gathered from Johnson’s White House years illustrates Johnson’s theory of governance (Bornet 1983; Bernstein 1996; Andrew 1999; Dallek 2004; McKee 2005; Woods 2006; Caro 2012). Over the course of his presidency, Johnson directed the U.S. Office of Management and Budget (OMB) to issue over 1,200 independent memoranda specifically directing the heads of all Federal departments and agencies to tighten public management controls, reevaluate current staff requirements, and identify areas to reduce government expenditures. In one such memo early in Johnson’s presidency, OMB Director Kermit Gordon asked all agency heads to examine expenditures and employment figures in their respective departments and identify any reductions the administration could make immediately to achieve “tighter management, better personnel utilization, postponement of program expansions, curtailment of programs which are not of the highest urgency, and other steps appropriate to a time of severe budgetary stringency.”¹⁷

¹⁶ "Lyndon Johnson and Hubert Humphrey on 28 January 1964," Conversation WH6401-23, Presidential Recordings of Lyndon B. Johnson Digital Edition, ed. David G. Coleman, Kent B. Germany, Guian A. McKee, and Marc J. Selverstone (Charlottesville: University of Virginia Press, 2010). *The Presidential Recordings: Lyndon B. Johnson, The Kennedy Assassination and the Transfer of Power*, January 1964, Volume 3 (New York: W.W. Norton, 2005).

¹⁷ Gordon, K. White House Memorandum to the Heads of all Cabinets and Agencies (November 30, 1963), extrapolated from the national archival collection (File F-I-1/2) of the LBJ Memorial Library in Austin, Texas.

Within two months of issuing this memoranda, President Johnson sent a letter to the President of the Senate and the Speaker of the House requesting, “The doubling of the War on Poverty.”¹⁸ In this correspondence, Johnson outlined the outcomes the administration had made to date and argued for more resources to keep the momentum associated with the War on Poverty moving forward in a positive direction. Johnson requested an additional \$1.5 billion to fund the programs under the Economic Opportunity Act for the current fiscal year and a ten-month extension of the period during which certain programs could be funded with 90 percent Federal assistance.

These inconsistencies in Federal spending created great tensions within the Federal government and the administrative state, particularly among rival agencies tasked with increasing efforts in support of key aspects of the Great Society while simultaneously being required to implement aggressive reductions in personnel and overall spending. Senior administration advisers attempted to apprise the president of the negative implications associated with pushing for more administrative cuts at such a pivotal time in the implementation of the War on Poverty. These attempts did not seem to sway Johnson’s dual commitment to both moving the most ambitious domestic agenda since the Great Society while simultaneously attempting to make drastic cuts to administrative spending.

Johnson’s Mastery of Navigating Congress through Administrative Powers

Despite the conflicts connected with Johnson’s policy goals and his fiscal management priorities, the administration’s greatest asset to achieving the numerous tenets of the Great Society agenda was arguably the political mastery and legislative expertise of President Johnson himself (Califano 1991; Dallek 1998, 2004; Goodwin 1991; Skowronek 1997).

¹⁸ Lyndon B. Johnson: "Annual Message to the Congress on the State of the Union," January 4, 1965. Online by Gerhard Peters and John T. Woolley, *The American Presidency Project*. <http://www.presidency.ucsb.edu/ws/?pid=26907>.

Johnson replicated President Kennedy's use of task forces, comprised primarily of national non-governmental experts appointed by Johnson to advise him on specific administrative and legislative objectives associated with each major element of the Great Society.¹⁹ While Johnson was not the first American president to use appointed task forces to inform and legitimize a policy agenda, he certainly was the first to infuse the task force structure so extensively, making them standard administrative tools for decision-making within the White House (Smith 1985; Goodwin 1991; Updegrave 2012). Throughout Johnson's executive tenure, the initial 15 task forces grew to over 100, and continued to be comprised primarily of technocrats outside government as opposed to utilizing Federal agencies within the administration to help develop legislative and policy recommendations. Additionally, another major distinction of Johnson's deployment of presidential taskforces was his unwavering insistence that the work completed under any of the task forces was to remain completely confidential, and the products and recommendations of such task forces be made available only to him and his senior staff directly (Smith 1985; Califano 2012). The secretive nature of the task force structure was quite different than a presidential appointed committee or council, whose activities are typically open and transparent to the public. As such, the Lyndon Baines Johnson Presidential Library did not make the papers from the task forces available to the public until their release in the summer of 1972.²⁰

¹⁹ In July and August of 1964, Presidential Special Assistant Bill Moyers was responsible for creating fifteen task forces, thirteen of which focused on domestic policy initiatives that emphasized agriculture, anti-recession policy, civil rights, education, efficiency and economy, health, income maintenance policy, intergovernmental fiscal cooperation, natural resources, pollution of the environment, preservation of natural beauty, transportation, and urban problems. The initial recommendations of each of these task forces were to be reported out to the President by November of that year.

²⁰ According to Smith (1985), "Because of the highly confidential nature of these reports during President Johnson's Administration, taskforce chairman often kept or even destroyed the working papers from their taskforces" (320). Smith confirmed that the LBJ presidential library in Austin, Texas only possesses the complete working papers of two of the 100+ taskforces during Johnson's tenure as president.

The Johnson administration's construction of the task force model did not come without a price, as there were unforeseen implications for achieving long-term sustained support for many of the policies and programs that grew out of the initial task force recommendations. Task force membership was not particularly socioeconomically diverse or representative of powerful special interest groups, which made the policy objectives resulting from the task force recommendations vulnerable to criticism and a lack of firm long-term political support. Additionally, there were also concerns about the ability of the task forces to address the monumental goals of the Great Society without getting distracted with competing tertiary priorities and pet-projects of the taskforce members. As Skowronek outlined:

At times the task forces he [Johnson] set up to study national issues seemed to be creating new interests around presidential initiatives of their own accord. Interest for interest, the legions Johnson was gathering together were more organizationally independent of presidential control than ever before ... Turning the Democratic Party into a "party for all Americans," Johnson offered virtually everyone the favor of presidential support and virtually guaranteed that no one could be counted upon to support his whole package (1997, 350-51).

To alleviate these challenges, special assistants Bill Moyers and Joseph Califano did not leave much room for error. Senior administration advisers instituted aggressive timelines to the original fifteen task forces to outline specific legislative and policy proposals for Johnson so that the president could hit the ground running after the successful congressional electoral victory of the Democrats in 1964.²¹ Johnson did not necessarily need the task forces to market his domestic agenda, only to legitimize it. For it was Johnson's innate political abilities to not only maneuver but maneuver the new Congress that led to the swift approval of many of his comprehensive domestic policy reform efforts and the administration's unprecedented and rapid legislative

²¹ Appointed in the late summer of 1964, the initial 15 taskforces were given a less than 120 days to develop specific legislative and administrative policy recommendations for President Johnson's consideration by early November of that same year.

success in 1965 (March 1966; Heineman 1967; Califano 1991, 2012; Goodwin 1991; Smith 1985; Updegrave 2012).

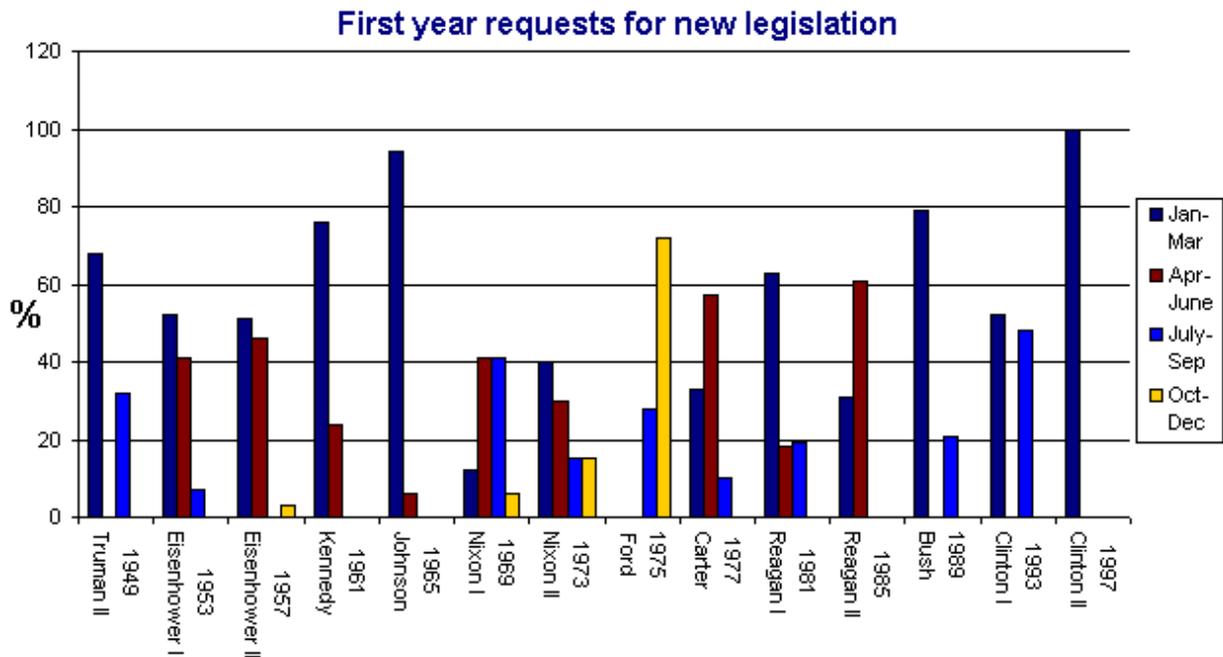
While administrative task forces helped develop the original policy framework for the War on Poverty, garnering political support for those same proposals required expert legislative negotiating for which Johnson was highly skilled. Johnson's prowess over Congress, coupled with his measured use of and sole control over the taskforces as a formal tool for legitimizing his policy proposals – an administrative tool that the Roosevelt and Kennedy administrations had previously utilized – were primary drivers behind the Johnson administration's influence over the “Fabulous Eighty-Ninth Congress” (Califano 1991, 2012; Goodwin 1991; Smith 1985; Updegrave 2012).

Certainly, Johnson possessed a resilient tenacity for persuading Congress to move rapidly on a number of comprehensive proposals. The success of the Great Society depended on the Johnson administration's ability to develop and secure passage of numerous landmark legislative bills over a very short period of time. In the first two years of the Johnson administration alone, Congress passed an extensive array of progressive legislation that not only translated much of the liberal agenda into law, but set into motion the original infrastructure that still supports a significant number of today's Federal domestic programs. Indeed, one of Johnson's most lasting contributions to today's administrative state was his intertwining of politics with public administration, and his utilization of decentralization as a political strategy for securing Congressional support. In partnership with the Johnson administration, the 89th Congress established the goals of the Fair Deal and New Frontier; adopted Medicare; passed the Elementary and Secondary Education Act; created the Housing and Urban Development Department (HUD); ratified the Highway Beautification Act; installed clean air and water

regulations; ended the immigration quota system of the 1920s; and set forth new city planning programs. As President Johnson himself attested, “The 89th Congress passed groundbreaking legislation of enormous importance of disadvantaged Americans among us – in education in health, in manpower training, in the war against poverty.”²² Just as Johnson himself, the chief engineer behind the fast-track train, intended. In fact, as Table 1 illustrates, Johnson submitted more requests for legislation in his first year of office than any other President in modern history with the exception of Bill Clinton.

²² Lyndon B. Johnson: "Special Message to the Congress on Civil Rights.," January 24, 1968. Online by Gerhard Peters and John T. Woolley, *The American Presidency Project*. <http://www.presidency.ucsb.edu/ws/?pid=28871>.

Table One. First year requests for new legislation by U.S. President (Truman-Clinton)²³



Additionally, it is important to note that even despite the difficulties Johnson faced in maintaining political support in the Congress as the Vietnam War continued, he achieved a higher concurrence rate with Congress on legislative votes than any other president besides Kennedy, with an average annual concurrence rate of 82.2 percent. And yet, even after these milestones and the successful passage of the Civil Rights Act of 1965, Johnson was still urging Congress to continue to move forward in passing additional legislative proposals and completing the task it had begun: “Yet critical work remains in creating a legal framework that will guarantee equality and opportunity for all.”²⁴

²³ Extrapolated from the American Presidency Project. Sources include: (1961-1977) Paul Light, *The Presidential Agenda*, rev. ed. (Baltimore: Johns Hopkins University Press, 1991), 45; (1949-1957 & 1981-1997) Lyn Ragsdale, *Vital Statistics on the Presidency* (Washington, D.C.: Congressional Quarterly Press, 1998), 384. <http://www.presidency.ucsb.edu/data/firstrequests.php>.

²⁴ Lyndon B. Johnson: "Special Message to the Congress on Civil Rights," January 24, 1968. Online by Gerhard Peters and John T. Woolley, *The American Presidency Project*. <http://www.presidency.ucsb.edu/ws/?pid=28871>.

Johnson's extensive background in legislative practice and procedure was an essential component in his administration's effectiveness to secure support for the domestic policy agenda that held the potential to transform America into a Great Society. Johnson fully exercised the bounds of what Madison coined "the blending" of powers among the branches of government, combining his unique legislative expertise and powerful influence over the Congress to push the majority of the necessary legislative proposals that established the framework for the Great Society agenda relatively swiftly through the first two years of this Presidency.²⁵

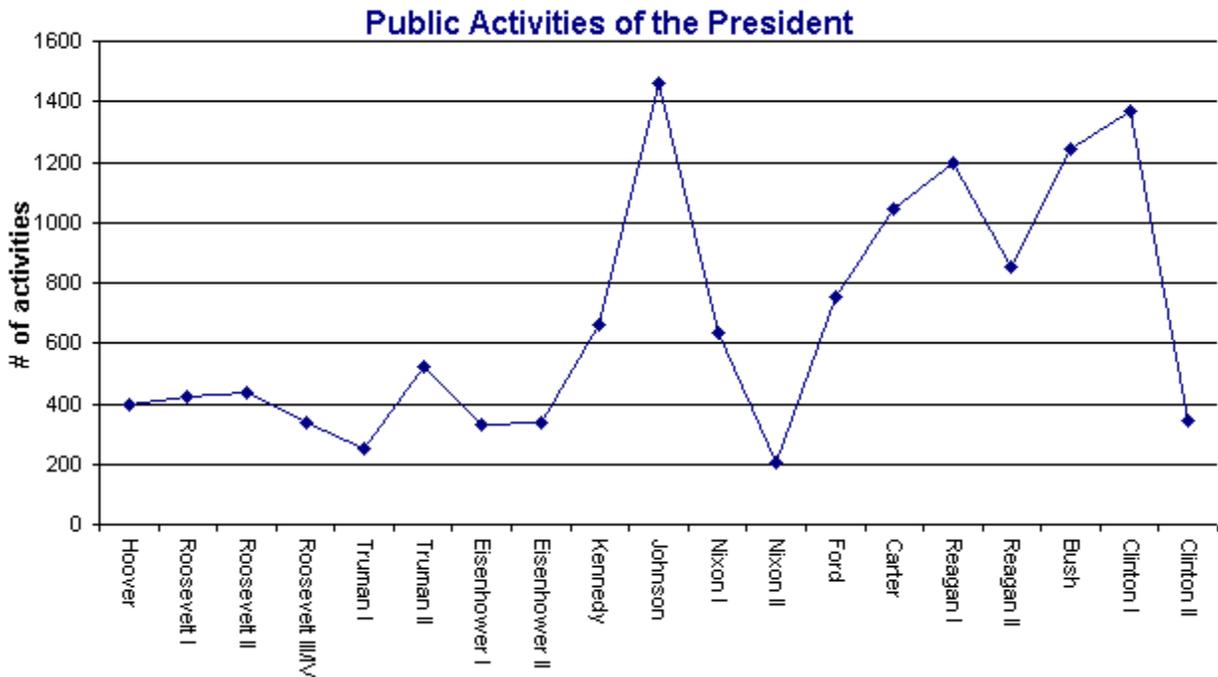
Johnson's Manipulation of the Media as a Key Administrative Tactic to Ensure Efficiency

An area that Johnson has often received much criticism is in his manipulation of media to circumvent traditional administrative processes and push through his administrative priorities, even when advisers in his inner circle were not supportive of the direction he was pursuing. Accused many times of "administering via press conference," Johnson was known for announcing major decisions regarding political appointments, the establishment of new administrative authorities, and the introduction of new administrative programs through the use of the media (Dallek 2004; Woods 2006; Caro 2012). But was the criticism an accurate reflection of Johnson, relative to other U.S. presidents? As Table 2 indicates, Johnson appears to be average or slightly below average to other administrations presiding both before and after his term with regard to the range of public appearances, which includes major speeches, news conferences, public appearances across the nation, and political appearances. But when we evaluate the number of public activities by president, Johnson conducted substantially more

²⁵ In *Federalist No. 47*, Madison acknowledged that the three branches intertwined but asserted that the blending did not violate the principle of separation of powers. This is a critical interpretation when looking at the very hands-on approach that Johnson and his advisers took in the drafting of various landmark legislative initiatives and the negotiations to pass such proposals in the Congress. Johnson used his mastery of the legislative process to move a huge amount of his Great Society domestic agenda as swiftly as possible. It is also relevant when looking at the role of the courts in paving the way for a focus on federal civil rights legislation.

public activities than any other president from Hoover to Clinton. One reason for this is that Johnson also had an unprecedented number of public engagements specific to the District of Columbia than any other president, which coincides with his inherent strengths of lobbying and negotiation among various national stakeholders (Borner 1983; Bernstein 1996; Dallek 2004; Woods 2006).

Table Two. Number of Public Activities by President (Hoover-Clinton)²⁶



Overtime, television became a strong weapon for communicating his administrative priorities:

Once comfortable with television, President Johnson was an incorrigible exploiter of the medium. In his first 22 months in office, he made 59 live appearances—more than Eisenhower in two full terms, and more than twice Kennedy's complete record. Add to

²⁶ Extrapolated from the American Presidency Project (2012). The term “public activity” is defined as, “including all domestic public appearances by a president, including major speeches, news conferences, minor speeches, Washington appearances, and U.S. appearances, but not political appearances.” Sources included: Lyn Ragsdale, *Vital Statistics on the Presidency* (Washington, D.C.: Congressional Quarterly Press, 1998), 183.

this figure the countless times he was photographed for the nightly news plus his many appearances during his successful campaign for election in 1964. Furthermore, compared with his two immediate predecessors, a considerably higher percentage of Johnson's video exposure was in prime time (MacDonald 2009, 2).

At first, it seemed inconceivable to allow President Johnson in front of television cameras. He lacked in every area that Kennedy excelled in when it came to public appeal: youthful energy, physical appeal, wit, and charm. Even Johnson's closest advisers considered his accent a weakness with regard to ensuring the public's confidence in his abilities as a national leader. But Johnson surprised everyone in his ability to communicate matters of national significance and administrative complexities with an approach of sincerity, passion, and plain-spokenness. As a result, Johnson all too soon found that television was a critical tool for further controlling administrative progress and influencing public opinion, though not always through conventional methods:

In news conferences he took much time at the beginning to make announcements and describe policies. This maximized his control of the meetings by cutting into the time allotted for reporters' questions. Johnson also had questions planted in his news conferences. Sympathetic reporters were told what to ask, and the president then called on them (MacDonald 2009, 3).

At the same time when the use of television as a key medium for communicating the Johnson administration's policy goals dramatically increased, the public's trust in information presented through television exceeded their faith in information retrieved through newspapers and radio (Harris 2000; MacDonald 2009; Roper 2000). This gave Johnson further fuel for increasing his use of television to not only convey political priorities to the American people, but to also communicate administrative changes without necessarily going through the more appropriate review channels of his Cabinet or senior advisers (Caro 2012; Dallek 1998).

Johnson's Influence on the Executive Office of the Presidency

Johnson's aggressive tactics and hands-on approach to governance had major implications on the administrative management of his War on Poverty specifically, and the Great Society generally. It is without argument that Johnson's push for efficiencies in government resulted in an unprecedented set of legislative and administrative initiatives of any first term president, but it also came at a price. Various agencies responsible for the implementation of the War on Poverty were plagued with chronic staff and funding shortages, and many of them disagreed internally regarding the efficacy of key strategies in operationalizing the major tenets of Johnson's vision.

Additionally, while Johnson was a master at negotiating key legislative agreements, he opted more so than not to circumvent the advice of his senior team in favor for less conventional administrative actions, whether those actions were through the media, executive communications, or pitting agencies against one another. But what is so striking about Johnson is the massive amount of work that his administration accomplished in just five short years under this formidable presidential figure.

Part II of this dissertation delves further into the Johnson administration's introduction and deployment of key administrative strategies to promote efficiency and effectiveness under the backdrop of a clear vision that supported many of the values inherent to good governance and democratic-constitutionalism, including equality, representativeness, and responsibility.

CHAPTER 4:

LAUNCHING THE GREAT SOCIETY:

BUILDING THE FEDERAL ADMINISTRATIVE APPARATUS TO FIGHT THE NATION'S

WAR ON POVERTY

Poverty is a national problem, requiring improved national organization and support. But this attack, to be effective, must also be organized at the state and the local level and must be supported and directed by state and local efforts. For the war against poverty will not be won here in Washington. It must be won in the field, in every private home, in every public office, from the courthouse to the White House.

--Lyndon Johnson, January 8, 1967

Securing passage of President Johnson's legislative agenda to support the Great Society was just the first step to realizing his vision. Implementing the myriad of programs and policies resulting from social policy legislation passed by the 89th Congress required significant organizational changes within the United States' administrative infrastructure. It also required the Federal government to modernize its operational practices and organizational behaviors across both layers and systems of government (Musolf and Seidman 1980). This, as Johnson and his senior advisers would soon learn, was a daunting task, because it proved much more challenging to operationalize than the initial garnering of approval for the administration's legislative priorities (Updegrave 2012).

In order to implement the Great Society platform, the Johnson administration had to maximize resourcesthroughout existing Federal agencies while simultaneously growing the administrative apparatus necessary for carrying out various legislative measures passed as a part of this domestic policy agenda (Stever 1993; Halachmi 2002). Existing financial and human resources were insufficient to implement all that comprised the Great Society legislative agenda within Johnson's aggressive timelines successfully. This organizational dilemma, therefore,

required the Johnson administration to make difficult choices regarding the prioritization of efforts (Dallek 2004; Woods 2006; Caro 2012).

The primary evidence also illustrates that the administration had to reevaluate the inner-relationship between Cabinet-led programs and the role of the Executive Office of the President (EOP) in terms of yielding decision-making authority, which called into question important public administration principles regarding the role and power of the office of the presidency specifically and the Federal government more generally (Musolf and Seidman 1980). In its Final Report to President Johnson on June 15, 1967, the President's Task Force on Government Organization observed the following:

The legislative accomplishments of recent years have reaffirmed the Presidency as the source of program leadership in domestic affairs. Legislative success has also added to the administrative burdens of the Presidency. Passage of Great Society legislation has not merely added to the magnitude of the President's administrative job. Early operational experience with these programs suggests that they have affected the nature of his managerial tasks as well (Heineman 1967, 6; emphasis added).

For the Great Society to be attainable, the American administrative state had to evolve to manage the ambitious agenda set into motion by President Johnson and Congress effectively. And when the Johnson administration began to implement the Great Society, the Federal government was ill-equipped, under-resourced, and poorly prepared for managing the coordination and collaboration required at all levels of government (Bernstein 1996; Andrew 1999). In order to meet the audacious challenges laid forth, the Johnson administration had to overcome major institutional and systemic barriers, and at a pace not previously conceived since Roosevelt's New Deal.

Establishing the Legislative Framework to Support the Great Society

In his first State of the Union address, President Johnson outlined the legislative platform for his Great Society agenda, launching what was soon to become one of the most fruitful

legislative eras in U.S. history. In concert with the administration's vision, Congress enacted legislation establishing an array of new or expanded socioeconomic programs as well as authorized the creation of additional Federal administrative structures to oversee and manage their evolution. The successful development and passage of a comprehensive series of landmark legislative proposals was intrinsic to Johnson's strategy for launching the Great Society. As previously mentioned, Johnson worked with the 89th Congress to ensure passage of the vast majority of his administration's legislative proposals (84 out of 87) during his first two years in office (Andrew 1999; Dallek 2004; McKee 2005; Woods 2006; Caro 2012). Starting with key landmark civil rights and economic development legislation, the 89th Congress swiftly moved to pass a new housing bill, a Medicare program to help provide medical care for the elderly, and additional antipoverty measures. Other legislation focused on protecting the voting rights of African-Americans, authorizing the creation of the U.S. Department of Housing and Urban Development, and abolishing the immigration quota system (Andrew 1999; Woods 2006).

As a former public school teacher, Johnson's commitment to elementary and secondary education and his first-hand experience with public education led him to support an unprecedented infusion of Federal funding through congressional authorization and appropriations bills into the nation's public education system. Virtually every school system in the country benefited financially from the new Federal funding (Anderson 2005), which assured ongoing Congressional support for Johnson's national education platform. Collectively, this legislative portfolio served as the roadmap for transforming the Great Society from concept to reality, and set into motion a continued expansion of the Federal government and the institutional framework that would be required to implement a domestic policy agenda of such magnitude and scope.

Based on the ideals of individual freedom, community rights, and limited government power, the Great Society agenda consisted of numerous pieces of legislation aimed at permanently embedding important democratic-constitutional norms within the fabric of the American administrative state (Strange 1972; Gould 2000). Two major civil rights statutes, the Civil Rights Act of 1964 (CRA) and the subsequent Voting Rights Act (VRA) of 1965, established unprecedented social, political, and economic rights of the nation's racial minorities and other disenfranchised subpopulations. These two laws, coupled with the complimentary Economic Opportunity Act of 1964 (EOA), collectively represented an unparalleled commitment to democratic constitutional principles on the part of the Johnson administration:

The premise of democratic constitutionalism is that the authority of the Constitution depends on its democratic legitimacy, upon the Constitution's ability to inspire Americans to recognize it as *their* Constitution. This belief is sustained by traditions of popular engagement that authorize citizens to make claims about the Constitution's meaning and to oppose their government – through constitutional lawmaking, electoral politics, and the institutions of civil society – when they believe that it is not respecting the Constitution. Government officials, in turn, both resist and respond to these citizen claims. The complex patterns of exchange have historically shaped the meaning of our Constitution (Post 2007, 3).

While the CRA aimed to promote equality and representativeness through the expansion of individual rights irrespective of race, gender, or religious affiliation, the EOA, and subsequently, the Public Works and Economic Development Act, focused on establishing greater equity and collective responsibility in lifting the poor out of poverty by focusing on creating increased opportunities for individual socioeconomic advancement and community-based engagement. It is important to distinguish, however, that the Johnson administration sought to engage local and state administrators into the community-based process embedded within the Economic Opportunity Act to ensure the objectives of the administration were addressed, and ultimately this led to tensions further explored in Chapter 6.

Additional legislation associated with the Great Society platform focused on affirming a number of social, economic, and cultural rights for which Johnson maintained all American citizens were entitled. This collectively provided a foundation that continues to drive the Federal government's investment in the provision of social services related to education, health care, housing, and long-term income security today (Califano 1999). These legislative milestones were emblematic of a growing trend in "creative federalism," a key aspect of interest-group liberalism by which Congress committed Federal funds to develop plans formulated by state governments, local agencies, and private groups. Theodore Lowi (1967) describes this budgetary dynamic best:

During the Johnson Administration the doctrines and policies of interest-group liberalism have been elevated to new highs of usage and rationalization. It is coming of age by being provided with new and appropriate halo words. The most important is "creative federalism," about which President Johnson and his Great Society team have spoken frequently and enthusiastically. This and related terms-such as partnership, maximum feasible participation, and, above all, consensus-seem to be very sincerely felt by present government leaders. The sentiments are coming to be shared widely among non-government leaders and are at the bottom of the extraordinary business support Johnson received during his most active period of legislative creativity. Probably the most accurate and sympathetic analysis of creative federalism and the role it is playing in the Great Society has been provided by Fortune Magazine. As Fortune and many other observers would agree, creative federalism is not federalism. Federalism divides sovereignty between duly constituted levels of government. "Creative federalism" is a parceling of powers between the central government and all structures of power, governments and non-governments. In fact, little distinction is made between what is government and what is not. It is, according to the enthusiastic definition of Fortune writer Max Ways, "a relation, cooperative and competitive, between a limited central power and other powers that are essentially independent of it." The difference between federalism and "creative federalism" is no mere academic distinction. Creative federalism involves a "new way of organizing federal programs . . . [in which simultaneously] the power of states and local governments will increase; the power of private organizations, including businesses, will increase; the power of individuals will increase" (17).

The use of "creative federalism" strategies were interwoven into a variety of Great Society legislative proposals. They required, even infused, a hands-off Federal approach, though the level of Federal presence and influence varied. During the Johnson years, Congress funded

new programs and legislative initiatives as part of the Great Society with Federal resources but delegated organizational responsibility to state and local government entities (Edwards and Schull 1995; Dallek 1998; Caro 2004). In this respect, it is questionable whether the Johnson administration intended to insert itself into matters traditionally left to the states in an effort to circumvent any constitutional concerns regarding possible Federal overreach. Analyzing the administration through this lens, Johnson was attempting to ensure a more covert and permanent influence over Great Society policies through the infusion of a steady flow of “strings attached” Federal funding (March 1966; Lowi 1967). On the other hand, evaluators of the Johnson presidency argue that in an attempt to elevate individual rights and community engagement in social justice initiatives, the administration was simply trying to elevate the role of on-the-ground community activists and local governments by providing additional Federal funding and support to develop the infrastructure necessary to carry out the policy goals of the Great Society agenda (Weiss 1987). In all likelihood, the Johnson administration had a dual set of objectives. It wanted to promote key norms and values aligned with democratic-constitutional thought so that it could establish socioeconomic justice and civil protections for poor racial minorities while simultaneously it recognized they had to placate the various stakeholders involved so that it could solidify the strong support necessary for pushing the Great Society agenda through Congress (Devins 1991; Hinders 1993; Pauley 1997). This effort supports Lowi’s (1967) argument regarding the promotion and expansion of interest-group liberalism.

Examples of this legislative strategy can be seen throughout the Great Society agenda, which impacted the young, the old, the poor, the medically disadvantaged, the disabled, and racial minorities alike, so that the Federal government could give a “voice” to these chronically underrepresented subpopulations in the implementation of key socioeconomic initiatives (Devins

1991; Hinders 1993; Pauley 1997). Nevertheless, the primary data clearly reveals that the active engagement of organizations responsible for representing the interests of the targeted populations were themselves based on hierarchical power structures. Each of these organizations had competing agendas that were not always representative of the constituencies they served (Devins 1991; Hinders 1993; Pauley 1997). The lines between direct engagement of targeted populations and powerful lobbying entities that supposedly represented their constituency's interests were commonly blurred, and this gave the false impression that the "little guy" was meaningfully engaged in the decision-making processes of public administration at the local or street level (Devins 1991; Hinders 1993; Pauley 1997). When the Johnson administration attempted to bring implementation efforts for the War on Poverty directly to the citizens the program was intended to serve, the results were mixed (Moynihan 1969). This was largely due to the fact that the Federal bureaucrats tasked with such responsibilities were ill-prepared for the negative repercussions that occurred as a result of implementing such an approach (Moynihan 1969; Lander 1971).

No legislative proposal in the Great Society portfolio was immune to this dichotomy, including federal resources for public education. Acknowledging the critical importance of increasing the nation's financial investment in the education of all school-aged children, regardless of race or economic standing, the Johnson administration's promotion of the Elementary and Secondary Education Act (ESEA) of 1965 provided federal assistance to low-income public school districts in urban and rural communities alike (Thomas and Brady 2005). Teacher labor unions and local school district boards of education sought massive autonomy in how Federal funds were utilized at the local level, and both entities continue to have major decision-making authority over the provision and structure of local education today (Kaestle

1982; Anderson 2005). The Johnson administration also supplemented its focus on the ESEA with equal fervor in seeking passage of the Higher Education Act later that same year, which senior White House advisers crafted with major input from professional associations representing institutions of higher education, university administrators, and the private sector research enterprise (Harper et al. 2009). Simultaneous to these efforts and consistent with Johnson's conviction that supporting future generations of leaders that could be uplifted from their original roots of poverty in similar fashion to his own past, the administration also advocated for the enactment of Job Corps and other workforce investment programs, which targeted youth and young adults in need of apprenticeships and vocational training opportunities to participate in the economic mainstream (Gueron 1990). For the first time since the Truman administration, the executive branch was asking Congress to infuse millions of dollars into the development and training of a young and able workforce who could meet private-sector employer needs, a responsibility typically left to industry given the clear gains to be made by private employers in having a skilled labor pool at its disposal (Dellums 1986).

Beyond the targeted policies established to focus on the educational needs of the younger generation of Americans, the Johnson administration also pushed for substantial legislative reforms to protect the aging population. To meet the diverse needs of the growing numbers of aging citizens in America, Johnson signed into law the Older Americans Act (OAA) in July of 1965. The OAA set out specific objectives for maintaining the dignity and welfare of older individuals and created the primary vehicle for organizing, coordinating, and providing community-based services and opportunities for aging Americans and their families (HEW Administrative History 1969). The OAA represents an intriguing model in legislating a cross-agency focus on one target population, calling for the coordination of programs and the

leveraging of resources among several Federal government entities. The OAA also included a strong partnership between the Federal, state, and local governments, and keeping with the Johnson administration's incorporation of "creative federalism," Title 3 of the OAA authorized the creation of a national network of Area Agencies on Aging (HEW Administrative History 1969). These agencies continue to serve as a repository of community-based resources today, often responsible for coordinating and subsidizing services such as homecare and nutritional programs for older Americans.

Beyond these measures, the passage of the 1965 and 1967 amendments to the Social Security Act perhaps had the most lasting financial impact on the current domestic policy agenda in the United States. These amendments set into motion the permanent creation of the country's social safety net by building an infrastructure to support the long-term income security and health care of the country's aging, disabled, and poor, and solidified the Federal government's role as the chief steward overseeing the financial trusts of such entitlement programs. This included the creation of Medicare, Title 18 of the Social Security Act, and Medicaid, Title 19 of the Social Security Act, respectively. The establishment of these public programs made the U.S. Federal government into the largest investor in health care coverage in the world (Warner 2008). Financed by a payroll tax on employers and employees, Title 18 of the Social Security Act established a solid funding stream to ensure the affordable health care coverage for older Americans. Congress established the mandatory part of the program, Part A, to cover various hospital costs, while Congress later funded in subsequent administrations Parts B through D over time to cover medical technologies, supplemental care needs, and prescription drugs (SSA Administrative History 1969). Eligibility into the program is not based on any means test (for example, no income requirements), thus reflective of a strong aging lobby that wanted to ensure

equitable coverage for all aging citizens reaching retirement age, not just financially poor and older Americans.

Likewise, the Johnson administration was equally concerned in ensuring low-income families, specifically, single mothers and their dependents, had access to health care, and simultaneously pushed for the establishment of Medicaid through the addition of Title 19 to the Social Security Act. Congress structured the Medicaid program similar to other Johnson-era initiatives by providing Federal funds through (categorical) matching grants to states. The Federal government requires states to use the funding to provide emergency care and other basic health care services for low-income Americans. Focusing primarily on single mothers with dependents, Title 19 required each state, at minimum, to ensure Medicaid coverage for people receiving Aid to Families with Dependent Children (AFDC) (Warner 2008).²⁷ Beyond these requirements, Congress allows the states to determine additional eligibility requirements and additional services to cover their respective citizens. The Johnson administration and Congress originally intended both Medicare and Medicaid to serve as public programs responsible for immediate health care needs, but both have expanded greatly over time to include coverage for proactive health care services such as health promotion and disease prevention (Blumenthal et al. 2008). Further, Medicaid has now become the predominant funder of long-term supports and services to individuals with the most significant disabilities, covering everything from transportation to personal care attendants to adult day care services, nursing homes, and long-term care (Blumenthal et al. 2008). One of the chief criticisms of both initiatives, however, is that the original legislation never accounted for any cost controls, and cost containment for both

²⁷ AFDC later became the Temporary Assistance for Needy Families, or TANF, as part of the Clinton administration's effort to reform welfare; the Welfare-to-Work policy changes of the 1990s changed a large portion of the Johnson era's work in this area.

Medicare and Medicaid has been an ongoing fiscal challenge for every Congress since Johnson's presidency (Marmor 2000).

In 1966, Johnson signed a number of smaller but highly relevant bills focused on reinforcing the administrative framework created in the legislative portfolio of 1964-1965. From legislative proposals creating the National Teachers Corps and the Model Cities urban redevelopment program, Congress created additional programs to continue building on the goals Johnson equated with the Great Society. One such program enacted as part of the 1967 amendments to the Social Security Act, the Work Incentive Program (WIP), signified a major shift in welfare policy strategy for the Johnson administration (Brauer 1982). WIP provided publicly funded training programs and child-care for women on welfare. Infusing Johnson's strong belief that with expanded individual rights and economic support came responsibility, WIP symbolized the first punitive strategy in welfare reform (McKee 2005). The states could now eliminate individual eligibility for AFDC if eligible recipients refused to participate in job training or enter the workforce (McKee 2005). However, the program allowed individuals to keep a portion of their earnings without facing a reduction in benefits. The Johnson administration also worked with Congress to pass the Food Stamp Act, which established a national food stamp program to assist the poor in purchasing food. Congress later expanded this program by means of standardizing eligibility and making participation mandatory for all states after Johnson left office (Levitan and Taggart 1976-77).

In 1967 and 1968, despite decreased Democratic influence in Congress, the administration succeeded in gaining passage of an open-housing civil rights bill and additional legislative initiatives pertaining to education, gun-control, and environmental protection. In all, by the end of Johnson's term in office, Congress supported 226 of his 252 legislative requests,

establishing that the Johnson administration was the most effective in the nation's history in terms of the breadth and depth of legislative proposals that Congress passed and the president signed into law (Califano 1999). The next step to making the Great Society a reality, however, would require a similar level of fierce determination by the executive branch to implement the programs combined with an enormous amount of patience, a quality uncharacteristic in the Johnson administration.

Expanding the Infrastructure of the Federal Government to Implement the Great Society and War on Poverty

Establishing the Federal administrative infrastructure to support the implementation of the socioeconomic developmental goals outlined in the Great Society's legislative portfolio required the strategic expansion of several existing Federal agencies, primarily the U.S. Department of Health, Education, and Welfare and the U.S. Department of Labor, and the introduction of new ones, including the U.S. Department of Housing and Urban Development, the Office of Economic Opportunity, and the Economic Opportunity Council. These entities constituted the Federal framework for realizing the aims of the War on Poverty specifically and the key socioeconomic goals of the Great Society generally.

Office of Economic Opportunity (OEO)

Authorized under the Economic Opportunity Act (EOA), Congress intended the Office of Economic Opportunity (OEO) to serve three primary functions: advise the president and the White House on strategies for implementing the War on Poverty; coordinate resources and interagency efforts across government agencies and at the local and Federal levels of government; and administer the grant assistance designated for the Community Action Programs

(CAPs).²⁸ Beyond the CAPs, Congress required the OEO to manage many of Johnson's other Great Society programs, including Head Start, Job Corps, Volunteers in Service to America (VISTA), and Legal Services for the Poor. One of OEO's primary responsibilities was to administer Federal grant funding to urban centers for the purpose of establishing local anti-poverty programs (OEO Administrative History 1969). To achieve this aspect of the EOA, Congress first appropriated \$300 million for Community Action Programs (CAPs) in 1965, and by the end of 1966, more than 1,000 community action agencies (CAAs) were in existence (March 1991). The EOA affirmed a commitment on the part of the Federal government to promote and invest in community-based innovation and to remain flexible in terms of working with local governments and the CAPs while also administering funding support to foster outside-the-box creativity and problem-solving (March 1966). The EOA required that the CAPs be implemented via the principle of maximum feasible participation in order to ensure that citizens representative of the socioeconomically poor were empowered at the grassroots level. The purpose of this requirement was to engage citizens in the implementation of organic community development strategies for combatting chronic poverty. At first, this was a concept originally promoted and heavily endorsed by the Johnson administration, because it was complementary Johnson's concerns about representativeness and inequality. While a corps of bureaucrats, known as the administration's "Tiger Teams," deployed to local communities to help facilitate the planning activities between local governments and the CAAs, the administration gave local urban centers a great amount of latitude for the allocation and prioritization of Federal funds, especially in terms of addressing the socioeconomic challenges facing their communities.

²⁸ Extrapolated from meeting notes and preliminary draft of the final report of the President's Task Force on the War against Poverty, retrieved from the national archival collection (File F-1) at the LBJ Memorial Library in Austin Texas. The Task Force was established February 1, 1964, and then-Peace Corps Director R. Sargent Shriver was appointed to head the task force. Disbanded following President Lyndon B. Johnson's address to Congress, March 16, 1964, calling for the establishment of the Office of Economic Opportunity.

As previously mentioned, Johnson aggressively pushed former Peace Corps Director Sargent Shriver to lead the Office of Economic Opportunity (OEO) and to serve as the administration's leading public figure in the War on Poverty.²⁹ Shriver's personal connection with the Kennedy family,³⁰ coupled with his strong connections in Congress, were key elements in Johnson's decision to appoint Shriver to this important administrative position. The OEO would face many obstacles during its first few years, and Johnson required a Director that could weather the various political challenges that lie ahead in implementing the various goals and obligations of the Economic Opportunity Act. What Johnson did not anticipate, however, was Shriver's pushback on the unrealistic expectations and rigorous timelines for implementing the War on Poverty.³¹ In fact, Shriver was not beneath using his strong political capital with members of Congress – the very characteristic that influenced Johnson's decision to appoint Shriver as the Director of the OEO – to circumvent the administration's budgetary decisions and push for more funding to bring OEO's resources in step with Johnson's ambitious demands on the agency.³² In short, Johnson underestimated Shriver's ability to challenge him at his own game of political manipulation. In a conversation with former Special Advisor Bill Moyers on December 26, 1966, Johnson described his dilemma in trying to appease Shriver's demands for more resources while staying the course in terms of his own budgetary goals:

I do not want to debate budget now because I'm going to send up my budget late....and I cannot tell until I make the tax decisions how far I dare go. And I think....I don't think he knows this, and I don't think he thinks this – [Treasury Secretary Henry] Fowler is calling me now – but in my judgment, the bigger request I make for poverty, the more danger it is of being killed. I don't think they're just going to cut it; I think the same thing about aid. I think if I ask for 2 billion [dollars] or 3 billion [dollars] for poverty, when I got 3 billion [dollars for] jobs, and I'm spending 24 billion [dollars] in other fields, I

²⁹ Ibid. Footnote 9.

³⁰ Sargent Shriver married Eunis Kennedy, daughter of Joseph and Rose Kennedy and sister of John and Robert Kennedy.

³¹ Ibid, Footnote 13.

³² Ibid, Footnote 13

think they'd say, good God, it goes up every time you get somebody a job, it costs you more. I think if we increase it a reasonable amount, that we have a much better change of fighting and holding it. But I think that those boys over there, who don't know anything about legislative procedure, and these kids that give out these interviews – Schultze tells me he doesn't believe Shriver knows them, but he doesn't believe Shriver can control them. [Special Counsel] Harry [McPherson] tells me that he believes that other people in CAP [the Community Action Program] do this, and they override Shriver (Johnston 1966, 4).

This exchange also reveals Johnson's trepidation about the growing lack of control over the CAPs, and even Shriver's inability to contain the situation.

The Economic Opportunity Council

In addition to the OEO, Congress authorized the Economic Opportunity Council under the EOA-64 to provide high-level direction to the legislative and executive branches regarding how to coordinate the antipoverty efforts by all segments of the Federal Government (March 1991). In essence, the Economic Opportunity Council played two very distinct and sometimes contradictory roles. On the one hand, it was intended to provide greater legitimacy and overarching political support for the aims of the OEO and to ensure that all agencies within the Federal government shared a common commitment to the War on Poverty (Brauer 1982; March 1991). On the other hand, it was also used to provide strategic guidance to the president, his cabinet, and his senior White House advisers on the direction of the War on Poverty, particularly when Johnson wanted a second opinion regarding OEO Director Shriver's decision-making process.³³ This created both an opportunity and a challenge for the OEO to continue to elevate its own legitimacy and relevance as well as to garner increasing authority and support for its strategic priorities as the War on Poverty agenda evolved.

³³ Ibid, Footnote 13.

Expansion of the Department of Health, Education, and Welfare (HEW)

Shortly after appointing Shriver as OEO Director, Johnson began recruiting John Gardner to lead the U.S. Department of Health, Education, and Welfare (HEW). With a multi-billion dollar budget, authority over 150 domestic programs, and more than 100,000 employees, HEW had the resources, programmatic authority, and professional staff that OEO lacked throughout the lifecycle of the Johnson administration.³⁴ Having served as president of the Carnegie Corporation of New York before accepting the position of Secretary of HEW, Gardner immediately became one of the most powerful and important figures in Johnson's cabinet and faced considerable pressure to satisfy the president's aggressive policy demands. A formative example of Gardner's prominent role in the administration came at the start of his secretarial tenure at HEW when Johnson charged him with simultaneously launching Medicare for seniors, substantively guiding the development of the Elementary and Secondary Education Act, and establishing the majority of the aging programs outlined under the Older Americans Act (HEW Administrative History 1969).

HEW was also responsible for providing additional technical support to OEO in operationalizing VISTA and the community action programs. Successful implementation of EOA, therefore, necessitated that OEO and HEW cultivate a strong interagency collaborative relationship in order to execute the collective investment responsibilities they shared effectively (McKee 2005). In an effort to increase HEW's control over the implementation of key Great Society goals in the field, Johnson advocated for additional legislative measures in the 90th Congress to increase HEW's authority over how the states implemented policies associated with Medicare, elementary and secondary education, and public housing programs. This did not come

³⁴ Extrapolated from the administrative history of the HEW, as well as from oral testimonials/interview transcripts housed at the LBJ Memorial Library in Austin, Texas.

without controversy, however, and Johnson never succeeded in achieving the congressional buy-in necessary to increase the Federal government's power and authority over these programs, which operated under a Federal-state matching relationship. Unfortunately, this dynamic continues to be a challenge in the public administration of these social programs today.

Promoting Workforce Development thru the U.S. Department of Labor

While the majority of anti-poverty programs stemming from Johnson's Great Society were split between OEO and HEW, the U.S. Department of Labor (DOL) also grew exponentially in both responsibility and program management during the Johnson administration. Secretary of Labor Willard Wirtz focused on implementing employment and training programs targeting the uneducated and socioeconomically disadvantaged, including unemployed youths, high school drop-outs, older people and the long-term unemployed, as well as ensuring equal employment opportunities for minorities as directed by the Civil Rights Act (Department of Labor Administrative History 1969). As Wirtz once noted, "If there was a central unifying and dignifying theme, it is in the insistence that wage earners—and those seeking that status—are people.....human beings for whom 'work,' but not just 'labor'... constitutes one of the potential ultimate satisfactions."³⁵

DOL education and training programs spanned across multiple high-growth labor industries and included a diverse range of strategies, including on-the-job training (OJT), institutional or class-room job-training programs, remedial education, special job-finding assistance, and counseling on personal problems and job-seeking. To coordinate the Department's growing portfolio of training and employment initiatives, Congress established the Manpower Administration (MA) in early 1963. The MA was responsible for the Bureau of

³⁵ See *A Brief History of the U.S. Department of Labor*, Chapter 6: Eras of the New Frontier and the Great Society, 1961-1969. <http://www.dol.gov/dol/aboutdol/history/dolchp06.htm>.

Employment Security, the Bureau of Apprenticeship and Training, and the relatively new Office of Manpower, Automation, and Training (OMAT), which Congress established in the 1950s to coordinate the Labor Department's implementation of the Area Redevelopment Act of 1961 (ARA) and the Manpower Development and Training Act of 1962 (MDTA). The MA also assumed responsibility for one of the most important job-related anti-poverty programs created during this time -- the Neighborhood Youth Corps (NYC). The NYC, authorized by the EOA-64, focused on helping economically disadvantaged youth and young adults gain work experience and earn income while completing high school. By the end of 1968, the program had already helped 1.5 million young Americans, and evolved into War on Poverty (DOL 2013). Congress later renamed the NYC the Bureau of Work Training Programs after it added a number of new programs to its organizational mission and responsibilities.

Similar to the structure and design of the majority of programs operated under OEO and HEW at the time, the Federal government funded the majority of employment and training programs under DOL's jurisdiction, but they were administered through both local and regional DOL offices or via community-based third party entities, including schools, community development organizations, faith-based groups, libraries, and the like.³⁶

In addition to these initiatives, the Work Incentive Program (WIN), established in 1967, was a special project of both President Johnson's and Secretary Wirtz's. Its mission was consistent with Johnson's push for making employment, as opposed to welfare transfers a key strategy in community development and anti-poverty initiatives. WIN was designed to get able-bodied persons receiving assistance under Aid to Families with Dependent Children (AFDC)

³⁶ Ibid, Footnote 35.

“off welfare rolls and onto payrolls by providing training and work experience and by helping them find permanent jobs.”³⁷

The Office of Manpower Policy, Evaluation, and Research replaced OMAT in 1966. Its mission was to provide information to policy-makers, as well as coordinate the planning, evaluation, and research activities of the Department of Labor.

U.S. Department of Housing & Urban Development

Beyond the Housing Act of 1937 and 1949, the Johnson administration represented the first time public and fair housing had a formidable position in the domestic agenda of America’s sitting president. Congress authorized the U.S. Department of Housing and Urban Development (HUD) in 1965, and established it with cabinet-level access to the White House. Three years after HUD’s inception, Congress passed the Civil Rights Act of 1968, also known as the Fair Housing Act, outlawing most housing discrimination and gave the department enforcement responsibility to ensure this law was not violated.³⁸ The Fair Housing Act of 1968 also established the Government National Mortgage Association to expand availability of mortgage funds for moderate-income families using government guaranteed mortgage-backed securities.³⁹ Thus, from its early beginnings, HUD served a dual role as administrator of various publicly-financed housing programs as well as enforcer of housing-specific civil rights.

Perhaps more so than any other Cabinet-level agency in the Johnson administration, HUD exemplified an agency responsible for managing a number of hybrid public-private administrative structures, also known as “quasi-governmental entities” or what scholars Musolf and Seidman refer to as “twilight-zone” organizations (1980, 127). In order to meet the growing

³⁷ Ibid, Footnote 35-36.

³⁸ See Administrative History of the U.S. Department of Housing & Urban Development, “History of Fair Housing,” http://portal.hud.gov/hudportal/HUD?src=/program_offices/fair_housing_equal_opp/abouttheo/history.

³⁹ Ibid, Footnote 38.

demands of government program implementation under the backdrop of personnel hiring freezes and constrained budgetary resources, the Johnson administration began to vest responsibility for the performance of specific government activities into several diverse public-private entities, which were at least partially or wholly privately owned but financed through federal dollars to conduct certain activities on behalf of the Federal government (Musolf and Seidman 1980). A number of these government-sponsored enterprises were developed to support and oversee the various mandates related to the provision of affordable housing across the nation. These encompassed: the Community Development Organization, which included the Secretary of HUD among the Board of Directors; the Federal National Mortgage Association, a government-sponsored private corporation subject to general regulatory power of the Secretary of HUD; the Government National Mortgage Association, a wholly-owned government corporation in which all powers were vested in the Secretary of HUD; the National Home Ownership Foundation, a private nonprofit organization, in which the Secretary of HUD was one of three Federal members on the Board of Directors; and the National Neighborhood Reinvestment Corps, a public corporation that also included the Secretary of HUD on its board of directors.⁴⁰ As Musolf and Seidman described (1980):

In addition to personnel ceilings, inconvenient budgetary and debt limits have stimulated the use of organizations that occupy the indistinct border between public and private administration. Wanting to avoid the “vagaries of the total budget situation,” President Johnson’s Secretary of Housing and Urban Development urged that the Federal National Mortgage Association be converted from a mixed-ownership government corporation to a government-sponsored private enterprise. He argued that “By putting the secondary market operations outside of the Government, and thereby, outside of the budget, it would be possible for Fannie Mae to be more responsive to the needs, we believe, of the building and mortgage financing industry that it can now be” (127).

⁴⁰ See Administrative History of the U.S. Department of Housing & Urban Development at: <http://www.hud.gov/offices/adm/about/admguides/history.cfm#1960>.

There were clear drawbacks and implications to deploying a quasi-governmental entity to take administrative responsibility for the implementation of key Federal programs, namely problems of accountability and transparency. The lines between public administration and the financial self-interests of semi- or wholly-private entities were now blurred. In order to protect the constitutional integrity of the American administrative state from being hijacked by private self-interests, clear accountability standards were needed to ensure that such entities adhered to the same level of transparency with respect to the stewardship of public funds expected by public agencies (Derthick 1978).

Laying the Foundation for America's Long-Term Security Entitlement Programs

The administrative period between 1964 through 1968 were years of tremendous progress toward greater Social Security for older Americans, widows and orphans, and the disabled. Congress enacted and launched the vast Medicare program. Congress also significantly increased cash benefits for the retired, for widows and orphans, and for the disabled and their dependents. In no other period have so many citizens benefitted from Social Security legislation. According to the administrative history of the Social Security Administration:⁴¹

Together, the 1965 and 1967 amendments to the social security law increased social security cash benefits by an average of about 23 percent. When Medicare is taken into account, social security benefits for people 65 and older increased in value by an average of more than 35 percent. Total benefits under the program rose from an annual rate of about \$16 billion in June 1964 to an annual rate of about \$30 billion in June 1968. The 1965 and 1967 amendments accounted for about 70 percent of this increase, the remainder being due to ordinary program growth. Over 2 million beneficiaries were added to the social security rolls by legislation enacted in the 5-year period.

The expanded Social Security program was a key component in the War on Poverty:⁴²

The increases in cash benefits under the amendments substantially improved the financial situation of millions of social security beneficiaries. In fact, the 1967 amendments alone moved about 800,000 aged beneficiaries out of poverty. Altogether more than 62 million

⁴¹ See Administrative History of the Social Security Administration at: www.ssa.gov/history/ssa/lbjmedicare5.html.

⁴² Ibid, Footnote 41.

aged beneficiaries were being kept out of poverty as a result of benefit improvements in the social security program in 1965 and 1967.

In no other period in American history has the Social Security Administration faced--and successfully met--so many new and difficult administrative challenges. When Johnson assumed the presidency of the United States in 1963, the Social Security Administration (SSA) had just completed a major reorganization, one that had been started on January 28th of that same year. The rapid growth of the Social Security program and the increasingly heavy welfare responsibilities placed on the Department of Health, Education, and Welfare led to what Paul Appleby (1945) coined "Big Democracy," and required the establishment of separate divisions focused separately on the Social Security and the welfare programs, each under the full-time direction of a Commissioner reporting directly to the Secretary. Several major elements of the Social Security Administration, the Bureau of Family Services, and the Children's Bureau, were incorporated into a newly created Welfare Administration, which later became the Administration on Children and Families. The newly created Social Security Administration replaced the Bureau of Old-Age and Survivors Insurance, taking over its primary functions as well as that of the Bureau of Federal Credit Unions (SSA 1980). By and large, the administration of the nation's social security program for old-age, survivors, and disabled persons – a program that continues today to ensure the long-term security for virtually every American family by providing insurance to replace some of the income from work that would otherwise be lost to the family structure when the breadwinner retires, becomes severely disabled, or dies – was and continues to be an audacious responsibility. While President Kennedy put into motion major improvements to the program before his assassination in 1963, Johnson continued to carry out these improvements and over the next five years worked to ensure that covered workers and their

families, the vast majority of Americans, would be able to rely on solid financial protection against the risks of illness or retirement in old age, of disability, and/or of death.⁴³

As already noted, Congress originally vested the overall responsibility for the administration of Medicare by law in the Secretary of Health, Education, and Welfare (HEW). The statute also allowed for private organizations and public agencies at the state level to participate in the administration of the program, which further increased the risk of a blurred public administration and created significant organizational challenges with respect to accountability among the various implementation partners (Marmor 2000). In addition, the Secretary of HEW was encouraged to seek the advice in developing administrative policies and procedures from leaders of organizations affected by the program as well as experts in the delivery and financing of health care.⁴⁴

Within HEW, the Secretary delegated major policy and administrative responsibilities to the Social Security Administration (SSA), including the formulation of policy and the general management of the health insurance program, upon which SSA was required to negotiate and administer agreements with numerous partners involved in operationalizing this Herculean effort. This included intermediaries and carriers to handle the payment functions of the Social Security program, state agencies to certify health facilities for participation in the program, and even hospitals and other institutions that provided services for which the program seeks reimbursement.⁴⁵ In other words, SSA was responsible for establishing direct channels of implementation at all levels of the program – local, state, and regional – with not only state agencies, but the local providers of services under the program. While the Federal government

⁴³ Ibid, Footnote 42.

⁴⁴ Ibid, Footnote 41.

⁴⁵ Ibid, Footnote 41.

both prior to and during the Johnson administration was no stranger to serving as the primary financial investor in various socioeconomic programs where local and state entities served as the primary implementation entities, never before had a Federal government agency assumed such direct control in both the provision and coverage of services.

As a result of the 1965 and 1967 amendments to the Social Security Act:

The Administration will also be responsible for developing the principles for the reimbursement of institutions and agencies which provide services covered by the program; participating with the Public Health Service in the formulation of the conditions of participation; formulating Medicare regulations; developing program policy and procedural instructions; performing the recordkeeping and data processing functions required for administration of the program; collecting and analyzing a variety of cost and utilization data; and preparing estimates of future program costs.⁴⁶

This unprecedented expansion of the Federal government's role and responsibilities for the direct implementation of social programming continues to serve as the foundation for the implementation of social welfare policy in the United States today. Within the Johnson administration, the Bureau of Health Insurance, established shortly after the enactment of the program, was given the primary responsibility for the formulation of policies and procedures and for the overall administration of the health insurance program.⁴⁷ This agency, today known as the Centers for Medicare and Medicaid Services (CMS), serves as the largest health insurance administrator in the country and possesses the audacious responsibility for implementing the various components of the Affordable Care Act, President Barak Obama's signature legislative accomplishment in the current administration.

Despite the more centralized approach designed for Social Security, welfare, and national health insurance programs, the role of the field organization, which was composed of the various regional offices, district and branch offices and contact stations throughout the country, also

⁴⁶ Ibid, Footnote 41.

⁴⁷ Ibid, Footnote 41.

grew exponentially during this time in order to handle the on-the-ground enrollment and beneficiary education activities (Warner 2008). The field infrastructure continues to serve as a fundamental source of basic program information and direct service to beneficiaries and to the general public today.

Taking the Great Society to the Front Lines: Constitutional and Financial Implications of “Creative Federalism”

Whereas the Constitution provided the Federal government with a modest array of enumerated powers and left most other government responsibilities to the states or the people themselves,⁴⁸ the growing influence and power of the Federal government over the local and state governments spurred by the New Deal and accelerated as a result of the Great Society had major long-term implications for the American administrative state. Recognizing that local and state governments lacked the infrastructure and capacity to address the various socioeconomic challenges behind urban poverty from multiple perspectives, the Johnson administration’s mode of operandi was to launch an enormous range of grant programs that not only created a permanent reliance on Federal funds by local and state entities, but also ensured the Federal government’s direct influence and control on the administration of policies and programs traditionally left to local and state governments (Lowi 1967; Edwards and Schull 1995; Dallek 1998; Caro 2004). In a word, the Federal government’s financial resources have infiltrated the majority of entities that impact the livelihoods of individuals, families, and communities at large.

The grants-in-aid system, conversely, continued to grow significantly during Johnson’s tenure, targeting primarily urban areas and disadvantaged populations. Without the proper administrative infrastructure to support the evolution of grants-in-aid, most of these efforts

⁴⁸ The 10th Amendment to the United States Constitution, which is the last Amendment included in the Bill of Rights states: “The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.”

lacked solid sustainability plans and varied in terms of their survivability over time (Bornet 1983; Bernstein 1996; Skowronek 1997; Andrew 1999). There were more grant programs enacted during the Johnson administration in just over six years than in all of the preceding years in U.S. history combined. There were 109 separate aid programs for state and local governments enacted in 1965 alone (Bornet 1983). The Johnson administration's continued deployment of grants-in-aid through the "creative federalism" approach led critics to question whether the actions of the Johnson White House were eroding the core principles behind federalism based on the intent of the American framers (Lowi 1967; March 1969; DeHaven 2009). As DeHaven observed:

By the end of the 1960s, many policymakers believed that the federal government should spend money on just about any local activity that it wanted, and questions regarding constitutional propriety were seldom considered. The idealistic plans of the 1960s for federal aid to solve local problems have not panned out. Critics of Johnson's approach to "creative federalism" have argued that federal subsidies and regulations greatly contributed to the very urban decay that federal involvement was supposed to fix (2009, 2).

As such, tensions between local and state governments and the Johnson administration grew exponentially over time.

One of the most confrontational issues surrounded the local-state matching requirements outlined in many of the Great Society grants-in-aid programs. Former California Governor Edmund Brown submitted a letter in January 1965 regarding concerns that stringent matching requirements may impede the ability of states and local governments from meaningfully participating in programs created under Great Society legislative initiatives. Brown (1965) suggested that a potential resolution might be to set up a banking system in which local and state governments could borrow some of the upfront matching funds from the Federal government and then pay it back with interest as the projects got off the ground.

While Johnson responded with interest in exploring the concept, he was emphatic in reinforcing the original concerns of both his administration and the Congress that “Federal expenditures under the Great Society will encourage an increase in anti-poverty efforts, and not serve merely as a substitute source for financing for an established level of activity” (1965, 1). What is not stated, but implied, in this communication is the belief on the part of the Johnson administration that the Federal government needed to be actively involved in the implementation of the Great Society agenda and the War on Poverty program, not merely in the role of financier, but in a paternalistic role overseeing the implementation of its various components. This approach muddied the waters in terms of state and local control versus Federal administrative oversight, and would become the underlying premise of one of the greatest arguments in the history of public administration theory (Stever 1993; Edwards and Schull 1995; Dallek 1998; Caro 2004).

These dynamics continued unabated during Johnson’s presidency, even amidst growing budgetary pressures at the Federal level. As previously discussed in Chapter 2, one of Johnson’s greatest administrative challenges within his presidency lied in striking a careful balance between expanding the Federal government to implement the various aims of the Great Society agenda effectively and ensuring a responsible and balanced Federal budget. The political capital Johnson needed to pass the Civil Rights Act of 1964 and the ongoing tensions surrounding his decision to escalate American involvement in Vietnam created a quandary for the president. While Johnson very much wanted to continue to move forward with the implementation of his Great Society agenda, the Vietnam War diminished his ability to secure the resources necessary to fulfill his domestic policy agenda. Towards the latter stages of his presidency, Johnson became overtly conscientious about these political tensions. The conflict in Vietnam was

damaging his administration beyond repair, and he constantly worried about acquiring the necessary resources to finance these military objectives (Dallek 2004, Woods 2006, Caro 2012).

Consequently, the president began to shy away from asking Congress to commit the necessary resources to successfully ensure successful achievement of the Great Society. Underestimating the magnitude and scope of the Federal administrative changes and the resources required to effectuate the War on Poverty and other major tenets of the Great Society was likely one of the greatest miscalculations of the Johnson administration. In an effort to acquiesce members of the various appropriations committees in Congress from impeding progress on the implementation of the Great Society agenda, Johnson made an unrealistic commitment to reduce Federal expenditures concurrently. Simultaneous to launching the War on Poverty came the War on Waste, and while not touted in history as one of the Johnson administration's major priorities, the War on Waste ironically became a cornerstone of Johnson's focus throughout his presidency (Bornet 1983; Bernstein 1996; Andrew 1999).

Despite all of its efforts, the administration's failure to create a Federal budget that reflected the accurate amount of resources required to execute various aspects of the Great Society platform diminished and limited the important gains achieved with the War on Poverty. Indeed, this foreshadowing occurred early on in Johnson's presidency when, in his first State of the Union Address, amidst the ambitious goals he laid out for the Great Society, the president also committed to "cutting our deficit in half – from \$10 billion to \$4,900 million" and in relation to national output, creating the smallest budget since 1951.⁴⁹ Ironically, part of Johnson's cost-containment strategy included major reductions in the Federal employee workforce, which serves as a noteworthy empirical observation for both public administration

⁴⁹ Lyndon B. Johnson: "Annual Message to the Congress on the State of the Union.," January 8, 1964. Online by Gerhard Peters and John T. Woolley, *The American Presidency Project*. <http://www.presidency.ucsb.edu/ws/?pid=26787>.

and executive branch management, because this was a time when the president placed exorbitant demands on his administration to implement the Great Society platform and reform the nation's social, economic, and racial policy agendas beginning at the street level.

These perplexing managerial tactics transcended into the domestic policy funding stream that Congress appropriated for some of Johnson's most important initiatives, especially the administration's centerpiece legislation, the Economic Opportunity Act (EOA). Although EOA was a comprehensive package of broad-based reforms aimed at improving the socioeconomic quality of impoverished communities, and thus instilling the economic investments for racial minorities necessary to realize the vision of the Civil Rights Act fully, it provided only modest levels of funding to the OEO to achieve its ambitious responsibilities to coordinate and foster key elements of the EOA. During Fiscal Years 1965-67, the OEO witnessed incremental increases in its annual budget from \$800 million to \$1.5 billion and then \$1.75 billion respectively.⁵⁰ However, the total Federal antipoverty effort extended well beyond the OEO's operational budget, and included approximately 250 programs administered by at least 15 other Federal agencies, totaling estimated expenditures of \$21 billion in Federal benefits and services to the poor from both administrative budget and trust funds.⁵¹ This represented an increase of nearly \$4 billion over 1966 and \$8.6 billion in 1963, and also comprised almost half of the total \$45 billion in Federal investments in the Great Society agenda overall (March 1966).⁵² The budgetary scenario during these critical years in the Johnson administration suggests a level of disconnect within the administration between the policy goals, implementation objectives, and appropriate level of resources necessary to induce meaningful domestic reform.

⁵⁰ See Administrative History of the Office of Economic Opportunity [381.1 "Administrative History] at <http://www.archives.gov/research/guide-fed-records/groups/381.html#381.1>.

⁵¹ Ibid, Footnote 50.

⁵² The total Federal annual investments in Great Society programs in 1967 totaled \$45 billion, representing nearly 14.5% of all cash payments and to the public from administrated budget and trust fund accounts.

PART II.

IMPLEMENTING KEY SOCIOECONOMIC FACETS OF THE GREAT SOCIETY: IMPLICATIONS FOR AMERICAN PUBLIC ADMINISTRATION

CHAPTER 5:

ESTABLISHING THE DEMOCRATIC CONSTITUTIONAL FRAMEWORK FOR THE GREAT SOCIETY:

ADVANCING THE AMERICAN CIVIL RIGHTS MOVEMENT

The struggle for civil rights in America has perhaps become the key touchstone for acknowledging, monitoring, and continuing to pursue the realization of American democratic ideals and principles.

--Goldzwig 2003, 1

Yes, we are all brothers, and brothers together must build this great Nation into a great family, so that a hundred years from now in this house every man and woman present today will have their name pointed to with pride because in the hour of our greatest trial, we were willing to answer the roll and to stand up and be counted for morality and right.

--Lyndon Johnson, April 29, 1964

The Johnson administration exemplifies the strongest example of the Federal government's attempt to achieve civil rights. President Johnson was more committed to this goal than any other American president since Abraham Lincoln during the Civil War. From the first day he assumed the presidency, Johnson set into motion a focused, tenacious commitment to not only secure passage of landmark civil rights legislation but to design and implement policies aimed at improving and uplifting the lives of African-Americans and other racial minorities. To achieve this goal the Johnson administration focused primarily on ways to eliminate discrimination, segregation, and cyclical impoverishment.

The progress of the civil rights movement during the 1960s represents a pivotal shift in American nationalism and fundamentally changed how the administrative state functioned. Johnson wanted to create a Federal government that was capable of promoting democratic-constitutional norms and values for all of the nation's citizens and focused particular attention on advancing equality, representativeness, individual liberties, and community participation (Fleming 1965; Lees 1965; Andrews 2001; King 2007). During the Johnson years, the civil rights terrain extended from inner-city neighborhoods in the north to underdeveloped rural towns in the south. By establishing the statutory and administrative foundation for the nation's

pursuance of civil rights legislation, designed to protect all citizens equally regardless of race, the Johnson administration turned its attention to finding ways to improve the socio-economic policies that perpetuated inequality: education, housing, economic empowerment, and long-term health and security. As Fleming astutely noted in 1965:

One thing seems clear: The times are no longer congenial to tentative and makeshift approaches to planning and coordination of administrative action on civil rights. The momentum of the civil rights movement is formidable. It is no longer enough for the national government to respond to pressure and crisis; it must initiate preventative and affirmative action. To redirect the vast administrative structure of the federal establishment toward this end – against the weight of inertia, a multitude of countervailing pressures, and residual prejudice among administrators themselves—will require a determined effort (928).

The pursuit of a national civil rights framework challenged the federal government's capacity to respond effectively to an increasingly complex, interdependent set of social problems, thus reinforcing the need for the Great Society agenda.

Overpopulation, poverty, segregated housing, poor schools, and unemployment coalesced into an intractable situation....such dire social needs seemed to require a holistic and far-reaching public policy. The idea was to root out a history of human deprivation. Thus, in the Johnson administration civil rights were important foci for domestic policy, and poverty and education programs were often viewed as key instruments in achieving civil rights. Social justice required government to fashion laws and conduct policies that would protect human rights and vanquish poverty. The Johnson administration adopted this philosophy because participants sincerely believed in their ability to implement a revised formula reflecting an "enlightened" approach. This was the far-reaching rationale of "The Great Society." This slogan symbolized a quest that was both political and moral (Goldzwig 2003, 26).

To appreciate Johnson's leadership and the significant impact of his administration on the establishment of our nation's existing civil rights framework fully, it is important to examine the actions of earlier administrations, particularly with regard to promoting civil rights. We must also analyze how President Johnson approached civil rights legislation by exploring the rhetorical tactics he deployed to solidify national support for his civil rights agenda as well as the administrative tools utilized by the administration to translate the civil rights movement into a

practical reality. In a word, the purpose of this analysis is to enrich the intellectual history of the field of public administration and to provide a more comprehensive evaluation for how the Great Society cultivated the democratic-constitutional foundations of the American administrative state.

Incremental Progress in the Pursuit of Civil Rights in America: The Role of the Executive from Franklin Roosevelt to John Kennedy

The role of the federal executive in the evolution of the civil rights movement is evident throughout modern American history (Lees 1965; Fleming 1965; Pauley 1997; Andrews 2001). It is important in terms of advancing intellectual history not to discount the modest contributions made by the preceding presidential administrations of Franklin Roosevelt, Harry Truman, and Dwight Eisenhower to address specific issues of racial discrimination in employment, the military and public education. The incremental steps taken by these administrations, combined with Kennedy's focus on civil rights as well as the growing fervor associated with the civil rights movement itself, collectively set the stage for Johnson's tenacious efforts to establish a prominent civil rights agenda as one of his administration's most important domestic priorities.

Beyond the economic impact of New Deal programs on low-income minorities, Roosevelt also established the Fair Employment Practices Committee (FEPC) by signing into law Executive Order 8802. Despite Truman's best attempts to salvage the FEPC, however, Congress dismantled the committee in 1946. Truman, nevertheless, was able to secure a more limited Committee on Government Contract Compliance, which focused on promoting equal employment opportunities among companies who held Federal contracts with the Federal government. This would later become a core objective of the civil rights movement and would eventually become the central mission of the Office of Federal Contractor Compliance Program

(OFCCP). Truman also worked to undermine barriers that allowed for discrimination, segregation, and unfair treatment of racial minorities in the U.S. military. Although he tried to advocate for major legislative reforms proposed by the Committee on Civil Rights regarding anti-lynching laws, anti-poll tax initiatives, and fair employment taxes, his efforts in these policy areas were largely unsuccessful (Donovan 1983; McCoy 1984; Hamby 2004).

While Dwight Eisenhower instituted a “laissez-faire,” non-interventionist mindset with regard to civil rights throughout his presidency, he did provide critical leadership to uphold the decisions made by federal courts that held desegregation based on race in public schools violated the Equal Protection Clause of the 14th Amendment (Fleming 1965). To ensure compliance with the *Brown* precedent and additional Federal court orders to admit African-American students to a public high school in Little Rock, Arkansas in 1957, Eisenhower deployed federal troops to the area, demonstrating an unparalleled use of executive force, which required state and local governments to comply with the decisions of the Supreme Court and the rule of law (Breyer 2011).

The culmination of these federal activities and initiatives provided the framework for President Kennedy’s push for a more comprehensive civil rights platform. Due to the fact that the American people elected Kennedy president by only a narrow majority, and due to the slight Democratic margin of control in Congress, this forced the president to use his influence with the legislative branch sparingly. These political circumstances, coupled with the onslaught of foreign crises with the Soviet Union at the beginning of his presidential tenure, required Kennedy to restructure his civil rights agenda. Kennedy, along with his senior advisers, made the decision not to pursue any new civil rights legislation with Congress. Instead, the administration attempted to address civil rights through executive action (Heath 1976; Pauley

1993). Additionally, Kennedy narrowed his focus on civil rights to those policy areas where the Federal government's role was fairly undisputed as opposed to delving into the sensitive areas of Federal-state relationships, as in the case of federal grant assistance programs (Fleming 1965; Brauer 1977; Giglio 1991; Harper and Krieg 1988). From April 1961 through August 1963, Kennedy issued three ineffectual executive orders, each furthering the democratic spirit of key civil rights priorities, but paling in comparison to the passionate rhetoric Kennedy conveyed privately about the greatest domestic challenge of his generation (Pauley 1997).

The first, Executive Order 10925 signed April 1961, attempted to strengthen standards of compliance and methods of enforcement for ensuring equal employment opportunities among Federal contractors. This effort was later supplemented with Executive order 1114, which regulated employment in federally-assisted construction projects (Fleming 1965; Brauer 1977; Giglio 1991; Harper and Krieg 1988). While E.O. 10925 lacked influence and enforcement authority, it represented the first attempt by any president to rely on the Federal government's influence and power over thousands of private American companies that relied on Federal contracts. In November of 1962, Kennedy attempted to ban discrimination in federally funded aid for public housing, but the executive order was limiting in that it "applied only to new housing [after November 20, 1962] owned or operated by the federal government, built on urban renewal land, or financed with loans made or guaranteed by the government" (Fleming 1965, 931).

However, what Kennedy lacked in political opportunity he more than made up for by deploying innovative administrative tactics to increase the momentum of civil rights activists, giving the social movement the last major jolt of energy it needed to ensure that civil rights would become a reality *no matter what*. Acknowledging that Federal progress would be sorely

limited without a solid, overpowering social movement paving the way for reform among the American public, Kennedy hosted meetings and national dialogues at the White House.

He [Kennedy] recognized, too, that governmental action, though indispensable, was not sufficient in itself to procure a final solution of the civil rights problem. Accordingly, he threw his personal influence and the prestige of his office into a large-scale effort to enlist private leadership into the struggle. He convened a series of White House meetings, at which he urged action on governors, mayors, businessmen, lawyers, and leaders of labor, religion, education and women's groups. Within a forty-day period, there were twenty one such meetings attended by some 1700 persons. Among the tangible results was the formation of the Lawyers' Committee for Civil Rights under Law, the Women's Committee for Civil Right, and a community relations program of the United States Conference of Mayors. Moreover, much of the voluntary desegregation that occurred in the ensuing months, particularly in public accommodations, was unquestionably facilitated by the President's appeals for local action (Fleming 1965, 943).

Kennedy also deployed one final strategic tactic that produced far-reaching results for the future implementation of America's civil rights movement: He placed his aggressive Vice President, Lyndon Johnson, in charge of his administration's Commission on Civil Rights. Kennedy afforded the Commission wide latitude to work with congressional staff and national organizations promoting civil rights around the country. The proposals created by this Commission would later become the platform for the Civil Rights Act of 1964. While Kennedy became bolder and more opinionated on civil rights during his last year of office, it was Vice President Johnson who was developing a leadership commitment of his own to the cause. Kennedy's assassination initially left the movement in a state of panic and anxiety, but it was not long before leaders in the civil rights movement realized Johnson's commitment to stay the course and advance civil rights legislation as part of the Great Society platform. In a word, "Those who feared that President Johnson would retreat from his predecessor's advanced position on civil rights were in for a gratifying surprise" (Fleming 1964, 943-44).

In his first speech as President to a Joint Session of Congress on November 27, 1963, Johnson established civil rights as his chief domestic priority.⁵³

....and above all, the dream of equal rights for all Americans, whatever their race or color—these and other American dreams have been vitalized by his drive and by his dedication....Today, in this moment of new resolve, I would say to all my fellow Americans, let us continue. This is our challenge—not to hesitate, not to pause, not to turn about and linger over this evil moment, but to continue on our course so that we may fulfill the destiny that history has set for us. Our most immediate tasks are here on this Hill. First, no memorial oration or eulogy could more eloquently honor President Kennedy's memory than the earliest possible passage of the civil rights bill for which he fought so long. We have talked long enough in this country about equal rights. We have talked for one hundred years or more. It is time now to write the next chapter, and to write it in the books of law. I urge you again, as I did in 1957 and again in 1960, to enact a civil rights law so that we can move forward to eliminate from this Nation every trace of discrimination and oppression that is based upon race or color. There could be no greater source of strength to this Nation both at home and abroad.

Civil Rights & Johnson's Role in Transforming American Nationalism

Building upon the growing public support for civil rights reform by late 1963, Johnson launched his administration's focus on civil rights through a focused, deliberate, and well-orchestrated "rhetorical campaign" in an effort to pressure Congress toward swift legislative action. Pauley (1997) provides important insight into the significance of Johnson's message to Congress and the nation about the moral obligations of promoting civil rights and racial equality throughout the United States:

Presidential public addresses can organize the nation's people into a people – a citizenry symbolically unified to move toward a greater good....the rhetorical history of Lyndon Johnson's persuasive efforts illustrate how the mixture of discourse addressed to individuals and collective played a significant role in the passage of the Civil Rights Act of 1964 (and beyond)...and also illustrates how presidents combine public speech with arm-twisting and private influencing in hopes of ensuring legislative success (2).

An important part of Johnson's strategy for pushing civil rights legislation involved both public and private discourse with a variety of stakeholders, activists, and special interest groups,

⁵³ Lyndon B. Johnson: "Address Before a Joint Session of the Congress," November 27, 1963. Online by Gerhard Peters and John T. Woolley, *The American Presidency Project*. <http://www.presidency.ucsb.edu/ws/?pid=25988>.

including civil rights organizations, labor unions, and religious organizations (Pauley 1997, 1; also Devins 1991; Hinderer 1993; Andrews 2001). Johnson met privately with leaders of these constituencies throughout his push for congressional action on civil rights, and as time progressed he continued to host personal meetings and also communicated through written letters and telephone conversations (Devins 1991; Andrews 2001). Johnson assumed correctly that members of these organizations could exert significant pressure on Congress to pass civil rights legislation, which they later did, quite successfully. Johnson recognized, in large part due to his extensive legislative experience in both the House and the Senate, that he would be ever more dependent on leaders from various civil rights organizations when the time came to implement the core components of the new civil rights framework.

In a telephone call with NAACP Executive Director Roy Wilkins on June 19, 1964, shortly before Congress passed the Civil Rights Act of 1964, Johnson affirmed his conviction that the real work for implementing the aims of the civil rights movement had just begun: “Our troubles are just beginning, I guess you know that.”⁵⁴ In discussing his strategy for cajoling nineteen reluctant governors who represented states that lacked accommodation laws, the president conveyed a desire to send some of his senior advisers to the field to provide an assessment of the situation and to place political pressure on states and localities that were in violation of the nation’s constitutional tradition.⁵⁵ Johnson understood that these states might force him, as they did Eisenhower, to employ military force to ensure compliance with the nation’s newly enacted civil rights laws. As Johnson told Wilkins:⁵⁶

⁵⁴ "Lyndon Johnson and Roy Wilkins on 28 July 1964," Conversation WH6407-16-4361, *Presidential Recordings of Lyndon B. Johnson Digital Edition*, ed. David G. Coleman, Kent B. Germany, Guian A. McKee, and Marc J. Selverstone (Charlottesville: University of Virginia Press, 2010).

<http://presidentialrecordings.rotunda.upress.virginia.edu/4002747.xml>.

⁵⁵ Ibid, Footnote 54.

⁵⁶ Ibid, Footnote 54-55.

I'm going to write them a letter, or I thought maybe I ought to get one or two men representing me that kind of had their viewpoint, that would carry my message and go around and see these governors and just tell them that "You've got to call meetings now of all your people, and we've got to have observance instead of enforcement." If they'll observe the law, then we won't have to take pistols and enforce it.

As such, Wilkins pledged the NAACP's continued support to the Johnson administration with the hope that the president could ensure effective implementation of the Civil Rights Act.

During this conversation, Wilkins also discussed the president's recent speech at the University of Michigan, a speech that became one of the most important public addresses Johnson ever gave on the subject of civil rights. In retrospect, what was most intriguing about this conversation was not necessarily the importance of Johnson's remarks, which reinforced the democratic ideals embedded within the civil rights movement, but, more specifically, it was Wilkins's recognition for how Johnson's remarks would transform American nationalism as a whole.⁵⁷

That speech of yours in Ann Arbor....this, I mean, I'm supposed to be interested in civil rights, and I am interested in civil rights, and that's my first business, but I'm interested in my country too....And I think that speech in Ann Arbor was simply magnificent.

Ironically, the Michigan speech symbolized the multifaceted journey that Johnson envisioned for translating the civil rights movement into reality and for strengthening the nation in an effort to build a Great Society:

The purpose of protecting the life of our Nation and preserving the liberty of our citizens is to pursue the happiness of our people. Our success in that pursuit is the test of our success as a Nation. For a century we labored to settle and to subdue a continent. For half a century we called upon unbounded invention and untiring industry to create an order of plenty for all of our people. The challenge of the next half century is whether we have the wisdom to use that wealth to enrich and elevate our national life, and to advance the quality of our American civilization. Your imagination, your initiative, and your indignation will determine whether we build a society where progress is the servant of our needs, or a society where old values and new visions are buried under unbridled

⁵⁷ Ibid, Footnotes 54-56.

growth. For in your time we have the opportunity to move not only toward the rich society and the powerful society, but upward to the Great Society.⁵⁸

Whether Johnson realized it or not, his public and private rhetoric led to more than the passage of landmark civil rights legislation, but it also led to an unprecedented expansion of American nationalism and the pursuit of democratic-constitutional ideals (Pauley 1997; Lees 1965; Andrews 2001). As the president indicated in his first speech to Congress after Kennedy's assassination:

We will serve all the Nation, not one section or one sector, or one group, but all Americans. These are the United States—a united people with a united purpose. Our American unity does not depend upon unanimity. We have differences; but now, as in the past, we can derive from those differences strength, not weakness, wisdom, not despair. Both as a people and a government, we can unite upon a program, a program, which is wise and just, enlightened and constructive.⁵⁹

The Johnson administration's impact on American nationalism was profound and this effort had far reaching implications for today's administrative state (Lees 1965, Pauley 1993; Skowronek, 1997; Califano 1999; Andrews 2001; Dallek 2004). In Johnson's private communication with senior administration advisers and in his public speeches throughout the remainder of his life, he eloquently underscored what the civil rights movement and civil rights legislation meant to the nation. For Johnson, the efforts represented a necessary expansion and evolution of the rules for membership in all aspects of American society. He understood that the democratic inclusion for all individuals, regardless of race, into every component of the nation's economic and social infrastructure represented the type of American nationalism that was truly representative of the nation's democratic-constitutional heritage (Andrews 2001).

⁵⁸ Lyndon B. Johnson: "Remarks at the University of Michigan," May 22, 1964. Online by Gerhard Peters and John T. Woolley, *The American Presidency Project*. <http://www.presidency.ucsb.edu/ws/?pid=26262>.

⁵⁹ Lyndon B. Johnson: "Address Before a Joint Session of the Congress.," November 27, 1963. Online by Gerhard Peters and John T. Woolley, *The American Presidency Project*. <http://www.presidency.ucsb.edu/ws/?pid=25988>.

Securing the Legislative Framework for Furthering Civil Rights

Johnson's success in pushing historical civil rights legislation through Congress – including the Civil Rights Act of 1964, the Voting Rights Act of 1965 and the Civil Rights Act of 1968 – resulted in fundamental changes to all levels of government and to the administrative state. These three landmark statutes symbolized the framework by which democratic-constitutional norms and values flourished within the nation and its administrative state, both during the Johnson era and beyond. A careful examination of each of these laws is vital for the intellectual history of U.S. public administration and for illustrating how Lyndon Johnson contributed to the development of democratic governance and public administration.

The Civil Rights Act of 1964 (Public Law 88-352, 78 Stat. 241) served as the hallmark of the national civil rights legislative framework. The legislation prohibited discrimination in places of public accommodation, banned discrimination in federally funded programs, forbade discrimination by employers and unions, and created the Equal Employment Opportunity Commission (EEOC).⁶⁰ The act promoted African-Americans voting rights by outlawing poll taxes and literacy tests. It also called for the desegregation of public facilities and prohibited employment discrimination in private or nonprofit entities receiving federal resources. The bill also authorized the EEOC to oversee the employment protections outlined in the statute.⁶¹

Title I of the Civil Rights Act (CRA) prohibited states and localities from denying to any individual the right to vote in Federal elections. It also prohibited the use of prejudicial requirements, such as literacy testing, to create barriers to voter access and participation in the electoral process. Title II prohibited discrimination because of race, color, religion, or national origin in certain places of public accommodation, such as hotels, restaurants, and places of

⁶⁰ See EEOC Administrative History at <http://www.eeoc.gov/eeoc/history/35th/thelaw/>.

⁶¹ Ibid, Footnote 60.

entertainment. Title III prevented the segregation of populations within public facilities, while Title IV reaffirmed the Supreme Court's earlier decisions, which made the racial segregation of public schools unconstitutional. Under Title VI of the CRA, Congress required every Federal agency providing financial assistance through grants, loans, and/or contracts to eliminate discrimination in these programs on the grounds of race, color, or national origin. This measure became a powerful tool not only for the Johnson administration but also for subsequent administrations in pressuring state agencies to comply with this law and for ensuring equal opportunity among state-funded programs. If states refused to comply with the CRA, they risked losing Federal funds for programs their citizens needed. As Lees (1965) correctly noted, Title VI of the Civil Rights Act of 1964 "provides an important potential economic sanction on many [Southern] states and its effects may be far-reaching" (19). Title VII prevented private employers from engaging in discriminatory practices in the hiring, compensation, or retention of any existing or future employees,⁶² and also instituted similar stipulations on organized labor with regard to the provision of training programs, representation, and collective bargaining rights.

After Congress enacted the Civil Rights Act of 1964, the Johnson administration immediately turned its attention towards addressing many of the discriminatory practices associated with the voting process across the country. The administration proposed voting rights legislation to combat these concerns. One year after Congress adopted the CRA of 1964, it

⁶² Section 703(a) of the CRA-64 iterates that it is unlawful for an employer to "fail or refuse to hire or to discharge any individual, or otherwise to discriminate against any individual with respect to his compensation, terms, conditions, or privileges or employment, because of such individual's race, color, religion, sex, or national origin."

passed the Voting Rights Act of 1965, which became one of the most effective pieces of civil rights legislation in American history.⁶³

Building off of Title I of the CRA-64, the Johnson administration viewed the Voting Rights Act as a vehicle to attack some of reluctant states who viewed civil rights and voting rights measures with disdain and contempt (Archives 2000; Lawson and Payne 1998). During this time, increased violence and murder rates were overwhelming many parts of the south and several urban centers in the north. These conditions prompted the need for even stronger legislation to enforce the voting rights guaranteed by the 14th and 15th Amendments of the U.S. Constitution. The breaking point for the Johnson administration came in March 1965 when state troopers in Selma, Alabama attacked individuals who were participating in a peaceful march to support the enforcement of civil rights laws. Prior to this event, Johnson had been apprehensive about requiring southern lawmakers, many of whom remained livid about being forced to comply with the Civil Rights Act, to enforce another major civil rights bill. After the Selma attack, however, Johnson became emphatic in his quest for stronger voting rights laws and hearings began soon thereafter on the proposals outlined in the Voting Rights Act (Lawson and Payne 1998).

A majority in Congress eventually agreed with the Johnson administration concerning the reality that the existing federal anti-discrimination laws were not sufficient to overcome the resistance by many state officials to enforce the 15th Amendment. Furthermore, the individual, case-by-case basis by which the U.S. Department of Justice had been investigating and litigating discriminatory practices was cumbersome and inefficient. The Voting Rights Act, signed into law by President Johnson on August 6, 1965, reinforced the national prohibition against the

⁶³ See U.S. Department of Justice legal analysis of the Voting Rights Act at: http://www.justice.gov/crt/about/vot/intro/intro_b.php.

denial or abridgment of the right to vote. It also applied targeted enforcement measures toward those regions of the country where the potential for discrimination was demonstrated to be the most egregious (Lawson and Payne 1998). These special enforcement measures prohibited any targeted areas from instituting changes affecting voting without prior approval of the Attorney General or the United States District Court for the District of Columbia (USDOJ 2000). In some cases it required the appointment of a Federal examiner to review the qualifications of persons who wanted to register to vote. A Federal examiner also had to monitor the management of voting activities within polling places.

On March 15, 1965, Johnson addressed Congress and provided his rationale for why voting rights was at the core of the civil rights movement. He made the case for additional legislation to circumvent the intentional efforts of local and state administrators to thwart the intent of existing legislation, the rulings of federal courts, and most importantly to the president, the overt attempts to undermine the administrative authority of the Johnson administration purposively and deliberately. Johnson often referred to this phenomenon as an example of “systematic and ingenious discrimination.”⁶⁴ In this address, Johnson maintained:

Many of the issues of civil rights are very complex and most difficult. But about this there can and should be no argument. Every American citizen must have an equal right to vote. There is no reason which can excuse the denial of that right. There is no duty which weighs more heavily on us than the duty we have to ensure that right. Yet the harsh fact is that in many places in this country, men and women are kept from voting simply because they are Negroes. Every device of which human ingenuity is capable has been used to deny this right. The Negro citizen may go to register only to be told that the day is wrong, or the hour is late, or the official in charge is absent. And if he persists, and if he manages to present himself to the registrar, he may be disqualified because he did not spell out his middle name or because he abbreviated a word on the application. And if he manages to fill out an application he is given a test. The registrar is the sole judge of whether he passes this test. He may be asked to recite the entire Constitution, or explain the most complex provisions of State law. And even a college degree cannot be used to

⁶⁴ Lyndon B. Johnson: "Special Message to the Congress: The American Promise," March 15, 1965. Online by Gerhard Peters and John T. Woolley, *The American Presidency Project*. <http://www.presidency.ucsb.edu/ws/?pid=26805>.

prove that he can read and write. For the fact is that the only way to pass these barriers is to show a white skin. Experience has clearly shown that the existing process of law cannot overcome systematic and ingenious discrimination.⁶⁵

Johnson relied on this very public opportunity to once again link his administration's quest for implementing the new civil rights framework with the evolution of American nationalism. He emphasized the responsibility of the nation to uphold equal protections for all citizens and to ensure that democratic constitutional principles were maintained.

For the cries of pain and the hymns and protests of oppressed people have summoned into convocation all the majesty of this great Government—the Government of the greatest Nation on earth.....rarely in any time does an issue lay bare the secret heart of America itself. Rarely are we met with a challenge, not to our growth or abundance, our welfare or our security, but rather to the values and the purposes and the meaning of our beloved Nation. The issue of equal rights for American Negroes is such an issue. And should we defeat every enemy, should we double our wealth and conquer the stars, and still be unequal to this issue, then we will have failed as a people and as a nation.⁶⁶

There is no Negro problem. There is no Southern problem. There is no Northern problem. There is only an American problem. And we are met here tonight as Americans—not as Democrats or Republicans--we are met here as Americans to solve that problem. This was the first nation in the history of the world to be founded with a purpose. The great phrases of that purpose still sound in every American heart, North and South: "All men are created equal"—"government by consent of the governed"—"give me liberty or give me death".....Our fathers believed that if this noble view of the rights of man was to flourish, it must be rooted in democracy. The most basic right of all was the right to choose your own leaders. The history of this country, in large measure, is the history of the expansion of that right to all of our people.⁶⁷

This speech is perhaps one of the most daring and courageous attempts made by a sitting United States president to address the democratic and constitutional wrongs of Jim Crow laws and the pervasive racial discrimination that permeated the nation as a whole.

Voting rights, equal employment opportunities, and access to public accommodations and public education services culminated the policy elements of the civil rights movement through 1968. There was, however, a significant missing link in the civil rights administrative apparatus.

⁶⁵ Ibid, Footnote 37.

⁶⁶ Ibid, Footnote 37-38.

⁶⁷ Ibid, Footnote 37-39.

For as long as states subjected African-Americans to segregated urban ghettos and rural areas and prevented from accessing affordable housing in white neighborhoods, civil rights would never be a plausible proposition in the United States. Thus, despite diminished political support for his domestic agenda, Johnson once again advocated Congress to pass another piece of legislation, the Civil Rights Act of 1968. This legislation, also known as the Fair Housing Act, prevented discrimination in the rental, sale, or financing of housing based on race, religion, national origin, and sex. The bill's original goal was to extend federal protection to civil rights workers, but it was eventually expanded to address racial discrimination in housing. It was expected to undergo a major battle in the Congress, but the sudden and violent assassination of civil rights leader, Dr. Martin Luther King Jr., created an emotional outburst across the nation. In response to the loss of Dr. King, riots occurred across the country, resulting in the burning of private property and looting in more than 100 cities. As a result of these events, the dynamic on Capitol Hill changed (Lawson and Payne 1998; Anderson 2001).

President Johnson increased pressure on Congress to pass this proposed civil rights legislation, rationalizing that the bill would be a fitting testament to King's legacy as a leader on fair housing and so many other issues related to civil rights. Amidst this national tragedy, Congress swiftly passed the Fair Housing Act, which Johnson signed into law on April 10th prior to Dr. King's funeral procession. This effort represents the final legislative achievement of the Johnson administration's civil rights platform (Andrews 2001).

The Johnson Administration's Approach for Implementing the Civil Rights Agenda

The legislative civil rights framework pushed through Congress by the Johnson administration called for the establishment of new Federal agencies to enforce key aspects of this landmark legislation. It also mandated the introduction of new administrative tactics for

ensuring fidelity in the implementation of core components of these new laws, particularly with regard to housing and employment. These administrative reforms enhanced the role of the Federal government as both implementer and enforcer of the nation's civil rights platform, thus creating some blended roles and responsibilities between the judicial branch of government and the administrative state at the Federal level.

The most significant addition to the Federal government with respect to operationalizing the civil rights legislative platform was the creation of the Equal Employment Opportunity Commission (EEOC). As previously discussed, Congress created the EEOC to serve as a Federal agent of both implementation and compliance to fulfill the promise of equal protection under the law. Whereas other policy areas affecting civil rights, especially voting and education, were traditionally under the domain of state authority, the Federal government possessed the clear, dominant leadership role for the nation's employment policy arena (Devins 1991; Fleming 1964; Graham 1990; Hinderer 1993). As such, the creation of the EEOC symbolized the powerful role the Federal government would play in the civil rights movement. Congress also provided it with a great deal of latitude and authority for defining the Federal government's role in effectuating Johnson's civil rights agenda (Graham 1990; Hinderer 1991).

Since its creation in 1964, Congress has gradually extended EEOC powers to include: "Investigative authority, creating conciliation programs, filing lawsuits, and conducting voluntary assistance programs."⁶⁸ Its activism divided liberals and conservatives, illuminating their differing views about the proper scope of federal government generally and public administration specifically.

In general the political liberals embraced the creation of the EEOC as the birth of a federal regulatory authority that could promote the goal of equality by designing policies

⁶⁸ See "Records of the Equal Employment Opportunity Commission [No. 403]" at: <http://www.archives.gov/research/guide-fed-records/groups/403.html>.

to help the historically disadvantaged, including women and minorities. In contrast, political conservatives saw EEOC as a violation of their belief in fewer government regulations and fewer federal policies. To them, creating a strong economy, free from government intervention, would produce gains that would benefit the historically disadvantaged. Even the non-ideological segment of the American population asked: “What should government do, if anything, to ensure equal protection under the law?”⁶⁹

While the Civil Rights Act of 1964 does not mention the term “affirmative action,” it did authorize the Federal bureaucracy to make rules to help end discrimination, and this responsibility has been central to the EEOC’s mission ever since. Also, the hasty and overgeneralized nature of the Civil Rights Act of 1964 and the subsequent civil rights legislation necessitated that the EEOC and other Federal agencies within the executive branch be responsible for both interpreting the magnitude of and fleshing out the details around the implementation of Congress’ intent within the federal civil rights legislative framework.⁷⁰

Through administrative procedure, the EEOC defined the breadth and depth of affirmative action with regard to employment, public engagement, and community participation. In his compelling research on the civil rights era, Hugh Davis Graham (1990) quotes EEOC staffer Alfred Blumrosen who served at the agency in the 1960s:

A new administrative agency has vast opportunities to demonstrate creative intelligence in its initial decisions. These decisions, made by a handful of men and women who comprise the initial staff, reverberate through time and space in a tidal wave of consequences for both procedure and substance” (17).

During its first years, EEOC leadership and bureaucratic careerists made key decisions in establishing its own authority as well as in the expansive parameters of Title VII law. These interpretations, moreover, are emblematic of early EEOC efforts to transform Title VII from a hastily composed, weak, overly general legislative mandate into a powerful, carefully constructed foundation for civil rights that would withstand the test of time (Hinderer 1993). It

⁶⁹ See “Teaching with Documents: The Civil Rights Act of 1964 and the Equal Employment Opportunity Commission,” U.S. National Archives. <http://www.archives.gov/education/lessons/civil-rights-act/>.

⁷⁰ Ibid, Footnote 68.

should also be noted that the White House delegated a tremendous amount of power and flexibility to the EEOC in not only pushing the scope of Title VII in its interpretations, but also in exercising creative interpretation concerning its own responsibilities with regard to data reporting, monitoring, and even legal sanctions (Devins 1991; Heindera 1993).

There were clear implications of the EEOC's aggressive and enthusiastic leadership in implementing Title VII. EEOC's primary responsibility is to receive and investigate charges of unlawful employment practices, determine if reasonable cause exists to believe the charge is true, and if the agency determines there has been a violation of law, to attempt to reach a voluntary settlement through conciliation.⁷¹ In its first year, with a budget of \$2.25 million and approximately 100 employees, many of whom detailed temporarily from other federal agencies, EEOC received 8,852 charges of discrimination against employers, over four times the number that were predicted.⁷² This caused a major backlog in investigations and put a great deal of strain on the agency's resources and operations.⁷³

The agency's clear deference to the Federal government in implementing and enforcing equal employment opportunity law did not just impact private employers. Shortly after the passage of the Civil Rights Act of 1968, President Johnson ordered all executive agencies to require federal contractors to "take affirmative action to ensure that applicants are employed and that employees are treated during employment without regard to race, color, religion, sex, or national origin."⁷⁴ Congress established the Office of Federal Contracting and Compliance Programs (OFCCP) within the U.S. Department of Labor to craft administrative regulations and policy guidance for federal contractors and develop auditing processes and reporting

⁷¹ Ibid, Footnote 68.

⁷² Ibid, Footnote 68.

⁷³ Ibid, Footnote 60.

⁷⁴ See "History of Executive Order 11246" at http://www.dol.gov/ofccp/about/History_EO11246.htm.

requirements for enforcing the new civil rights mandates. Additionally, a 1969 executive order required that every level of federal service offer equal opportunities for women, and established a program to implement that action.⁷⁵

Another important administrative development that availed itself as an outgrowth of the Federal government's expanded role in administering and enforcing civil rights law was in the implicit goals of the Johnson administration to ensure the Federal bureaucracy reflected a diversity that the nation's new civil rights legislative framework was attempting to achieve. In public administration, we refer to this practice as representative bureaucracy, a prominent way for public organizations to increase diversity and to become more representative (Dolan and Rosenbloom 2003; Krislov 2012; Riccucci 2002, 2012(a), 2012(b)).

As previously mentioned, President Johnson afforded great flexibility and latitude to EEOC's leadership, appointing Franklin D. Roosevelt, Jr. as the EEOC's first chairman and Richard Graham, Aileen Hernandez, Luther Holcomb, and Samuel C. Jackson as the agency's first commissioners. EEOC Chairman Roosevelt subsequently appointed Charles T. Duncan, an African-American and law professor at Howard University, as the EEOC's first general counsel (Naff et al. 2014; Krislov 2012; Riccucci 2002, 2012(a), and 2012(b)). From this point on, Johnson assumed a hands-off approach, allowing for the stronger elements of civil rights activism to infiltrate the culture within the EEOC. The EEOC, OFCCP, and other Federal agencies began to make deliberate choices to recruit a diverse professional staff comprised of the very minority groups for which the CRA designed to support. At all levels of these organizations and throughout other parts of the Federal government, especially at the Office of Employment Opportunity, the U.S. Department of Housing and Urban Development, and the U.S. Department of Health, Education, and Welfare, intentional steps were taken to recruit African-Americans,

⁷⁵ Ibid, Footnote 72.

Latinos, women, and religious minorities as professional staff (Naff et al. 2014; Krislov 2012; Riccucci 2002, 2012(a), and 2012(b)). As Hinderer (1993) demonstrates in his empirical research on the effects of representative bureaucracy on the actions of EEOC in its early years, active bureaucratic representation led to an aggressive strategy on the part of EEOC bureaucrats to side with individual claims of employment discrimination.

The Federal government's attempt to address enduring and deeply historical inequalities necessitated the development of prominent administrative structures whose credibility depended on the deployment of aggressive implementation tactics by bureaucratic officials who were emblematic of the populations that the civil rights movement was intended to benefit. As King (2007) correctly observed:

Civil rights legislation alone could not magically conjure up a level playing field for groups in American society who had been the victims of systematic efforts to segregate, marginalize, and educate them. The successful implementation of affirmative action was highly dependent on the horizontal separation of powers in the U.S. polity, with the judicial system providing decisive support for their policy instruments at key moments. Furthermore, each program benefited from clearly formulated policy instruments, which could be measured over time (115).

The Role of the Courts in Stimulating and Influencing the Johnson Administration's

Approach to Civil Rights

The Federal courts played a critical role in establishing the authority of the executive branch to carry out the civil rights legislative framework. The U.S. Attorney General filed lawsuits to desegregate schools, and the Federal courts continued to follow the *Brown* precedent as well as subsequent rulings handed down by the Supreme Court during the 1950s that continued to maintain that segregation according to in public schools was unconstitutional. The Federal courts also supported the peaceful marching and protests in Alabama and throughout the south, giving the Johnson administration the authority it needed to intervene, if necessary, in

state affairs to ensure the safety of civil rights activists as well as the appropriate implementation of the new civil rights law.

For example, despite the fact that the EEOC was explicitly prohibited in the Civil Rights Act of 1964 from initiating litigation in the Federal courts, that did not stop the agency from filing a number of amicus briefs to outline its support of Title VII law.⁷⁶ It also used this opportunity to communicate the law's prohibition on any employer that undermined racial equality (Graham 1990). And while critics of the EEOC in Congress wanted to curb the agency's overreaching tactics, arguing that EEOC officials were exaggerating the legislative intent behind "constructive proof of discrimination," the U.S. Supreme Court ruled in the EEOC's favor in *Griggs v. Duke Power* 401 U.S. 424 (1971) validating this broad interpretation of the agency's role and reach. Again, this was likely a result of the foregone conclusion that the implementation of employment policy was a clear responsibility of the executive branch of government.

Perhaps the greatest contribution made by the judicial branch in support of civil rights implementation in the 1960s was with respect to interpreting the scope of the Voting Rights Act of 1965. A weakness of Title I in the CRA-1964 was that it only permitted enforcement of the bill's new voting rights requirements to be conducted on a case-by-case basis, largely through individual lawsuits. This restriction made it extremely difficult for the Department of Justice to enforce antidiscrimination measures applied in voting practices. Thus, to expedite legal action, Congress passed the Voting Rights Act of 1965, giving the Federal government the right to presume discrimination in any state, or its subdivisions, where less than 50 percent of minorities

⁷⁶ Ibid, Footnotes 60 and 68.

voted in the latest Federal election.⁷⁷ In cases where the Justice Department confirmed discrimination, Federal authorities could directly administer and oversee election processes.

The Act also presumed discrimination when states utilized literacy tests or any other modes of screening voters “out” of the voting process occurred. One of these implied tools of systemic discrimination was the application of poll taxes. Though the Voting Rights Act did not include any language specifically prohibiting the use of poll taxes, it allowed the Attorney General to challenge their use. Within a week of President Johnson signing the Voting Rights Act into law, the U.S. Attorney General filed suits to have poll taxes voided in Texas, Virginia, Mississippi, and Alabama (Andrews 2001). In addition, several states suspended voter screening tests.

In *Harper v. Virginia State Board of Elections*, 383 U.S. 663 (1966), the Supreme Court held that Virginia's poll tax was unconstitutional under the 14th Amendment. Between 1965 and 1969 the Supreme Court also issued several key decisions upholding the constitutionality of Section 5 of the Voting Rights Act and affirmed the broad range of voting practices that required Section 5 review. As the Supreme Court noted in its 1966 decision upholding the constitutionality of the Act:

Congress had found that case-by-case litigation was inadequate to combat wide-spread and persistent discrimination in voting, because of the inordinate amount of time and energy required to overcome the obstructionist tactics invariably encountered in these lawsuits. After enduring nearly a century of systematic resistance to the Fifteenth Amendment, Congress might well decide to shift the advantage of time and inertia from the perpetrators of the evil to its victims.⁷⁸

These legal milestones are symbolic of how the judicial branch shaped the American administrative state during the Johnson presidency. The Supreme Court worked to provide

⁷⁷ Ibid, Footnote 63.

⁷⁸ See *Harper v. Virginia State Board of Elections*, 383 U.S. 663 (1966).
<http://supreme.justia.com/cases/federal/us/383/663/case.html>.

constitutional clarity with regard to how public agencies and governmental leaders were to apply civil rights legislation into practice. The High Court's efforts demonstrated that the pursuit of civil rights was complementary to the nation's constitutional heritage and would continue to become part of public administration. King (2007) illustrated this analysis best by arguing:

Also, a number of the Court's rulings during this time "made clear that the federal government had greater authority than either state or local governments to require the adoption of instruments of affirmative action in certain circumstances....thus, the Court has been a key actor in the evolution and implementation of affirmative action....it constituted a political opportunity structure largely favoring social engineering and its constitutional authority, once invoked in a ruling, is not easy to overturn (112-13).

The role of the Federal courts, especially the Supreme Court of the United States, in effectuating the civil rights movement would grow tremendously in the 1970s and beyond. But these early constitutional interpretations by members of the judicial branch paved a critical path towards advancing the civil rights movement throughout the nation. The Federal courts enabled the Johnson administration to implement civil rights legislation by expanding enforcement roles to attack continued systemic discrimination and by holding state and local governments accountable when they intentionally circumvented Federal civil rights laws.

Understanding the Impact of the Civil Rights Movement on Today's Administrative State:

Embedding Democratic-Constitutional Norms and Values into Policy Implementation

In summary, the work of the Johnson administration in implementing civil rights reform did not stop simply at policy implementation and enforcement. It involved the use of executive powers to revise and expand the rights of citizenship in all facets of American society to redress previous discrimination tactics and historical inequalities and to infuse administrative protections in the anticipation of future attempts to violate the civil protections of minority groups. The Johnson administration's direct role in establishing a "boundary vision," a term coined by King,

had significant implications for the ideals of American nationhood and for the hierarchical infrastructure needed to build community engagement:

Common to each type of boundary revision is a shared assumption: group hierarchies are an inadequate basis for a genuinely inclusive ideology of nationhood given America's community of groups. Yet, Americans' and the United States' beliefs about group hierarchies have a deep hold in the nation: just as the Supreme Court upheld color blindness so it accepted color-conscious policies to address the effects of failure to achieve the former. Indeed the endurance of group distinctions in itself encourages the retention of hierarchical assumptions, usually with fixed views about the unsuitability of some groups to be full members....To move forward as "one people" requires remembering how group diversity and nation building has been inadequately reconciled in the past (2007, 12).

The Johnson administration's commitment to developing, implementing, and enforcing the civil rights framework in the 1960s not only transformed American nationalism, but also provided a clear example of how the Federal government, local communities, and individual actors working in partnership can produce enormous social change.

The early movement organizations were not directly involved in the War on Poverty. Nevertheless, local movements continued to operate in the post-1965 period and attempted to shape the local implementation of poverty programs (Andrews 2001, 77).

Many local activists defined economic empowerment as a natural outgrowth of the political empowerment pursued through voter registration. In fact, many believed that political power would be meaningless unless African-American communities could generate viable economic programs (Dorsey 1977). As such the War on Poverty is an outgrowth of the civil rights movement for four main reasons: First, the poverty programs and the civil rights movement both targeted the advancement of minority groups that had been historically discriminated against. This effort could only be achieved by ensuring that new civil rights protections were blended with new socioeconomic opportunities. Second, there were substantial and ongoing interactions between civil rights activists and the Office of Economic Opportunity. Third, the programs provided direct financial benefits to the movement's primary constituency, especially African-

Americans in the South. Finally, there was significant variation across states and counties in terms of how local administrators influenced and ran these programs (Andrews 2001, 77). In Johnson's own words, the Great Society was built on the shoulders of the civil rights framework:

The Great Society rests on abundance and liberty for all. It demands an end to poverty and racial injustice, to which we are totally committed in our time. But that is just the beginning. The Great Society is a place where every child can find knowledge to enrich his mind and to enlarge his talents. It is a place where leisure is a welcome chance to build and reflect, not a feared cause of boredom and restlessness. It is a place where the city of man serves not only the needs of the body and the demands of commerce but the desire for beauty and the hunger for community. It is a place where man can renew contact with nature. It is a place which honors creation for its own sake and for what it adds to the understanding of the race. It is a place where men are more concerned with the quality of their goals than the quantity of their goods. But most of all, the Great Society is not a safe harbor, a resting place, a final objective, a finished work. It is a challenge constantly renewed, beckoning us toward a destiny where the meaning of our lives matches the marvelous products of our labor (1965, vii).

The remaining chapters in Part II delve into the administrative mechanisms and approaches deployed by the Johnson administration to ensure that core civil rights principles were infused into all aspects of public life: economic empowerment, education, housing, health, and long-term security.

CHAPTER 6:

HOW ECONOMIC REALITIES SHAPED THE NATION'S CIVIL RIGHTS FRAMEWORK:

JOHNSON'S IMPLEMENTATION STRATEGY TO WIN THE WAR ON POVERTY

This administration today, here and now, declares unconditional war on poverty in America. It will not be a short or easy struggle, no single weapon or strategy will suffice, but we shall not rest until that war is won. The richest nation on earth can afford to win it. We cannot afford to lose it.

--Lyndon Johnson, January 8, 1967

The Johnson administration launched the War on Poverty in 1964 in anticipation of needing a specific type of administrative infrastructure that would address the nation's socio-economic challenges while simultaneously establishing a new and innovative national civil rights framework. The civil rights movement had shed light on the connection between economic inequality and racial discrimination (Jackson 2007). For civil rights to evolve from a movement to a permanent aspect of American society, the administration understood that it was necessary for the federal government to make a deliberate investment in the socioeconomic advancement of African-Americans and other subpopulations that had suffered, economically, politically, and socially, from targeted discrimination over multiple generations. The War on Poverty agenda, officially articulated through the Economic Opportunity Act of 1964 (EOA-64), included plans for Job Corps and Neighborhood Youth Corps,⁷⁹ Community Action Programs, Head Start, Volunteers in Service to America (VISTA), and a national college work-study program, among other socioeconomic initiatives (Patterson 1994). Focused on infiltrating every aspect of poor communities, the War on Poverty included everything from legal aid to the poor to the creation of medical clinics in poor, low-income neighborhoods. In short, the War on Poverty symbolized

⁷⁹ Job Corps provided urban school dropouts with alternative educational and training programs, while the Neighborhood Youth Corps provided part-time jobs to youth in local agencies.

an audacious arsenal of programmatic weapons to eradicate impoverishment and social inequities among racial minorities and other hard-to-reach subpopulations.

Through the 1960s, the Office of Economic Opportunity (OEO) administered the majority of the War on Poverty programs. Johnson recognized that a centralized federal administrative entity tasked solely with securing the aims of the administration's anti-poverty agenda was necessary (a) to ensure a committed focus on producing strong results early and often in order to sustain continued political support for the War on Poverty; (b) to assume the responsibility for coordinating efforts, services, and technical expertise across various agencies to maintain efficient and cost-effective strategies for implementing the War on Poverty; and (c) to avoid unnecessary bureaucratic delays and inefficiencies by attempting to administer the War on Poverty through a piecemeal approach across more traditional agencies of enormous size, like the U.S. Department of Health, Education, and Welfare and the U.S. Department of Labor (Quadango 1994; McKee 2005). Overtime, however, several of the major poverty programs were phased out or shifted to more traditional agencies that pre-dated OEO, and indeed Congress eliminated OEO in 1973 (Quadango 1994). From the very beginning, the ambitious agenda of the War on Poverty lacked a unified administrative approach despite the creation of OEO to coordinate the Federal government's role in its effective implementation. Limited in funding, decision-making authority, and staff resources, OEO faced many challenges from its inception.

In its approach to realizing the aims of the War on Poverty, the Johnson administration continued to experiment with a wide array of strategies to deploy a strong Federal role in implementing strategic antipoverty objectives while simultaneously encouraging strong involvement within targeted subpopulations and local communities who would be most impacted by such programs. Under the auspices of "creative federalism," the Johnson administration

continued to deploy categorical federal grants and monetary aid as a tool for influencing the scope, design and priorities of War on Poverty programs on the ground (Edwards and Schull 1995; Dallek 1998; Caro 2004).

Additionally, the Johnson administration expanded the role and influence of special interest groups at all levels of government, which had tremendous implications for the evolution of the civil rights movement, the maturation of American nationalism, and the immunity of the administrative state from expanded powers and spheres of influence of external special interest groups moving forward (Lees 1965, Pauley 1993; Skowronek, 1997; Califano 1999; Andrews 2001; Caro 2004; Dallek 2004). Further, balancing the diverse concerns and desires of local political machines with the growing influence and expectations of community action programs as well as restless activists within the ever-evolving civil rights movement was a source of major contention for the Johnson administration. The web of these various administrative dynamics spurred a new framework in public administration that has substantially impacted the size and scope of the federal government's influence in the socioeconomic aspects of American society over time.

Creating the Legislative Path for the War on Poverty: The Economic Opportunity Act of 1964

On August 20, 1964, President Johnson signed the Economic Opportunity Act (EOA-64), triggering the War on Poverty to coincide with the newly established civil rights framework. The EOA-64 was the first in a series of landmark legislative statutes passed during the Johnson administration that greatly influenced the direction of the administrative state and the nation's domestic policy agenda. The Act, which provided the roadmap for the War on Poverty, was comprised of several social programs designed to promote the health, education, and general

welfare of the impoverished, including: Head Start; Job Corps; work-study programs for university students; basic education and adult job training for dislocated workers; community action programs (CAPs); and Volunteers in Service to America (VISTA). As previously mentioned, Johnson appointed Sargent Shriver to manage the Office of Economic Opportunity (OEO), which served as the administrative entity responsible for coordinating resources across government and assisting local urban and rural centers in implementing the chief components of the EOA-64. In later years, however, Congress dismantled the OEO and reorganized control over its programs to both the U.S. Department of Health and Human Services and the U.S. Department of Labor.

Although President Johnson had an innate ability to persuade members of Congress to support his policy objectives and goals, political and operational complications began to emerge rather quickly. The Johnson administration's continual underestimation of the complex dynamics associated with implementing federal policies of such economic and social magnitude and translating the objectives of the Great Society into a street-level reality (Moynihan 1969; Lander 1971; Brauer 1982). The EOA-64 represented more than the legislative framework for the War on Poverty – it triggered the need for the induction of “Creative Federalism,” which worked to address many of the complex challenges associated with implementing the War on Poverty at all levels of government. Former Johnson White House advisor Michael March coined the term “creative federalism” and maintained:⁸⁰

The Economic Opportunity Act of 1964, with its sweeping commitment to a social goal with very broad implications, represents a new departure in public administration. It has far reaching significance for coordination of public and private nationwide action to achieve the major national goal of eradicating poverty (March 1967, 124).

⁸⁰ Michael March served as the former Assistant to the Chief of Education, Manpower and Science Division at the Bureau of the Budget within the Executive Office of the President during the Johnson administration. March later went on to write several works on the challenges to administering comprehensive anti-poverty reforms after leaving his leadership post in government.

March (1967, 128-29) identified six unique features of the EOA-64 in terms of its implications for public administration:

- First, its sweeping “clientele” approach concentrated on the then 35 million Americans the government classified as. This was a purposeful managerial approach, because at the time it required federal agencies to address their economic and social needs along “functional” lines;
- Second, the government placed a strong emphasis on programs to help children and youth, illustrating a human investment approach intended to break down the intergenerational cycle of poverty;
- Third, the provision of Federal aid directly to local communities as opposed to being provided to state governments was criticized;
- Fourth, the deployment of the community action program (CAP) concept was designed to spark the creation of new governmental institutions and to foster innovation and coordination of resources across the sectors and within local communities;
- Fifth, the implementation of nine additional service-delivery programs intended to either supplement existing Federal initiatives or address continued gaps in supports to the impoverished was an important element of this legislation; and
- Sixth, the establishment of the OEO with broad but ambiguous authority and responsibility for assisting the President with centralizing the coordination of the Federal government’s antipoverty endeavors and promoting interagency collaboration was needed to better success rate of Johnson’s War on Poverty.

Collectively, these six features of the EOA-64 reveal critical administrative dilemmas that the Johnson administration faced over the course of the War on Poverty, particularly with regard to the blending of powers between government and private actors, the accelerated influence of special interests on implementation strategy, and the blurred lines of authority between various levels of government (Lander 1971; Stever 1993). Ironically, the Johnson administration’s approach to the War on Poverty can be described best as an affair of contradictions. Its ambitious efforts to ensure maximum feasible participation at the individual level were thwarted by disingenuous representations of the poor in the community action program construct, often

referred to in the literature as the “Tom” problem (Wolfe 1971; Edelman 2006). Further, the administration’s mixed signals of its interpretation around how “community action” should be translated to the local level in terms of resource management and decision-making authority spurred major tensions between local political leaders and key stakeholders within local social movements (Hinderer 1993). Finally, the Johnson administration’s perpetual deference to organized interests at the national level often had the unintended consequence of undermining the efforts of mid-level Johnsonian bureaucrats tasked with ensuring a balance among stakeholders with respect to the War on Poverty implementation efforts in the field (Lowi 1967; Stever 1993; Edelman 2006).

These phenomena, coupled with implementation challenges related to data collection, resource constraints, and performance measurement collectively reinforced the War on Poverty as a notable case study in the evolution of today’s administrative state during a critical time in the history of the United States.

Challenges in Effectuating Street-Level Bureaucracy: Implications for the Maximum

Feasible Participation Principle

Implementing the War on Poverty was not an easy feat nor was it for the faint-hearted. No American president prior to Johnson had tried to gain direct access to the economically disadvantaged living in urban cities with such a multi-faceted, organic approach (Lander 1971; Levitan and Taggart 1976-77; Brauer 1982). One of the major premises of the Johnson administration’s War on Poverty implementation strategy was to induce “maximum feasible participation” of economically destitute citizens and communities at the local level by which Johnson designed the War on Poverty to assist (Moynihan 1969). The administration viewed maximum feasible participation of the poor as a way to bridge social reform and individual

change (Moynihan 1969; Lander 1971; Stever 1993). More specifically, proponents reasoned that empowerment through participation in social change activities would lead to an overall improvement in the mental health status of the individuals affected as well as to the overall psyche of poor communities (Moynihan 1969).

Initially, Johnson argued that a street-level approach was critical to ending poverty in America, an important managerial practice associated with public sector governance (Lipsky 1983; Maynard-Moody and Musheno 2003). Early on, Johnson supported field work because it provided greater assurances to the poor that he was a different type of president. Johnson wanted the poor to think of him as a chief executive that advocated for groups of citizens most presidents previously ignored and who worked with them directly to see real change occur at the local community level (McKee 2005). Additionally, deploying mid-level federal bureaucrats to the field ensured a consistent presence of the administration in influencing and overseeing local efforts to ensure that public administrators were implementing key elements of the War on Poverty on the ground. Another reason that Johnson advocated for local engagement was because he wanted to help improve the lives of the socioeconomically disadvantaged by increasing the information citizens received and access to the specific public programs that the Federal government was making available to them as part of the Great Society's War on Poverty. Similar to Roosevelt's approach with the New Deal, Johnson's programs focused on individual- and community-level socioeconomic assistance to improve the lives of the poor in the aggregate as part of the ongoing priority by which to measure implementation success (Lander 1971).

The Johnson administration argued that establishing an active field presence in poor, urban communities would result in greater interest and participation by citizens, directly benefiting these areas throughout the country (Moynihan 1969; Lander 1971; Stever 1993). To

execute this approach fully required a critical understanding of who the poor were. Unfortunately, there was little empirical data available to help the administration adequately answer this question (Edelman 2006). OEO staff did not know how to determine who fit into the agreed upon category of “poor” and how to identify and engage poor citizens effectively (Brauer 1982). OEO field personnel, therefore, had to rely on local activist leaders and organizations for primary data on the economically impoverished in a given area. OEO’s method of local empowerment of the socioeconomically disadvantaged by means of maximum feasible participation (MFP) was surprisingly difficult. In his role as Director of the OEO, Shriver was misunderstood on numerous fronts, especially when he made arguments that the poor should be represented mathematically and quantitatively (Lowi, 1967). The examination of data from the field confirms the overwhelming task involved in attempting to instill a “street-level” bureaucratic approach to implementing anti-poverty programs in the 1960s, particularly in light of the fact that the Federal government knew very little factual details about who the poor were, what their socioeconomic behaviors looked like, nor how they interacted with government or engaged in community life (Wolfe 1970).

The Use of Community Action Programs (CAPs) as a Central Conduit to Realizing the War on Poverty

The most controversial piece of the War on Poverty was the establishment of Community Action Programs (CAPs), which the EOA-64 authorized to support the OEO’s on-the-ground implementation of the War on Poverty. CAPs served as a central conduit for overseeing and managing community-based socioeconomic programs launched as a result of the War on Poverty. The objectives associated with the CAPs included: to plan and coordinate local services for the needy; to fund and deliver certain services, such as the preschool program, Head Start;

and to advocate for the poor (Levitan and Taggart 1976-77). Not only were the CAP agencies expected to advocate for the poor, they were also instructed to encourage maximum feasible participation of the poor in their programs. As such, the administration tasked the CAPs with ensuring the full and active engagement of the local citizenry who would directly benefit from the services provided (Moynihan 1969; Lander 1971).

The primary reason that the EOA-64 required the use of CAPs was because Johnson and his senior advisers assumed that in order for the War on Poverty to succeed, the resources and efforts had to be local in nature (Marris and Rein, 1967; O'Connor 2001). The administration discouraged the use of state block grants, because these types of efforts increased the risk that poor communities comprised primarily of racial minorities would continue to get short-changed (Waller 2005). And yet, the local strategies deployed in the War on Poverty were riddled with their own challenges with regard to equity and representation (Moynihan 1969; Wolfe 1971; Califano 1999). To promote empowerment and maximum feasible participation of the poor, many of the CAP agencies employed paraprofessionals from their neighborhoods and client populations. Unfortunately, representation of the poor by this type of leadership structure was questionable, because the representatives chosen often did not truly reflect the perspectives of those living in in poverty (Hindera 1993). Reflecting on this point, Andrews (2001), in his research on the impact of social movements in Mississippi's implementation of the War on Poverty, noted the following:

In 1965 and 1966, Community Action Programs were formed without substantial participation from movement activists. Black participation often involved traditional leaders not affiliated with the civil rights movements (neither the moderate NAACP nor the more militant MFDP representatives), such as ministers and teachers. OEO was, in fact, aware of what it called the "Tom" problem.....Even though they were aware of the problems, OEO's grant administrators often did not have detailed information about the local situations and lacked "the technical competence necessary to help with Board problems," (NA, RG 381, Box 2, February 24, 1966). This problem was particularly

acute in the early years. During this period, OEO depended on local movements to act as “whistle-blowers” (84).

Of course, as the War on Poverty evolved, so too did the role of local social movements that arose as an outgrowth of the nation’s civil rights movement, particularly with regard to the implementation of signature anti-poverty programs (Lees 1965; Graham 1991; Hinderer 1993; Andrews 2001). In essence, this connectivity ensured a sustained influence of these local social movements over the goals, priorities, and operational decisions of anti-poverty program implementation over time. As Andrews (2001) once again illustrates:

First, the high degree of public participation required by the poverty programs facilitated the movement’s access to the programs while bringing the movement’s opponents into the implementation process. Second the high level of local autonomy permitted the formation and management of projects allowed the movement to pursue local efforts to influence poverty programs rather than pursue a national struggle in which the movement would have to target federal actors, especially Congress and the Presidency. Local variation in policy implementation is common for social policies in the United States (Amenta et al. 1994; Banaszak 1996; Clemens 1997), but the model might require modification to accommodate variation in political context (Amenta, Halfmann, and Young 1999). Third, the central role of racial politics in the development of the War on Poverty is seen, for example, in the ongoing efforts of OEO to showcase racial integration in its programs (Quadagno 1994). However, this conflict reveals dynamics of a more general nature in that the long-term goals of program administrators and movement activities often conflict (18).

Initially several CAPs demonstrated success, but as time progressed it became apparent that the CAP agencies suffered from several weaknesses. First, their objectives proved to be too broad and numerous, which created confusion concerning their organizational mission. This resulted in the CAPs often assuming multiple roles, from leading planning and development efforts to simultaneously providing direct services to serving as a central advocacy arm of civil society (Pauley 1997). Such ambiguity and lack of goal clarity created further implementation problems at the local level and a constant mismatch in perceived priorities (McKee 2010). Additionally, a slew of auditing challenges persisted in the program, with the administration

having little ability to recover government funds that were not used in ways that complied with the EOA-64 or the administration's regulations (Shriver 1965).

Second, federal resources began to decline after only a couple of years into the War on Poverty. As early as November 1965, correspondence from Sargent Shriver to President Johnson suggests that the president's support for meeting the initial financial commitments made to the War on Poverty was waning, and that Shriver was feeling pressure to reinforce the important nature of the OEO's work and justification for continued federal resources. As Shriver (1965) emphasized:

We recognize that some of our programs are considered expensive by many people, but we think we are doing what is necessary to hold costs to a minimum. For example, the men's urban training centers in the Job Corps program are being established in surplus government facilities, thus greatly reducing the capital investment that would otherwise be required..... we shall continue to do whatever we can to assure the president and the American public that the anti-poverty program is to be effectively and efficiently managed (2).

As the Johnson administration and Congress made budget cuts through the late 1960s, the funding for new grants to the field was impacted. OEO's general mandate with regard to budgetary cuts was to make equal reductions across programs as much as possible, while still allowing room for discretion among local administrators (Andrews 2001). This only exacerbated tensions on the ground, because often the programs that Congress or the administration reduced or eliminated at the street-level were the ones that leaders at the local level advocated for over other anti-poverty strategic initiatives prioritized by local government officials (Derthick 1978; Musolf and Seidman 1980).

A third consequence of the CAP model was that a large proportion of CAP agencies suffered from a lack of strong management or internal operational practices, resulting in inefficiencies, patronage, and even corruption (McKee 2010). One potential remedy for

addressing this was the creation of a comprehensive evaluation mechanism for existing War on Poverty programs. Shriver originally proposed this idea in 1965 as a way to measure performance and compare effectiveness across multiple programs and initiatives so as to inform current and future federal investments:

In every program launched by the Office of Economic Opportunity or by agencies funded by us, we are building in extensive evaluation procedures which will enable us to collect the information we need to determine whether each program is doing the job it is supposed to do. Then we intend to try to take the ultimate step: that is, to compare the effectiveness of one program with another. Only in this way will it be possible to determine that our agency is spending its resources in the most effective manner (1965, 1).

Despite Shriver's best attempts to invest in evaluation efforts to compare the effectiveness and performance of various programs in the War on Poverty, the resources necessary to implement these strategies never fully came to fruition. As such, various components of the War on Poverty continued to suffer from a "self-fulfilling prophecy," because without empirical data, it was difficult to make the case to Congress for additional resources (Derthick 1978; Musolf and Seidman 1980; Edelman 2006).

Funding for legal aid services continued, however, because the administration and those working at the street-level were able to make the case that poor people deserved access to free legal counsel, though there was no empirical data demonstrating that the poor were faring better through the use of such programs (Andrews 2001). The administration deployed VISTA volunteers all over the country to support community development projects, but the impact of relying on young adults, who were predominately white, middle class, and possessed ineffectual technical expertise with regard to community, action was never tested.

The Johnson administration considered Head Start a resounding success, although there was no data available comparing the experiences of poor children who were enrolled in Head

Start with poor children who did not have access to these types of services. As the War on Poverty advanced, the Johnson administration continued to shape and direct these programs, but allowed the preferences and expertise of the CAPs and the local political elites to guide the prioritization and implementation socio-economic advancement strategies to the poor. Since social science evaluative methods were yet to be fully developed until later, the ability to measure and assess what was working and not working was extremely challenging (Weiss 1987; Dallek 2012).

All Politics are Local.....and Ugly: The Friction between Johnson’s Interpretation of Community Action and Civil Society

Policymakers who were pushing “community action” hoped to stimulate better coordination among the various public and private agencies delivering social services in communities targeted for federal anti-poverty supports (Peterson and Greenstone 1977, 241). The administration, however, abandoned this objective in favor of “citizen participation” (Lander 1971; Zarefsky 1986; Pauley 1997). OEO and local CAPs had little impact on the established agencies providing services to poor communities. As a result, CAPs administered many of the new antipoverty programs. A CAP Board coordinated CAPs at the local level, which served as the overarching administrative body and provided a point of potential access for local movements (Andrews 2001). This opening paved the way for conflicts between local groups attempting to gain access to CAP boards in order to influence the flow of OEO funds (Zarefsky 1986; Edelman 2006).

Johnson supported a street-level approach and direct engagement for the implementation of the War on Poverty platform, because he was particularly interested in how to improve the

socio-economic advancement of individuals who lived in poverty.⁸¹ By contrast, he was not necessarily interested in developing or understanding the type of systems level approach needed for the planning, designing, and leading of these programs. The Johnson administration, therefore, was heavily dependent on local government administrators who were providing oversight and who were in charge of community development among other issues involved in economically and socially advancing urban centers and rural counties.

From the beginning, there was a tremendous conflict between Johnson's approach to community action and the type of civic engagement expected in poorer communities.⁸² As mentioned in earlier chapters, Johnson's previous experience as a local administrator greatly shaped his perspective of how community action should be defined:

Johnson's idea of community engagement was to decentralize bureaucratic authority so that creative administrators at lower levels of government could find and implement innovative solutions to poverty (McKee 2010, 4).

As such, Johnson's vision was to apply the theory of creative federalism as a strategy for infusing federal influence and funding assistance as a means to empower local administrators to implement the goals of the War on Poverty initiative at the local level. In a conversation with Chicago Mayor Richard Daley in January 1964, Johnson encouraged the mayor to focus his immediate attention on a strategy for how to use the federal assistance coming through to support local anti-poverty programs.⁸³

By means of both contrast and comparison, many national, state, and local activists were not satisfied with Johnson's understanding of "community action," and argued that his

⁸¹ Richard Daley to Lyndon Johnson, 6:10 P.M., 20 January 1964, in *Presidential Recordings, Johnson*, vol. 3, *January 1964*, ed. Germany and Johnson, p. 651.

⁸² See F. O'R. Hayes, "The Role Of Indigenous Organizations In Community Action Programs," 4 May 1964. Office Files of White House Aides: Fred Bohlen, Box 2, "OEO Material," Lyndon B. Johnson Library, p. 3; "Poverty and Urban Policy," p. 230; Jack Conway Oral History Interview 1, 13 August 1980, by Michael L. Gillette, Lyndon B. Johnson Library, pp. 18–19, 24–25.

⁸³ Richard Daley to Lyndon Johnson, 6:10 P.M., 20 January 1964, in *Presidential Recordings, Johnson*, vol. 3, *January 1964*, ed. Germany and Johnson, p. 651.

conceptualization undermined the anti-poverty objectives associated with the purpose of the EOA-64 (Mackenzie and Weisbrot 2008). In their minds, true reform could not occur unless the government gave poor, racial minorities direct decision-making authority and control over the available resources designated for local anti-poverty efforts. In fact, rather than embracing the ongoing dominance of local administrators in community action efforts, civic activists mobilized to challenge the local political elites that had enjoyed virtual control over previous federally-funded programs in the past. But Johnson did not agree with their claims, and he was not at all interested in creating a funnel of ongoing funding support to sustain private, not-for-profit organizations over local and state government entities.⁸⁴

This dichotomy resulted in an ongoing clash between organically-grown grassroots efforts and local political leaders. Initially, the Johnson administration envisioned the deployment of mid-level federal officials as a further opportunity to support and reaffirm the critical leadership role of local administrators while simultaneously identifying and supporting ways to operationalize maximum feasible participation among poor citizens, though this made more sense in theory than in practice (Moynihan 1969; Levitan 1971). The mid-level bureaucrats that the administration sent to the field to represent the federal government's interests in the implementation of the War on Poverty programs were often caught in the middle of these two factious stakeholder groups.

This volatile situation threatened effective implementation to the War on Poverty. Tensions grew, followed by increased violence and rioting by civil rights protestors who were frustrated by continued racial discrimination in all parts of American society (Patterson 1994).

⁸⁴ See Lyndon Johnson and Bill Moyers at the LBJ Ranch, 7 August 1964. (<http://presidentialrecordings.rotunda.upress.virginia.edu/LBJ4000744.xml>). In this conversation, Johnson is adamant that community action should be a program run by local and state governments, rather than by private community groups: "I'm against subsidizing any private organization ... I'd a whole lot rather [Chicago Mayor] Dick Daley do it than the Urban League."

As local activists began to mobilize around the mantra of “Black Power,” violent protests began to overtake many urban cities and their neighboring communities, resulting in further setbacks and defeats for the Johnson administration.⁸⁵ As Andrews (2001) describes, civic engagement continued to evolve as local social movements began deploying more sophisticated tactics to gain more influence and power over local implementation of the War on Poverty programs.

Initially movements were preempted, and this was followed by long struggles with varying degrees of success to achieve access to the policymaking process. Movements gained influence by employing multiple agencies such as disruptive protest, negotiation with OEO officials, and administering independent poverty programs. In short, the movement infrastructure in the community shaped the extent and form of influence that was ultimately achieved (Andrews 2001, 2).

Beyond tackling the threat of growing violence, the next major challenge for the Johnson administration was in overseeing the establishment and managing the emerging power of the community action programs.

After the Honeymoon Period: Addressing Growing Concerns of the Local Political Elite

As political tensions in America’s urban centers erupted and federal budgetary resources declined, the Johnson administration received major pushback from the nation’s mayoral

⁸⁵ In Tom Wolfe’s (1970) analysis of the San Francisco regional OEO, he reflected on some of the underlying corruption that occurred as an unintended consequence of the “maximum feasible participation” concept. The CAPs became overrun by local hustlers who diverted cash into their own pockets and harassed local mayoral offices for their own individual gains. Wolfe asserts that the primary reason the OEO concept largely failed is that instead of winning the trust and support of the impoverished through meaningful civic engagement and dialogue, the OEO was steam-rolled by the resentment and contempt of the minority subpopulations. In addition, the civil unrest and racial tensions that plagued America’s urban cities in the 1960s further alienated and disempowered the nation’s poor further frustrating the administration’s efforts to combat poverty across the country. Instead of addressing the resentment these communities were experiencing directly, the OEO instructed mid-level bureaucrats known as “flak catchers” to reestablish themselves in these areas to illustrate that they could “take” the abuse. The OEO wanted to appease young African-American men and try to prevent further upheavals and urban rioting, while simultaneously affirming the Johnson administration’s commitment to local Mayoral offices. What occurred instead was that several local gangs seized the opportunity try to obtain as much of the Federal resources designated for CAPs as possible for their own solicit purposes through manipulating and intimidating the local bureaucrats assigned to the area to maintain peace. As a result, much of the financial resources appropriated for these programs did not reach their intended recipients, rendering these initiatives largely ineffective.

leadership (McKee 2005). City and county leaders expressed growing concerns to the White House regarding the heavy burden implementing the various tenets of the War on Poverty weighed on them and their professional staff (Leman 1989; Edelman 2006). They also expressed frustration regarding how to determine what socio-economic challenges their communities should tackle first to combat chronic poverty. While the majority of CAPs were focused primarily on addressing the social underpinnings of poverty, including race relations, equity in education and basic needs, and intergenerational poverty, the majority of local mayors were of the opinion that an economic development strategy focused on job creation should be the predominant focus of local anti-poverty and CAP activities. Unfortunately, this competing dynamic between the local governments, who had to help the CAPs come up with the upfront matching funds required of the CAPs, and the CAAs, who were responsible for designing and implementing the CAPs, resulted in additional delays in getting anti-poverty efforts off the ground in many urban centers (Wolfe 1970; Goodwin 1991; Wicker 2002; Keogh 2012).

Charles Schultze, who first served as Johnson's Director of the Office on Management and Budget (OMB) from 1965-1968 and later became President Jimmy Carter's Secretary of Labor, continuously promoted the idea of prioritizing economic and workforce development as key goals in poverty reduction (Schultze 1992). Unfortunately, many of the job training and workforce development programs created under the Johnson administration failed to have the focus, resources, technical expertise or lasting impact necessary to achieve the employment goals envisioned by Johnson. This is an important lesson for future administrations to consider, particularly at a time where the percentage of Americans participating in the labor force

continues to decline⁸⁶ and the nation is facing the highest poverty rate in two generations (Tavernise 2011).

As a result of these growing dynamics, the honeymoon period between the Johnson administration and the CAPs did not last long. Almost immediately, civil strife overpowered progress as long-time political machines came into direct conflict with grassroots activists. Corruption ensued, and in most cases the poor were further marginalized out of the decision-making process (Loney 2008; Keough 2012; Wolfe 1970). Violence, corruption, and deeply-rooted racial divisions prevented the real work of resource coordination, partnership development, goal alignment, and interagency collaboration from occurring (Edelman 2006). The Johnson administration's staff, both in Washington and in the field, had little ability or tools to reverse this dynamic, other than delaying the flow of grant assistance from the OEO, which only exacerbated tensions further.⁸⁷ Delayed funding also resulted in escalated hostility among the CAAs against OEO personnel in the field, as well as growing resentment among the political elite controlling America's local urban centers, including but not limited to the outrage of many high-profile mayors, toward the War on Poverty.

Losing the political support of several mayoral leaders throughout the nation for the administration's strategy in implementing the CAPs was not acceptable to Johnson. As early as 1966, the president was beginning to favor and support the mayors' concerns about implementation challenges and failures connected with the War on Poverty. This was evident in how Johnson expressed his growing concerns with Shriver's leadership of the OEO and with his

⁸⁶ The labor force participation rate has been declining steadily since 2000, particularly amongst those between the ages of 25 and 54 (often considered to be the prime working years of Americans). <http://bpr.berkeley.edu/2013/04/the-declining-labor-force-participation-rate-why-this-trend-should-be-taken-seriously/>.

⁸⁷ OEO, "The Office of Economic Opportunity During the Administration of President Lyndon B. Johnson," pp. 31–33; Orville Freeman to Lyndon Johnson, 8:08 P.M., 6 March 1964, in *Presidential Recordings, Johnson*, vol. 4, *February 1, 1964–March 8, 1964*, ed. Johnson and Germany, pp. 958–59.

off-the-record comments with local government leaders and congressional leaders during that time (Loney 2008; Keough 2012; Wolfe 1970). Following a discussion with then-Mayor Richard Daley of Chicago regarding the balance between program cuts and a possible tax increase in the next budget cycle, Johnson mentioned a protest that a group of poverty activists from Syracuse, New York had staged at his Texas ranch. Mayor Daley, who only a few moments before had urged the president to focus on job creation as the core of the anti-poverty effort, vigorously objected to the idea that the poor should control the community action programs. This was a perspective shared by many mayors around the U.S. According to Daley (1965):⁸⁸

Well, they're trying to pressure you, Mr. President, and [unclear] pressure you. They're trying to snatch control of this country, control of everything this, under this program. And if the fact is and the truth of the matter is that they've never had such a fine program in the history of our country. And what I keep saying is "Lord God, let's get together. Let's cooperate. We're [unclear]. What difference does it make who gets credit as long as we get jobs and get the people out of slums and plight, and get education. But many of these people throughout the country are not concerned with the solution. They're concerned with the agitation of the problem. And this is all over the country, and they've seen an opportunity to snatch at a popular issue but one that you and I know doesn't bear the right of logic, and that is: only the poor get control of these programs. Well, that's ridiculous!

From a managerial perspective, the tensions between Shriver's efforts at the federal level and the implementation struggles at the local level challenged Johnson and frustrated his administration in exasperating ways. Cooperative federalism was proving anything but cooperative.

Interest-Group Liberalism and Realizing the Aims of the War on Poverty

Another notable dilemma emerged early on with regard to the interplay between the federal government and the influence of organized special interests. While lower-level bureaucrats were deployed to help oversee the implementation of signature War on Poverty initiatives and promote strong balances in representation, Johnson and his senior advisers

⁸⁸ Richard Daley to Lyndon Johnson, 6:10 P.M., 20 January 1964, in *Presidential Recordings, Johnson*, vol. 3, *January 1964*, ed. Germany and Johnson, p. 651. Later that week, Johnson conveyed similar sentiments in a telephone exchange with Republican Senator Richard Russell.

continued to be heavily persuaded by the opinions of national leaders representing organized interest groups. As such, Johnson allowed these individuals to have a great deal of influence and power over the prioritization of efforts and delivery of services to the field (Lowi 1967; Pauley 1997; Andrews 2001). This approach to policy implementation represented a radical departure from how the Federal government had previously managed most social reform programs. For one, it revealed an unprecedented relinquishment of the traditional roles and responsibilities considered under the auspices of public administrators to special interests, some of whom used the anti-poverty agenda as a mantra for furthering their own organized pursuits Lowi (1967) brought direct attention to this very concern:

The most significant contribution of the Great Society to the growing ratio such corporativistic programs bear to the sum total of federal activity is the War on Poverty, particularly the community action program. To the old progressive the elimination of poverty was a passionate dream, to the socialist a philosophic and historic necessity. To the interest- group liberal, poverty is becoming just another status around which power centers ought to organize. If one hasn't organized, then organize it. In so organizing it, poverty is not eliminated, but inconsistency in the manner of government's relation to society is reduced. Organizing the poor, something that once was done only in the Three-penny Opera, helps legitimize the interest-group liberal's preference for dealing only with organized claims (18).

To solidify continued political support among the various stakeholders who had a vested interest in the success of the Great Society agenda, both Johnson and Shriver shared a tendency to overly engage specific constituencies in the decision-making processes, especially with regard to implementing the War on Poverty. As Lowi (1967) further cautioned giving equitable prioritization and authority had dangerous implications for public administration, because it puts everyone on equal footing in terms of influence and authority over issues predominantly left up to government in the past. Stated more explicitly:

But one aspect of the doctrine was clear all the time. This was (and is) that certain types of groups should always be involved some way. As he [Shriver] listed them they are: "governmental groups," philanthropic, religious, business, and labor groups, and "the

poor." The significance lies primarily in the equality of the listing. "Governmental groups" are simply one more type of participant (Lowi 1967, 8).

While Johnson and other political leaders enjoyed many of the short-term advantages in deploying this strategy, interest-group liberalism resulted in tremendous costs and jeopardized the long-term autonomy of American public administration

As such, there are tremendous consequences of group-based policy solutions, including: (1) the atrophy of institutions of popular control; (2) the maintenance of old and creation of new structures of privilege; and (3) conservatism, in several senses of the word (Lowi 1967, 18).

These consequences should not be lost on the intellectual history of public administration. They serve as a prominent reminder of the political and administrative difficulties associated with transforming the social policy infrastructure of the nation.

Summing up the War on Poverty: A Test of Wills in Public Administration

The CAP agencies were indicative of the weaknesses in the underlying administrative strategies of the War on Poverty in general. The administrative apparatus developed to implement this domestic war on the ground was wrought with conflicts of interests and irreconcilable differences among grassroots activists, the OEO, and the local political elite. This caused several obstacles to progress. On the one hand, the objectives of the Johnson administration were impeded by the inability of the OEO to balance and manage the power struggles between local movements and local political leaders effectively. On the other hand, the "professionalization of reform" greatly reduced the participation and influence of the poor to a primarily symbolic role (Andrews 2001; Helfgot 1974; Friedland 1976). In addition, the administration of poverty programs required negotiations with many community groups, some of which were potential allies or opponents of civil rights activists. However, once the Johnson administration initiated the War on Poverty, local movements across the country attempted to

secure Federal resources and shape Federal programs to meet the specific needs of various poverty stricken communities (Patterson 1994). Thus, a critical linkage between the civil rights movement and the War on Poverty continued to evolve (Quandango 1980, 28).

Another set of challenges on the operational side of the War on Poverty further complicated matters. Many of the socioeconomic programs established under the War on Poverty platform lacked adequate funding and proper staff resources to ensure effective implementation (March 1983; Weiss 1987; Dallek 2012). Had the Johnson administration committed to fewer programs and maintained adequate staff and consistent resources, perhaps more of the administrative mechanisms originally conceived in the EOA-64 may have survived.

Many of the implementation challenges associated with EOA-64 were symptomatic of larger problems for the Johnson administration. Its continual attempt to reconstruct impoverished urban communities through meaningful civic engagement exercises between Federal field employees and economically disadvantaged citizens not only posed implementation challenges but did very little to produce meaningful empirical data. After 1964, Congress showed growing reluctance to appropriate the needed resources to support Johnson's antipoverty programs. The administration, as a result, began to struggle with how to maximize efficiency standards for programmatic implementation while simultaneously continuing to accelerate the reforms envisioned within the Great Society portfolio.⁸⁹

Despite all of these challenges, however, the War on Poverty had a tremendous impact in promoting the socioeconomic advancement of racial minorities and other chronically impoverished groups within American society. The War on Poverty stimulated the creation of a

⁸⁹ See Memorandum to President Johnson from Sargent Shriver, Director of OEO, dated May 17, 1966 (extrapolated in File WE9-1 at the LBJ Memorial Library in Austin, Texas); also Memorandum to President Johnson from Vice President Hubert Humphrey dated May 14, 1966 (extrapolated in File FG-440 at the LBJ Memorial Library in Austin, Texas).

number of important federal and state antipoverty initiatives that remain in place today, including Head Start, VISTA, and work-study programs for college students. These efforts, coupled with the civil rights advances of the era and strong economic conditions during the Johnson administration, resulted in a major decrease in the federal poverty rate from 19 percent to a historic low of 11.1 percent (Halpen and Agne 2014). And beyond these policy results, the War on Poverty triggered the deployment and utilization of various strategies that transformed how the American administrative state addressed some of the most pressing socio-economic problems affection the nation's poor and low-income citizens.

CHAPTER 7:

THE PURSUIT OF EDUCATIONAL EQUALITY IN THE UNITED STATES:

A LASTING CONTRIBUTION TO PUBLIC ADMINISTRATION

"I believe that every child has the right to as much education as he has the ability to receive."

--Lyndon Johnson, 1964

President Johnson's tenacious commitment to ensuring educational equality for America's socioeconomically disadvantaged shaped and solidified a dominant role for the Federal government in a policy arena traditionally void of Federal intervention. Such efforts continue to have enormous implications on the modern administrative state. Johnson viewed Federal leadership as a logical and essential extension of the New Deal (McGuinn and Hess 2005). Ensuring equal access to strong educational opportunities for all was one of the most important objectives of Johnson's Great Society agenda. A thorough review of the underlying philosophical, legislative, and administrative strategies deployed by the Johnson administration to create a comprehensive national education policy framework provides important insight into the origins and evolution of the intellectual history of the American administrative state specifically and to the Great Society platform more generally.

Prior to the 1950s, the issue of elementary and secondary education was conspicuously missing from America's national domestic policy agenda (Graham, 1993). Several events that took place in the 1950s, however, created an opportunity for Johnson to introduce a comprehensive vision for strengthening the nation's educational infrastructure, including pre-school, kindergarten through 12th grade, vocational, and post-secondary education. First, the passage of the G.I. bill to establish college and vocational education as primary conduits for readjusting former servicemen at the end of World War II back into American civilian life

resulted in an emerging national conviction in postsecondary education as a natural step to professional development and economic advancement (Kaestle 1982; Thomas and Brady 2005). Second, the race with the Soviet Union for arms and control over space perpetuated a larger national dialogue about the critical need for educating and training more Americans in specialized areas as a matter of national security (Paige 2006). The Soviet Union's victory over the U.S. in terms of entering into space first with the *Sputnik* satellite led to overwhelming bipartisan support for the National Defense Education Act of 1958. The legislation created an array of educational programs to support and encourage young Americans to pursue higher education in the sciences and mathematics, as well as created the nation's first student loan program (Paige 2006; McCurdy 2001). Stated succinctly:

The philosophical roots of the law go back to the 1950s, when, in the midst of the Cold War, this nation awoke in October 1957 to the sight of a Soviet satellite flying over its land. Prior to this seismic event, education was solely the responsibility of the states; the federal government had little involvement in this important policy arena. However, with the passage of the National Defense Education Act (NDEA), Congress pronounced that educational deficiencies, especially in the areas of mathematics, science, and modern foreign languages, were a critical reason the United States was falling behind the Soviet Union. Through the provisions of the NDEA, the federal government provided support to elementary, secondary and higher education institutions – both private and public – for the improvement of education. Although the funding was specifically targeted for mathematics, science, and foreign languages, the government also provided aid to other areas, including vocational education, counseling and guidance, school libraries, and educational media centers (Paige 2006, 462-63).

Finally, the major milestones associated with the legal and political victories related to the desegregation of public schools according to race brought down many racial barriers that were impeding educational equality (Ohmann 2012; Gallagher 2000; Harper et al. 2009). More specifically, the civil rights movement stimulated greater public acknowledgement of the economic and educational inequalities facing African-Americans and other racial minorities in

the U.S. and generated limited support for more direct Federal involvement within the public education arena.

The Supreme Court of the United States played a significant role in establishing the foundation President Johnson would later use to promote equality in public education throughout the nation. The landmark Supreme Court decision, *Brown v. Board of Education* (347 U.S. 483, 1954), maintained that segregation in public schools according to race violated the Equal Protection Clause of the Fourteenth Amendment. Three years after this decision President Eisenhower used Federal armed troops to enforce the Court's ruling in an effort to ensure the safety and protection of three African-American students attending an all-white public high school in Little Rock, Arkansas. This executive decision sent a strong message to the states that the Federal government would exhaust all options to enforce the law and the opinion of the nation's High Court. These events collectively paved the way for Johnson's aggressive focus on setting education reform as a national priority and a centerpiece of the Great Society agenda. For the field of public administration, it also demonstrates how Johnson used the presidency to transform a vital element of the nation's administrative infrastructure and therefore advance the democratic-constitutional foundations of the American state and its public institutions.

Administrative Strategies for Establishing Johnson's Vision for National Education

While many scholars, practitioners, and legislators critiqued the educational reforms of the 1960s for being idealistic and poorly conceived (Kaestle 1982; Anderson 2005; Thomas and Brady 2005; Ohmann 2012), the reality was that Johnson relied strongly on statistical data, which confirmed the dire state of the nation's existing educational structure to make the case for

prominent education reform. In 1964, Johnson conveyed to Congress the specifics of the educational crisis in the United States, some of which included the following statistics:⁹⁰

- There were approximately 100 public pre-school programs among the nation's 26,000 school districts, despite the growing body of literature that had confirmed the benefits of preschool education on academic performance and emotional growth;
- One in every three students did not complete high school, with almost a million young people quitting school permanently each year;
- 400,000 new classrooms were needed to accommodate an increase in elementary and secondary attendance by four million students within five years;
- 70 percent of the nation's public elementary schools had no libraries, and many schools averaged less than one-half book per child; and
- Only one out of three young people from low- or middle-income families attended college compared with four out of five from high-income families, with an estimated 100,000 graduating seniors not attending due to lack of monetary support.

Johnson included each of these figures in his formal remarks to Congress so as to make a stronger case for why public education was a national crisis that the Federal government needed to address holistically and aggressively. Additionally, the Johnson administration's work to create a carefully-crafted legislative package of reform proposals were greatly informed by the nation's leading education policy experts and through an exhaustive review process that involved both legislative and executive officials.⁹¹

From early on in Johnson's presidency, education reform was a centerpiece of the administration's domestic policy agenda. As a follow-up to the proactivity in the 88th Congress,

⁹⁰ Lyndon B. Johnson: "Special Message to the Congress: "Toward Full Educational Opportunity." January 12, 1965. Online by Gerhard Peters and John T. Woolley, *The American Presidency Project*. <http://www.presidency.ucsb.edu/ws/?pid=27448>.

⁹¹ Through the creation of the President's Task Force on Education in 1964, Johnson brought together experts from across the country to develop recommendations within six months in the areas of higher education; elementary and secondary education; educational attainment; federal aid to education; educational innovations; and academic curricula. These recommendations resulted in the first in a series of national policy papers submitted to Congress by the Johnson administration, and were used to create the legislative & administrative framework for Johnson's national education policy agenda. See Bernstein 1996.

which passed several education legislative initiatives, Johnson announced the hosting of one-day regional meetings in early 1964. The administration scheduled these events in five major cities throughout the nation to acquaint administrators and education officials with the provisions of the new legislation and “to help local administrators get started without delay.”⁹² Johnson appointed Dr. Francis Keppel, then-U.S. Commissioner of Education, to serve as his personal representative at these sessions, and to “convey to local school officials and educators my determination that we work together with new earnestness – at all levels – to make our vision equal to our responsibilities in educating American’s youth.”⁹³

Upon signing Executive Order 11185 (29 F.R. 14399, 3 CFR, 1964 Supp.), designed “to facilitate coordination of federal education programs,” Johnson stated:

There is nothing Americans care more deeply than the education of their children. The Federal government is spending large sums to help States, local communities, and institutions strengthen their educational programs. A number of Federal agencies have programs, which aid education. We want to be certain that every dollar is spent in such a way as to strengthen our schools, preserve local initiative, and contribute to better opportunities for the boys and girls and young men and women of this nation.⁹⁴

As the president began implementing his educational goals, Johnson deployed the aid of outside experts through the creation of a task force. John W. Gardner, president of the Carnegie Corporation, chaired this effort and later became Johnson’s Secretary of Health, Education, and Welfare. The primary task of the Gardner Commission was to formulate new and innovative thinking on the issue of federal education aid (Thomas and Brady 2005, 52-53). The commission proposed the idea of linking education aid to programs and policies associated with the War on

⁹² Lyndon B. Johnson: "Statement by the President on Recent Legislation in the Field of Education.," December 31, 1963. Online by Gerhard Peters and John T. Woolley, *The American Presidency Project*. <http://www.presidency.ucsb.edu/ws/?pid=26731>.

⁹³ Ibid, Footnote 48.

⁹⁴ Lyndon B. Johnson: "Statement by the President upon Signing Executive Order "To Facilitate Coordination of Federal Education Programs", October 16, 1964. Online by Gerhard Peters and John T. Woolley, *The American Presidency Project*. <http://www.presidency.ucsb.edu/ws/?pid=26624>.

Poverty. More specifically, the commission recommended that Federal education aid be categorical, or targeted according to specific needs, including the education of poor children (Jennings 2001).

In step with the Gardner Commission's work, Johnson issued the first in a series of policy papers on specific topics related to War on Poverty agenda in November of 1964. The first paper focused exclusively on the president's education platform. Johnson stated his emphatic position on the need for equal education for all in perhaps what is one of his most famous, and often cited, quotes:

I believe that every child has the right to as much education as he has the ability to receive. I believe that this right does not end in the lower schools, but goes on through technical and higher education – if the child wants it and can use it (1964, 3).

Suggesting that education was in a state of national crisis, Johnson argued that the country could no longer afford to ignore this critical issue: "This cannot continue. It costs too much – we cannot afford it. The whole Nation suffers when our youth is neglected....our youth will suffer a handicap that no amount of time – no amount of money – can remove."⁹⁵

Pledging to put education reform at the center of his administration's work agenda, Johnson emphasized the need for immediate action by the Federal government to broaden and improve the quality of the country's school base; concentrate teaching resources into urban slums and poor rural areas; expand and enrich the country's post-secondary education system; and strengthen state and local education systems.⁹⁶ Additionally, Johnson acknowledged the critical importance of future investments to ensure that America's adult population would have access to ongoing education to help them keep up with technological advancements in an ever-changing world (Bernstein 1996; McCurdy 2001; Paige 2006).

⁹⁵ Lyndon B. Johnson: "Presidential Policy Paper No. 1: Education," November 1, 1964. Online by Gerhard Peters and John T. Woolley, *The American Presidency Project*. <http://www.presidency.ucsb.edu/ws/?pid=26703>.

⁹⁶ Ibid, Footnote 51.

In a special message to Congress on January 12, 1965, President Johnson laid out his vision for a comprehensive agenda toward a national goal of “Full Educational Opportunity.”⁹⁷ As Johnson indicated, four major tasks confronted the nation: (1) Bringing better education to millions of disadvantaged youth who required the most support; (2) improving access to the best educational equipment, ideas, and innovations within reach of all students; (3) advancing the technology of teaching and the training of teachers; and (4) providing incentives for those who wanted to learn at every stage of life.⁹⁸ Referring to educational reform as “the number one business of the American people,” Johnson outlined a national educational platform that spanned pre-school, elementary and secondary education, and postsecondary educational options.

In order to expand pre-school educational options to children from low-income families, Johnson designated \$150 million for pre-school projects under the War on Poverty’s Community Assistance Programs (CAPs). Based on early demonstrations in several pre-school programs in urban centers across the country, Johnson’s proposal included the initial seeds for the nation’s Head-Start program.⁹⁹

With regard to elementary and secondary education, Johnson recommended strategies that included aid to low-income school districts, library resources and instructional materials for schools, the creation of federally-funded supplementary educational centers and services, and the establishment of regional educational laboratories to train teachers on course curriculum and classroom design.¹⁰⁰ Understanding the critical role of state leadership to improving the focus on and quality of elementary and secondary education, Johnson also proposed Federal grant

⁹⁷ Lyndon B. Johnson: "Special Message to the Congress: "Toward Full Educational Opportunity," January 12, 1965. Online by Gerhard Peters and John T. Woolley, *The American Presidency Project*. <http://www.presidency.ucsb.edu/ws/?pid=27448>.

⁹⁸ Ibid, Footnote 54.

⁹⁹ Ibid, Footnote 54-55.

¹⁰⁰ Lyndon B. Johnson: "Special Message to the Congress: "Toward Full Educational Opportunity," January 12, 1965. Online by Gerhard Peters and John T. Woolley, *The American Presidency Project*. <http://www.presidency.ucsb.edu/ws/?pid=27448>.

assistance directly to state educational agencies to support the following activities: technical assistance for local school districts and local school leadership; formulation of long-range strategic plans; expansion of educational research and development; improvement of local and state information about education; identification of emerging educational problems; training of state and local education personnel; periodic evaluations of educational programs; and promotion of teacher development and improvement.¹⁰¹ Johnson also wanted to establish a strong connectivity between the new educational programs he was proposing and his administration's existing anti-poverty efforts:

These new programs will substantially augment community resources in the war against poverty. As provided by sections 611 and 612 of the Economic Opportunity Act of 1964, I will see that the new efforts are kept in step with our other anti-poverty efforts. In those localities where the community has undertaken a Community Action Program under the Economic Opportunity Act; the community agency should participate in the planning of these new educational programs and in their coordination with ongoing and developing anti-poverty efforts.¹⁰²

The final area in Johnson's education platform centered on the need to both improve the quality of existing college and university programs as well as increase the number of young Americans pursuing post-secondary education programs by making these options more accessible and more affordable. To this point, Johnson often remarked, "Higher education is no longer a luxury but a necessity."¹⁰³ Johnson's initial plans included assistance to students in the form of scholarships, expanded work-study opportunities, and increased guaranteed student loan options; he also encouraged financial support to smaller colleges; support for college library resources; university community expansion programs; and focused investments in specialized vocational training for high growth industries.¹⁰⁴

¹⁰¹ Ibid, Footnote 102.

¹⁰² Ibid, Footnote 102.

¹⁰³ Ibid, Footnote 53.

¹⁰⁴ Ibid, Footnote 102.

The administration simultaneously advocated for a number of policy initiatives that served as an implementation mechanism for this ambitious national education reform agenda. These efforts included the Vocational Education Act, the initiation of Head Start, the Elementary and Secondary Education Act, and the Higher Education Act and its reauthorization. The administration's development and implementation of these education reform efforts posed major changes to the field of public administration and also illustrated some of the conflicts that emerged in the pursuit of advancing democratic-constitutional norms and values.

Administrative Themes in the Enactment of the Elementary & Secondary Education Act – The Centerpiece of Johnson's National Education Platform

In response to the overwhelming barriers that impeded children from economically poor backgrounds from accessing viable public education options, Johnson championed the Elementary and Secondary Education Act (ESEA), which remains one of his signature contributions to educational reform in the United States. On Palm Sunday 1965, in a one-room schoolhouse in Johnson County, Texas, Johnson signed the ESEA into law. Immediately afterwards, the president proclaimed:

By passing this bill, we bridge the gap between the helplessness and hope for more than five million educationally deprived children in America. We put into the hands of our youth more than thirty million new books, and into many of our schools their first libraries. We reduce the terrible lag time in bringing new teaching techniques into the nation's classrooms....And we rekindle the revolution – the revolution of the spirit against the tyranny of ignorance.¹⁰⁵

Congressional approval for the landmark legislation had to overcome a tremendous amount of resistance from several political factions who feared Federal interference in racial segregation practices and predicted Washington would seize control of educational decisions;

¹⁰⁵ Lyndon B. Johnson: "Remarks in Johnson City, Tex., Upon Signing the Elementary and Secondary Education Bill," April 11, 1965. Online by Gerhard Peters and John T. Woolley, *The American Presidency Project*. <http://www.presidency.ucsb.edu/ws/?pid=26887>.

decisions that states and localities had always made for themselves (Robelen 2005, 4). Such tensions made the expeditious passage of the ESEA impressive by any measure,¹⁰⁶ another indication of Johnson's extraordinary prowess over Congress. A passionate fervor from President Johnson to secure support for the bill predicated the ESEA's success in Congress. At a White House ceremony three days after signing the legislation, Johnson publicly asserted the importance of improving elementary and secondary education for the nation and for his administration. He also alluded to how personal this legislative effort had been to him: "I worked harder and longer on this measure than on any measure I have ever worked on since I came to Washington in 1931 – and I am proud of it" (Dallek 2004, 195). The ESEA brought a "sea of change for federal involvement in schooling" (Robelen 2005, 3).

The administration's strategy for enforcing the ESEA was multi-faceted. These implementation components included: changing Federal education funding from general aid towards categorical aid; connecting education funding to national concerns such as poverty and economic growth; addressing the potential religious conflict that could theoretically emerge by linking federal aid to programs who were helping the poor in parochial schools rather than to programs helping the schools themselves; and, involving the states in the educational decision-making process. This was especially important, because the Federal government decided to rely on states to administer the funds in order to elevate concerns that states no longer had the primary role in elementary and secondary education (Cervantes 2005, 19).

In a word, the ESEA served as the centerpiece of the Johnson administration's education policy agenda. Its primary focus was to infuse Federal funding into local school systems. These financial resources went to support public schools that were serving low-income children in poor

¹⁰⁶ Despite political concerns over the federal government's enlarged role in education issues, the bill passed by a vote of 263-153 in the House and 73-18 in the Senate.

communities. This effort directly linked the ESEA and educational reform to the overall Great Society platform.

The Effects of Creative Federalism in ESEA Implementation

As previously mentioned, the ESEA represented a major shift in the role of the Federal government:

Not only did [ESEA] expand the federal government's role in public education, but for the first time, money from Washington was being explicitly linked to national policy concerns – in this case, the hoped-for eradication of poverty by means of education (Paige 2006, 463).

The ESEA also symbolized widespread consensus among policymakers and researchers that intervention by the Federal government was necessary to tackle the nation's educational crisis among poor children. Nevertheless, there existed strong philosophical debates over poverty in the United States, how educational inequality contributed to poverty, and what was the appropriate role of government, especially the Federal government, in addressing these concerns (Kaestle 1982; Anderson 2005; Thomas and Brady 2005; McGoinn and Hess 2007; Ohmann 2012).

The ESEA was originally intended to infuse Federal resources into public education while leaving the decisions regarding how to spend these resources and how to implement key education reforms in the hands of state and local education authorities (Kaestle 1982; Anderson 2005). Johnson was cognizant of growing tensions over the Federal government's increasing reach into some of the socioeconomic issues predominantly delegated to the states, and he attempted to alleviate these concerns directly in a special message to Congress in December 1963. To this point, the president noted:

In all that we do, we mean to strengthen our state and community education system. Federal assistance does not mean federal control – as past programs have proven. The late senator Robert Taft declared, "Education is primarily a state function but in the field

of education, as in the field of health, relief and medical care, the Federal government has a secondary obligation to see that there is a basic floor under those essential services for all adults and children in the United States.¹⁰⁷

Johnson's efforts were short lived, however, and states soon began to resent Federal intervention within elementary and secondary education. Within a few months after Congress passed the ESEA, the tension between the Federal government and the states created a serious challenge for American federalism. McGuinn and Hess (2007) underscore this growing frustration.

Over time, however, federal legislative enactments, bureaucratic regulations, and court mandates in education became increasingly numerous and prescriptive, and federal influence over schools grew significantly. As a result, the political debate shifted from whether the federal government had an obligation to promote educational opportunity to the effectiveness of these efforts (1).

Over three decades later, U.S. Commissioner of Education Harold Howe described the ESEA in a 1999 interview with *Education Week* as representing "the first really direct reach into [all] school districts in the United States" (Robelen 2005, 3). And while national public support for equality in education was increasing, political opposition to the Federal government's expanded role in education remained strong. This political tension continued as Federal agencies tasked with implementing ESEA were significantly transformed, especially in terms of role, scope, and responsibility:

.....the creation of federal categorical programs required that federal educational institutions shift from what had been largely an information gathering and disseminating role to a more supervisory role in the administration of the new federal funds and programs. Given the political opposition to federal "control" in education, however, it had been impossible to include rigorous compliance provisions in ESEA, or even the kind of administrative requirements that were normally attached to categorical grants (McGuinn and Hess 2007, 6).

In order to circumvent this dynamic, Congress often tied eligibility for federal funding support to state matching fund requirements,¹⁰⁸ to the implementation of centralized offices coordinating

¹⁰⁷ January 12, 1965 Statement of President Johnson regarding the Elementary & Secondary Education Act (Public Papers of the Presidents of the United States, Lyndon B. Johnson: Containing the Public Messages, Speeches and Statements of the President, 1965, (in Two Books). Book I, January 1 to May 31, 1965, Volume 1).

local-state-Federal education resources, and to the expansion of the size and role of state education agencies with regard to managing education reforms and monitoring and evaluating progress over time (Kaestle 1982; Anderson 2005; Thomas and Brady 2005; Ohmann 2012). The institutionalization of state education agencies (SEAs) was a primary objective of the ESEA, which provided funding for strengthening SEA administrative capacity so as to meet new, federally-imposed responsibilities effectively and to further solidify a strong Federal influence on the direction of education activities at the state level. As McGuinn and Hess (2007) correctly observed:

Administrative centralization at the state level also ultimately made education more susceptible to federal regulation by reducing the number of decision-making foci. In practice, centralization also meant that local decision-makers had less and less flexibility in how they ran their schools (7).

Equity versus Equality: A National Debate over the Reach of ESEA Title I Assistance

With regard to implementation, the ESEA also created an environment in which the competing values of equity and equality were placed against one another. Such a dynamic underscored the difficult challenges the Johnson administration faced by targeting policies toward aimed at improving the chronically underserved and socioeconomically disenfranchised. In its quest for assuring equality in education access and academic attainment, the issue of fairness in Federal investments for all students in public education began to surface, which called into question Johnson's continued focus of investing resources and efforts toward racial minorities and poor communities. This dilemma arose out of a growing national recognition that elementary and secondary education was a guaranteed right found within the nation's constitutional heritage (Anderson 2005; Thomas and Brady 2005; Page 2006). This debate made

¹⁰⁸ Federal funds for elementary and secondary education more than doubled in the ten years following passage of the ESEA. Over the same period, and likely due to state matching requirements, state funding for elementary and secondary education increased from 41 percent to 55 percent, while local spending decreased from 51 percent to 31 percent (McGuinn and Hess 2007).

its way to Congress shortly before the law passed. The Democrats and Republicans questioned whether the Federal government should restrict ESEA Title I services¹⁰⁹ to poor children who were educationally disadvantaged or should the ESEA benefit all children at risk for school failure, regardless of socioeconomic status (Stein 2004).

If the Johnson administration wanted the ESEA to move forward swiftly, it had to devise a strategy that would appease conservatives who feared the Federal government was involving itself in state and local politics. It also had to be mindful of the growing opposition of key national interest groups, primarily of Democratic persuasion, who had long advocated for a much broader scope of Federal funding support to ensure strong public education infrastructure across the country without a specific targeted population in mind. A number of special interest groups benefiting directly from Federal aid to education including teachers' unions, parent groups, and state and local education agencies soon became a political force to negotiate with in Washington. They used their collective influence to advocate for policies and programs that would benefit their respective constituency groups. This type of advocacy for elementary and secondary education is part of the lasting legacy of the Johnson administration. According to Graham (1984):

By the end of the Johnson administration, the very proliferation of Great Society programs...reinforced the growing triangular networks with a vested interest in maximizing their benefits by pressing willing congressional authorizing committees to exceed by large margins the president's budget requests, especially in education (193).

¹⁰⁹ Title I is a major source of funding for school districts across the country: "Per the provisions of the Elementary and Secondary Education Act of 1965 to provide federal funding to schools in need, Title I of the Act provides the necessary provisions to allocate this funding. A school with more than 40% of its students classified as low income by the US government qualifies for Title I designation. The purpose of this funding is to increase test scores and encourage academic development so that these children may have the means to escape poverty. The school must demonstrate a willingness to work on improving the quality of education available to its students. Title I grants go typically to elementary school children in both public and parochial schools between grades 1 to 6. This funding, which represents the growing prominence of the federal government in formerly the state-local matter of education, enables the federal government to at times, dictate policy, with the threat of withholding future funding," (U.S. Department of Education). See more at: <http://education.laws.com/elementary-and-secondary-education-act#sthash.GDEErWqe.dpuf>.

Eventually, the Johnson administration developed a compromise strategy to tailor Federal aid solely to poor children, but without restrictions on the type of public school they attended. This still allowed for the administration to disperse federal funds – and influence – around to schools throughout the country, but in doing so, however, it undercut the mainstream political concerns about Johnston’s vision.

In many ways, the ESEA represents a redistributive effort and policy to advance and improve public education. Originally, Congress intended Title I of the ESEA “to provide financial assistance to local educational agencies serving areas with high concentrations of children from low-income families to expand and improve their educational programs by various means” (Kirst and Jung 1991, 45). However as states and localities began using Federal dollars for educational purposes, they undermined Congress’ original purpose when it passed the ESEA, particularly with regard to impacting low-income families and communities positively. As McGuinn and Hess illustrate:

Title I was designed to assist communities with a high concentration of low-income families (defined as families earning less than \$2,000 annually) by raising per-pupil expenditures. The nature of the legislative process, however, meant that the redistributive edge of ESEA got rubbed off as money was spread around in exchange for political support. In the end, the funding formula was designed to maximize the number of school districts (and thus the number of Congressional districts) that would be eligible and the restrictions on how the money could be spent were loosened considerably. Ninety-four percent of the school districts in America ultimately received ESEA funds and the Act allowed Title I funds to be used for a variety of purposes including hiring additional staff, purchasing classroom equipment, or for classroom instruction. The result was that ESEA would, despite Johnson’s initial desire, remain a hybrid program, both distributive and redistributive in its design and impact. The political incentives for local school authorities and state policymakers—and at times national politicians—to disperse education funding broadly would lead to a longstanding struggle over its focus on disadvantaged students (2007, 8).

Thus, while Johnson's vision was to infuse Federal resources to target educational assistance to those students and communities who were facing the greatest financial hardships, the result was more of a disbursement strategy based on equity as opposed to ensuring equality.

Although the Johnson administration understood that the original intent of Title I of the ESEA was to provide categorical aid to target socioeconomically disadvantaged students, the reality told a different story. States and localities began using Title 1 funds in a widely unchecked environment. The Federal government provided little oversight, and these resources, as a result, funded educational activities for a wide variety of students across school districts. In other words, while ESEA centered on the principle of equality in educational access, the rationale for the legislation became entrenched in a competing principle of equity to promote improved educational opportunity for all children and youth as a conduit to stimulating increased national socioeconomic advancement. This had severe implications for the Johnson administration as it attempted to implement the competing goals of the final legislation.

Consequences of Limited Federal Authority in ESEA Implementation & Monitoring

In an effort to strike a balanced local-state-federal approach for ESEA implementation and monitoring and for addressing concerns regarding the Federal government's newfound role in the country's public education system, Congress intentionally limited the administrative powers of the U.S. Office on Education (USOE) to guide, monitor, or ensure compliance with implementing the new law effectively:

It quickly became clear that the implementation challenges surrounding ESEA were especially difficult and that the compromises required to gain congressional approval of ESEA in many ways compromised the legislation's original goal of improving educational opportunities for poor children. First, as noted, the legislation itself (as discussed above) incorporated multiple goals and methods, some of which were incompatible with one another. Second, the original ESEA gave federal administrators few tools to force compliance with federal directives and goals in the use of ESEA funds. Third, even if such tools had been available, the agency charged with implementing

ESEA, the USOE, was for several years after its passage disinclined or unable to make use of the compliance tools it had. Fourth, lingering opposition to federal control of education ensured that attempts to administer ESEA rigorously would generate a strong political backlash (McGuinn and Hess 2007, 7).

It became immediately evident to Johnson and his senior advisers that USOE, as organized, was poorly constructed to handle the implementation of ESEA, let alone all of the other education reform initiatives being added to its previously limited scope. The ESEA provided little administrative authority to USOE in ensuring the compliance of school districts or state governments in meeting Federal regulations around the appropriate implementation of various components outlined in the bill (Thomas & Brady 2005; McGuinn and Hess 2005). It also did not specify any repercussions for states and school districts that fell out of compliance (Thomas and Brady 2005; McGuinn and Hess 2007).

In fact, the ESEA explicitly stated that the Federal government could not “exercise any direction, supervision, or control over the curriculum, program of instruction, administration or personnel, or over the selection of any instructional materials in any educational institution or school system” (P.L. 89-10, Section 604). Congress intentionally gave states and school districts discretionary decision-making for how to spend the new Federal money. USOE, on the other hand, viewed its role purely as administering the funds and not necessarily as monitoring the use of those funds or ensuring compliance with the Federal statute. The radical shift and expansion of USOE’s roles and responsibilities that occurred shortly thereafter was overwhelming for the agency, its leadership, and its career staff (McGuinn and Hess 2007).

The wide latitude Congress gave to school districts and the lack of compliance mechanisms in ESEA were serious barriers to effective implementation and led to widespread abuse in the utilization of Title I funds among other compliance issues (Murphy 1973; Thomas and Brady 2005). In a landmark study published in 1969, Ruby Martin of the Washington

Research Project and Phyllis McClure of the NACCP's Legal Defense and Education Fund captured examples of the abuses associated with ESEA implementation tactics. In their report entitled, *ESEA: Is it Helping Our Children*, Martin and McClure found that states had misappropriated more than 15 percent of Title I funds in the first five years of ESEA implementation. More specifically, Martin and McClure noted:

We found that although Title I is not general aid to education but categorical aid for children from poor families who have educational handicaps, funds appropriated under the Act are being used for general school purposes: to initiate system-wide programs, to buy books and supplies for all school children in the system, to pay general overhead and operating expenses, to meet new teacher contracts which call for higher salaries, to purchase all-purpose school facilities, and to equip superintendents' offices with paneling, wall-to-wall carpeting, and color televisions (1969, 57).

The Martin-McClure report brought considerable national attention to the early problems of fiscal abuse in the ESEA implementation (Thomas and Brady 2005). As a result, Congress amended the ESEA several times since its inception, ironically infusing, to a paternalistic degree, Federal oversight over compliance, monitoring, and performance measurement (McDonnell 2005). In each instance, the goal of more precisely achieving the congressional intent of assisting educationally disadvantaged students from low-income families is ever-present. Additionally, these amendments worked to balance this contentious debate concerning the preservation of state rights and state sovereignty with the pursuit of educational equality and accountability (McDonnell 2005).

Tip of the Iceberg: Implementing Other Aspects of Johnson's National Education Reform

Agenda

Although the ESEA was at the center of Johnson's national education reform agenda, it was not the only domestic policy associated with the president's War on Poverty agenda. Other major efforts included the Head Start preschool program, implementation of the Vocational

Education Act, and passage and implementation of the Higher Education Act. It is important to note that the ESEA also grew during the later years of the Johnson administration, with programs added specifically to focus on children with disabilities, students requiring bilingual education, and those facing other barriers to educational achievement.

One of those shaping events was the initiation of the Head Start Program that Johnson designed to be a part of the War on Poverty campaign. Initially conceived as a summer program for children in poverty, the government enrolled over 561,000 children in 1965, and, in retrospect, with highly unrealistic goals. As Gallaher (2000) describes:

The notion that initiating a program for 4-year olds could erase the effects of past and future poverty seems overly optimistic, to say the least. But the decision makers were considerably more pliable than it turned out to be, at least with the program enrichment tools then available (2).

The Vocational Education Act (P.L. 88-210; 77 Stat. 403) was another cornerstone in Johnson's national education agenda. In his remarks at the signing ceremony for this legislation in December 1963, Johnson reminisced about his days as a local administrator in Texas at a time in his career when he supervised vocational work and study programs. This experience reinforced Johnson's commitment for stronger Federal investments towards vocational education. According to Johnson, "Modern demands upon labor and industry require new skills and an upgrading of old skills, require more education and greater knowledge" (1963, 1).

For the first time, this legislation also provided Federal funds to support the construction of new vocational schools; to encourage research projects to improve the quality of vocational training; authorized experimental pilot programs for residential vocational education to attempt to decrease the high school dropout rate, which often resulted in severe unemployment in economically poor communities; and extended the student loan program under the National

Defense Education Act (NDEA).¹¹⁰ Of historical note, the NDEA served as a prelude to the larger expansion of vocational education and training that the Higher Education Act would later provide. Quite simply, Johnson regarded the Vocational Education Act as a significant, positive step toward connecting his education reform agenda to his War on Poverty strategy.

I believe that this measure, together with the Manpower Development and Training Act, places us in a position to make a major attack on one of the most important obstacles of economic growth and productivity. It is a reaffirmation of our conviction that education is the cornerstone of our freedom.¹¹¹

Once again, Johnson was making the case that public education initiatives of all kinds were representative of the nation's democratic-constitutional tradition. By means of comparison, this argument was quite similar to those made by Thomas Jefferson in his retirement years when he worked to create the University of Virginia (Newbold 2010). In a word, Johnson's collective effort to improve the nation's education system on all fronts makes him an important figure within the development of public administration in the 20th century.

As previously described, Johnson's national education reform agenda covered the lifespan of educational opportunity, from pre-school to higher education. The administration's approach toward passage of the ESEA, and in particular, the linking of educational funding to the War on Poverty, helped pave the way for passage of a bill focused solely on increasing postsecondary education opportunities in the United States (TG 2005, 19). Prior to sponsoring the Higher Education Act (HEA), the Gardner task force studied the role of Federal aid in promoting higher education, and determined that the ability of individuals to pay for higher education should not be the controlling factor for educational attainment. From Johnson's perspective, however, this research reflected a loss of human capital, and the only solution to this

¹¹⁰ Ibid, Footnote 102.

¹¹¹ Ibid, Footnote 61.

problem and to ensuring the country's national security and economic advancement was to reduce the costs to higher education significantly (Semas 1972). According to the administration, reducing the cost of higher education would eliminate barriers to educational attainment and would help the country increase educational attainment and move towards a great society. The Gardner task force made several recommendations, most of which eventually made their way into the HEA, including: providing grants in aid to those students who were in the most financial need; expanding work-study programs; extending the use of guaranteed loans; and the introduction of merit-based scholarships (TG 2005, 19). Additionally, the Gardner task force cautioned against the introduction of tax credits for tuition and other educational expenses, meaning this strategy would not address the educational cost barriers for students who lacked the initial resources to pay for their post-secondary programs.

The final version of the HEA contained five sections. Title I authorized grants to states to strengthen community services programs operated by colleges and universities. It also created the National Advisory Council on Extension and Continuing Education to oversee the projects and consolidation or elimination of any programs that overlapped or were unnecessary. Title II authorized basic grants for college library materials and equipment; special grants for colleges with special needs' students; and training grants for developing college librarians. Title III focused on the provision of aid to developing institutions comprised predominately of African-American institutions in the southern United States, notable Historically Black Colleges and Universities (HBCUs).

The inclusion of Title III is significant in that a similar effort to incorporate support for developing institutions in the NDEA just seven years prior was eliminated. Clearly, the passage of the Civil Rights Act of 1965 had a significant impact on the American public's perception of

race, identity, and equality; as such, the inclusion of Title III in the HEA demonstrated just how much American society had evolved in seven short years. Ironically, Title III almost did not survive, though for the exact opposite reason that similar efforts failed to gain the necessary political support in the NDEA (Cervantes 2005). In 1958, the proposal failed to garner necessary political support, because Congress feared that providing assistance to predominantly African-American colleges would promote their integration; by contrast, in 1965, Congress feared that providing HBCUs with targeted financial assistance would not result in true integration (Harper et al. 2009).

Title IV authorized Federal aid to students for higher education and was both the most far-reaching as well as the most controversial of the HEA measures. It provided Federal “scholarships” or grants, and federally insured loans with subsidies on interest for eligible full-time students. When Congress enacted the HEA, grants were primarily intended for low-income students, while loans were targeted towards the middle-class (Harper et al. 2009; Cervantes 2005). Today, however, Congress has greatly expanded the loan portion of Title IV well beyond the middle class, representing the largest component of federal aid for all students regardless of their income background. Title IV also transferred the work-study program from the Office of Economic Development (OEO) to the Office of Education and extended the National Defense Student Loans (NDSL) enacted in the NDEA.

Part A of Title IV created the Educational Opportunity Grants and the TRIO programs. TRIO programs provide Federal resources for outreach services for students of low-income students (Cervantes 2005). The means available for financing education, and the government’s support for aid prior to passage of the HEA, were ill-suited for low-income individuals who often did not have the means to provide professional development skills. Johnson made it clear that he

wanted to solidify the Federal role in higher education. “The important role of the federal government is somehow to do something for the people who are down and out, and that’s where its major energy in education ought to go.”¹¹² The purpose of the Educational Opportunity Grant, which Congress later renamed the Supplemental Educational Opportunity Grant program (SEOG), was to provide institutions of higher education with resources, and the institutions would subsequently determine which students qualified for these benefits. This approach created notable challenges in terms of ensuring equality and accessibility within higher education, a problem that Johnson not only recognized but emphatically argued had to be addressed. In 2014, nonetheless, the nation is still trying to address many of these concerns:

In keeping with the precedent established by ESEA, the federal government would appropriate funds to the states. These funds would be allocated based on the ratio of full-time postsecondary students in each state to the total number in the country. The states would then allocate funds to the institution, which, in turn, would allocate them to the student based on need. Johnson wanted a ceiling on parental income, a specified level above which a student would not be considered eligible for the grant, but he did not succeed in getting that put into the bill, nor was a formula for determining need developed. Instead, it was left up to the institution to determine the student’s need, which meant that two students with the same financial resources and the same cost of attendance might receive different grant amounts. This inequity would be addressed in future reauthorizations of the HEA (Cervantes 2005, 23).

The TRIO program represented the second half of Part A. It was a culmination of three separate grant programs, including Upward Bound, a program that was originally part of the War on Poverty in 1964, in which the Department of Education contracted with public, nonprofit, state, and local educational agencies to encourage disadvantaged youth to attend college.

Part B of Title IV initiated the Guaranteed Student Loan (GSL) program, which served as a precursor to the Federal Family Education Loan Program (FFELP) and is now the largest source of financial aid to students in the country (Cervantes 2005). The Johnson administration originally proposed the GSL program based on the idea that loans, which come from private

¹¹² Ibid, Footnote 61-62.

lenders serve as a way to replace the Federal costs associated with the National Direct Student Loan Program (NDSL) of the National Defense Education Act (NDEA), which were direct Federal loans. After much deliberation and negotiations with Capitol Hill, Congress agreed that the Federal government would act as a guarantor on these loans when there was no other guarantor available. And this was precisely what Johnson had proposed (Harper et al. 2009).

The Higher Education Act (HEA) also expanded the existing Federal Work-Study Program that was originally part of the War on Poverty programs run by the OEO. Additionally, this legislation transitioned the NDSL Program into the Carl Perkins Loan program, and Congress repositioned it into the HEA with the Upward Bound and work-study programs. The Perkins loan program provided low-interest loans to the most financially indigent undergraduate, graduate, and professional students. The final aspects of HEA included the establishment of Teacher Corps and other teacher continuing education programs (Title V); the improvement of undergraduate instruction via technological updates (Title VI); and funded construction of new educational facilities (Title VII).

The HEA compelled the Federal government into maintaining a dominant role in the financing of higher education for generations of Americans. In addition to the profound impact of the Johnson administration's implementation of various federal grant and loan programs, the HEA symbolized a long-term commitment by the Federal government to establish and improve of higher education facilities, increase faculty and professional staff, and maintain technical resources.¹¹³

As the administration began to implement the ESEA and HEA, various administrative problems ensued. When Congress reauthorized both landmark statutes, the ESEA in 1966 and

¹¹³ Lyndon B. Johnson: "Remarks Upon Signing the Higher Education Facilities Act," December 16, 1963. Online by Gerhard Peters and John T. Woolley, *The American Presidency Project*. <http://www.presidency.ucsb.edu/ws/?pid=26387>.

the HEA in 1968, this resulted in vast improvements to address key challenges that were impeding the effectiveness of the programs. With regard to the ESEA, a growing demand for greater accountability standards and performance measurement tools to ensure appropriate use of Federal funds catapulted the Federal government into a predominant enforcement role not fully anticipated by the Johnson administration (Orfield 2009). Additionally, Congress created a new title (Title VI) to provide grants to education systems for supporting the education of students with disabilities. This section of the ESEA eventually became the Individuals with Disabilities Education Act (IDEA). Unfortunately, as was the case in so many of Johnson's ambitious pursuits, local and state agencies largely viewed the IDEA as an unfunded federal mandate. This has led to decades of operational problems and distrust among school administrators, faculty, and families of children with special needs. According to Gallagher (2000):

The cost of providing special education services has been estimated at between \$25 and \$30 billion per year, with the federal government contributing only \$4 billion of that total. (The remaining amount constituted an enormous unfunded federal mandate that localities and states had to finance on their own.) Special education programs have become the fastest growing part of the state and local education budget and the second largest federal education program (3).

This is but one example of how the ESEA metamorphosed over time, and became the impetus for a permanent Federal role in the nation's education system.

Congress aimed the HEA amendments of 1968 at transitioning the majority of the nation's student loans to the private sector, while keeping interest rates and loan terms reasonable so as to attract students. This trend, however, diminished significantly in the 1990s when future administrations chose to further the Federal government's direct provision of loan assistance to students, bypassing the intermediary role of private lenders or guarantee agencies.

Impact of President Johnson's Education Platform on American Public Administration

Throughout Johnson's presidency, the administration and Congress worked together to develop the Federal groundwork for investing in the nation's educational system. This effect resulted in the transformation of key educational opportunities for the American citizenry, from Head Start for preschoolers to Pell Grants for college students. And the framework developed in the 1960s continues to serve as the cornerstone of education policy today, albeit having undergone significant changes to address issues of federalism and state rights, equality and equity, aid and accountability, and various interest groups with diverse, often contentious, missions. Since the 1970s, the credibility of Johnson's Full Education Opportunity platform has undergone severe critique and criticism, largely as a result of its connection to and alignment with the Great Society agenda:

Growing perception arose in the 1970s that federal education policy – like many aspects of the Great Society – had become more about providing entitlements and protecting rights than about enhancing opportunity or demanding responsibility (McGuinn and Hess 2007, 11).

The ESEA continues to serve as the landmark legislative foundation for the nation's elementary and secondary education system, but its original seeds are but a shadow of its vast reach today. One significant change is how the law affects every aspect of elementary and secondary education. The current legislation in various ways affects all public schools and students, not just disadvantaged youths. As previously noted, today's ESEA is focused primarily on finding ways for the Federal government to hold states and school districts accountable for demonstrating improved academic performance for all students; at the same time, however, the achievement gaps for poor and minority children that were a national crises in the 1960s continue, largely unabated (Robelen 2005). Title I of the 1965 statute remains an important tool, nevertheless, to assist the government in focusing on and addressing the needs of disadvantaged students to improve academically.

Johnson's larger education policy portfolio also had tremendous impacts on increasing the role of the Federal government in financing enormous elements of elementary, secondary, and post-secondary education. The perception persisted in the 1970s that Federal education policy – like many aspects of the Great Society – had become more about providing entitlements and protecting rights than about enhancing opportunity or demanding responsibility. And this inevitably fueled the enduring debate regarding whether the Federal government was overreaching in a policy area that should be left to state and local entities out of fear that increased Federal funding for education would also result in Federal intrusion within the management and organization of local school districts (McGuinn and Hess 2007). Undue Federal influence in the 1960s, however, pales in comparison to the level of direct Federal engagement in educational issues today. And yet it remains questionable whether Johnson would have objected to the additional Federal intervention, if it resulted in greater access to high quality education for all students. Robelen's astute observation highlights this reflective point:

It's hard to guess what Mr. Johnson would make of the aggressive federal role under the No Child Left Behind Act. But Maris A. Vinovskis, an education historian at the University of Michigan, argues, "He [Johnson] didn't have any qualms about states' rights and the use of central-government power. What Johnson would have done [would be] whatever it takes to make this work, money or whatever else is needed...he would have the hubris to think that his solutions, or his proposed solutions, are right (2005, 14).

The Johnson administration's contribution to the educational advancement of the nation permanently shifted education from a national concern to a national priority for all subsequent presidential administrations. As Sundquist (1968) astutely observed: "The future question will be, henceforth, not *whether* the national government should give aid but *how much* it should give, for what purposes—and with how much federal control" (16).

In conclusion, Lyndon Johnson's role in shaping the Federal government's role within elementary, secondary, and higher education dramatically changed the American administrative

state. Such efforts provide a concrete example that clearly illustrates the impact of the Johnson administration on public administration and demonstrates how a U.S. president used this policy platform to progress the democratic-constitutional foundations of the American republic.

CHAPTER 8

FAIR HOUSING, FULL EMPLOYMENT:

CREATING EQUAL OPPORTUNITY AS PART OF THE GREAT SOCIETY AGENDA

“The ideal of equal opportunity, I believe, is the bedrock ideal of our society and of our system. I am grateful for the opportunity I had to work for that ideal’s great realization.”

(--Lyndon Baines Johnson, 1964)

“It is the beginning of a very exciting adventure. We are setting out to make our cities places where the good life is possible...for everyone.” (--Lyndon Baines Johnson, 1966)

The Johnson administration recognized early on that community action and maximum feasible participation, while chief elements in the War on Poverty framework, would not alone eliminate the multiple barriers affecting the economic plight of racial minorities and other at-risk subpopulations. As such, the administration began focusing on massive investments in infrastructural reforms and strategic planning that emphasized the goals of full employment and fair housing.¹¹⁴ These efforts were critical for realizing the ambitious vision of the Great Society.¹¹⁵ At the epicenter of this vision was Johnson’s quest for urban renewal and revitalization. As the president highlighted in a March 14, 1967 speech:

In the 1960s, we have begun to devise a total strategy against poverty. We have recognized that public housing, minimum wages and welfare services could not, standing alone, change the bleak environment of deprivation for millions of poor families. A successful strategy requires a breakthrough on many fronts: education, health, jobs and job training, housing public assistance, transportation, recreation, clean air, and adequate water supplies. The basic conditions of life for the poor must, and can, be changed (2).

Johnson’s position here represented one of the most important attempts, and ambitious executive efforts in American executive history, to solve a serious and overwhelming domestic problem.

At this time, the nation was also coming to terms with a profound sense of urgency with

¹¹⁴ Lyndon B. Johnson: "Special Message to the Congress on Equal Justice," February 15, 1967. Online by Gerhard Peters and John T. Woolley, *The American Presidency Project*. <http://www.presidency.ucsb.edu/ws/?pid=28616>.

¹¹⁵ Ibid, Footnote 116.

regard to addressing the socioeconomic challenges and turmoil facing urban America. The assassination of Dr. Martin Luther King, Jr. in April 1965 dealt a tragic blow to the civil rights movement. Prior to this horrific tragedy, President Johnson and Dr. King had worked together to advance fair housing legislation in Congress, but the administration had been unsuccessful in securing congressional support for the Fair Housing Act. After Dr. King's assassination, Johnson was adamant that Congress pass this legislative effort to honor the civil rights legacy of Dr. King. One week after King's death, President Johnson signed the Fair Housing Act into law.

Approximately four months after King's death, the Johnson administration hosted the first White House Conference on Equal Employment Opportunity (EEO). The focus this meeting was to plan for the fair and effective administration of Title VII of the Civil Rights Act of 1965.¹¹⁶ Through a series of workshops and facilitated discussions, this White House Conference brought together the commissioners and staff of the newly-created Equal Employment Opportunity Commission (EEOC), along with 300 representatives of employers, unions, employment agencies, public and private organizations, and of state and local fair employment commissions in order to discuss various options and programmatic considerations for the EEOC.¹¹⁷

During his remarks at the EEO White House Conference on August 20, 1965, Johnson emphasized the historical significance of the Civil Rights Act, the critically important work that his administration and the White House Conference participants were embarking upon, as well as the tremendous work that lay ahead for the country in fully realizing the intent of Title VII:

Title VII of the Civil Rights Act of 1964 – guaranteeing equal employment opportunities – is a key to hope for millions of our fellow Americans. With that key we can begin to

¹¹⁶ Lyndon B. Johnson: "Statement by the President Upon Announcing a White House Conference on Equal Employment Opportunities," July 26, 1965. Online by Gerhard Peters and John T. Woolley, *The American Presidency Project*. <http://www.presidency.ucsb.edu/ws/?pid=27112>.

¹¹⁷ Ibid, Footnote 118.

open the gates that now enclose the ghettos of despair...if there is one thing I've learned from the civil rights struggle, it is that the problem of bringing the Negro American into an equal role in our society is more complex, and is more urgent, and is much more critical than any of us have ever known. While on the one hand we are going to protect our liberties and defend our convictions and plead for an opportunity to live in peace, we are never going to neglect the education of our little ones, or the salvation of our lame or our halt or our palsied, or even forget the countryside, because people work better, longer, faster, produce more in a land that we like to call 'America the Beautiful'....I must remind you, and all the world, however, that with these rights comes responsibility (1-2).

Despite Johnson's call for urgent concentration and focus on implementing equality in public education, fair housing, and full employment opportunities, the festering tensions associated with decades of systemic racial discrimination and segregation was about to come full circle. In the aftermath of King's assassination, coupled with escalated racial tensions in urban centers around the country, a series of violent disturbances and rioting overwhelmed the nation's major cities throughout the summer of 1967.¹¹⁸ Such escalations in violence could have resulted in the political end of the War on Poverty, but Johnson remained undeterred. If anything, the riots served as a symbol of the work that laid ahead for both the administration and the country in order to see through the value-laden framework established through the Civil Rights Act of 1964.

Johnson and his senior advisers, however, were faced with major challenges. They had to balance their Great Society priorities while simultaneously condoning the summer's violence. In addition, they had to affirm the use of Federal law enforcement resources to assure law and order throughout America's urban centers. To address these challenges, the first priority of the administration was to make a public commitment to reinstating stability and security within America's communities. On September 26, 1964, Johnson addresses the country to discuss this very point:

¹¹⁸ See United States, Kerner Commission, Report of the National Advisory Commission on Civil Disorders (Washington: U.S. Government Printing Office, 1968).

Together with all Americans, I have been disturbed by the riots, which took place this past summer in some of our cities. The preservation of order in such circumstances is the responsibility of the local communities and the States, but the fact that such riots can occur is a matter of national concern as well as personal concern to me.....This administration feels strongly that this must be society of law and order in which citizens live by recognized rules of conduct. To that end we not only enforce Federal acts but cooperate at all levels of government to assure that civil peace shall be maintained (1).

After several weeks of rioting, Johnson commissioned FBI Director J. Edgar Hoover to provide a comprehensive investigation into the root causes, organization, and features of the various riots occurring in cities throughout the country.¹¹⁹ The Hoover Report found no evidence of a definite pattern connecting the riots from one city to another, no single cause for the outbreaks in violence, and were not attributed to or organized by any identifiable groups or organizations.¹²⁰ In fact, the only common element was that each of the riots occurred in communities entrenched with economic and social problems of enormous severity, or as Johnson described, "crying out for solution."¹²¹ The report also affirmed that the majority of residents affected by the riots deplored the violent activities of the summer, thus legitimizing a heavy Federal hand in response to securing law and order.¹²² The Johnson administration took several steps to address the violence, including directing the FBI and the U.S. Department of Defense to make available riot equipment and training to all local law enforcement personnel and members of the National Guard.¹²³ Along with the FBI investigation, Johnson appointed through Executive Order 11365 the National Advisory Commission on Civil Disorders, an eleven-

¹¹⁹ Lyndon B. Johnson: "Statement by the President upon Making Public an FBI Report on the Recent Urban Riots," September 26, 1964. Online by Gerhard Peters and John T. Woolley, *The American Presidency Project*. <http://www.presidency.ucsb.edu/ws/?pid=26533>.

¹²⁰ Ibid, Footnote 120.

¹²¹ Ibid, Footnote 120.

¹²² Ibid, Footnote 120.

¹²³ Ibid, Footnote 120.

member commission, to investigate the underlying causes of the 1967 race riots and to provide recommendations for addressing those root causes.¹²⁴

Johnson tasked the Kerner Commission, as it became known (in reference to its chairman, Governor Otto Kerner of Illinois), to address three key questions: (1) what happened; (2) why did it happen; and (3) what can be done to prevent it from happening again (Kerner Commission 1968). The Commission concluded its work in February 1968 and found that the underlying roots of the previous summer violence stemmed from growing anger and resentment from the largely unaddressed socioeconomic challenges around failed housing, education, employment training, and other social policies. The warnings of the Johnson administration regarding the need to attack poverty on a multi-faceted front was no longer considered mere political rhetoric – the nation was witnessing first-hand the consequences of a modern-day racially divided society, thus generating a national urgency for reform. As the Commission's Final Report noted:

This is our basic conclusion: Our nation is moving toward two societies, one black, one white – separate but unequal. Reaction to last summer's disorders has quickened the movement and deepened the division. Discrimination and segregation have long permeated much of American life; they now threaten the future of every American. This deepening racial division is not inevitable. The movement apart can be reversed. Choice is still possible. Our principal task is to define that choice and to press for a national resolution (1968, 1).

Unlike Johnson's closed-door task forces, the Kerner Commission was highly visible to the American public, and the mainstream press frequently reported on its progress. The Commission was tackling one of the greatest threats to internal peace and security on American soil in modern times – and an anxiety of national proportions had permeated every day society in

¹²⁴ Lyndon B. Johnson: "Remarks Upon Signing Order Establishing the National Advisory Commission on Civil Disorders," July 29, 1967. Online by Gerhard Peters and John T. Woolley, *The American Presidency Project*. <http://www.presidency.ucsb.edu/ws/?pid=28369>.

America's urban centers.¹²⁵ As such, the Kerner Commission likely gave Johnson the additional support he needed to garner the continued support of a skeptical American public and a tired Congress to continue steadily investing in and continuing with the Great Society aims he had put into motion during the 89th Congress.

The Kerner Commission's recommendations centered on the following three principles: (1) mount programs on a scale equal to the dimension of the problems; (2) aim such programs for high impact in the immediate future in order to close the gap between promise and performance; and (3) undertake new initiatives and experiments that can alter the system of failure and frustration that at the time dominated the ghetto and weakened American society (Kerner Commission 1968, 2). As Calmore (1992) described:

The Kerner Commission Report concluded that the future of our cities would be enhanced only through the combination of enrichment programs designed to improve the quality of life in black communities and programs designed to encourage integration of substantial numbers of blacks into American society beyond the ghetto. The Report warned us that integration would not occur quickly, and, therefore, that enrichment had to be an important adjunct to any program of integration (1488).

Johnson leveraged the Kerner Commission's recommendations to intensify the Federal government's response to urban renewal efforts, including but not limited to major investments in education, workforce development, and housing.¹²⁶ Indeed, time and again, Johnson masterly steered tragedies of national significance from potential obstacles to strategic opportunities in moving his Great Society agenda forward. Relying on Executive Orders, the creation of new Federal agencies focused on equal employment, housing and urban development, and the sponsoring of several national conferences to delve more deeply into the socioeconomic causes of poverty and inequality, the administration never wavered in its national display of

¹²⁵ Ibid, Footnote 120.

¹²⁶ Ibid, Footnote 120.

commitment to the Great Society agenda. Through the establishment of a myriad of employment and training programs, housing initiatives, and Johnson's signature Model Cities demonstrations, the administration launched a multi-faceted attack on poverty, which escalated the Federal government's role in urban revitalization at unprecedented levels. In fact, Federal aid in the form of grants and direct loans to cities rose from \$3.9 billion in 1961 to \$10.3 billion in 1968.¹²⁷

This chapter explores the roots of the Full Employment and Fair Housing policy agendas of the Johnson administration. It also investigates the implementation strategies applied by the administration to avail America's minority groups of these gateways of socioeconomic opportunity.

Realizing Civil Rights and Equality Through Socioeconomic Advancement: Johnson's Push for Full Employment

Johnson entered the presidency at a time when unemployment rates were at record-lows. These statistics, however, hid a dark reality, which Johnson quickly recognized concerning the major employment opportunity gaps for America's minorities. In one of his first public comments on the quarterly job reports for the nation, Johnson commented: "Despite early economic gains, jobless rates for the unskilled, the young, the Negro worker are far too high."¹²⁸ Additionally, the country was beginning to feel the impact of the post-World War II baby boom in the labor market. As such, the nation began to develop programs to extend the economic advances of the early 1960s as a means to promote the continued expansion of a total demand economic environment, and, at the same time, devise special measures to deal with the American

¹²⁷ Lyndon B. Johnson: "Special Message to the Congress: America's Unfinished Business, Urban and Rural Poverty," March 14, 1967. Online by Gerhard Peters and John T. Woolley, *The American Presidency Project*. <http://www.presidency.ucsb.edu/ws/?pid=28133>.

¹²⁸ Lyndon B. Johnson: "Presidential Statement No. 10 on Economic Issues: Achieving Full Employment," October 30, 1964. Online by Gerhard Peters and John T. Woolley, *The American Presidency Project*. <http://www.presidency.ucsb.edu/ws/?pid=26691>.

youth, the long-term unemployed, and the disadvantaged groups in the national population Johnson spoke directly to this economic and social challenge: “Our ultimate employment goal – job opportunities for all persons willing and able to work—can and will be achieved in the years to come.”¹²⁹ And in less than one year, the country was already witnessing positive results, demonstrating evidence of the job-creating power of a free economy assisted by cooperative governmental actions among the local, state and Federal levels of government.¹³⁰

The goal of achieving Full Employment, however, would require an ongoing infusion of Federal investments into a myriad of training and employment programs authorized through major landmark legislation passed by the 89th Congress. According to Johnson:¹³¹

It [recent August national employment report] clearly demonstrates that unemployment is not something we have to learn to live with, and it points the way to the development of a truly full employment economy in our society. That task still remains an imposing one. Despite our steady improvement in the recent years, 3.3 million Americans were looking for jobs in August and couldn’t find them. Many of these Americans need and will get special assistance through specially designed programs such as the Manpower Act and the Economic Opportunity Act.

To facilitate a strong Federal commitment to the attainment of Full Employment, the Johnson administration focused on four key objectives:¹³² (1) establishing the Federal government as a model employer of minorities; (2) establishing the Equal Employment Opportunity Commission (EEOC) and utilizing the Committee on Equal Employment Opportunity; (3) promoting and incentivizing active engagement of the private sector; and (4) strengthening the employment and training programs authorized by the Manpower Training Act and other subsequent legislation.

¹²⁹ Ibid, Footnote 130.

¹³⁰ Lyndon B. Johnson: "Statement by the President in Response to a Report on the Nation's Employment Record," September 4, 1965. Online by Gerhard Peters and John T. Woolley, *The American Presidency Project*. <http://www.presidency.ucsb.edu/ws/?pid=27230>.

¹³¹ Ibid, Footnote 132.

¹³² Ibid, Footnote 132.

Facilitating Equal Employment through the Promotion of the Federal Government as a Model Employer

It was clear that if the Johnson administration wanted to entice corporate America to embrace the aims of equal employment espoused in Title VII of the Civil Rights Act, the Federal government would need to act first and lead by example in the increased employment of individuals from minority groups.¹³³ During Johnson's tenure as vice-president he was responsible for Kennedy's Committee on Equal Employment Opportunity. In this role, Johnson aggressively pushed various Federal agencies to strengthen their recruitment practices and to increase the hiring of employees from minority backgrounds. By 1964, several Federal agencies had achieved remarkable progress in accomplishing increased minority hiring and retention goals. More specifically, Federal agencies had hired over 20,000 African-Americans between June 1961 and June 1963.¹³⁴ On March 3, 1964, Johnson addressed the impact of equal employment objectives within the both Federal government and the nation as a whole:

This is the result of affirmative and persistent efforts by the federal agencies to hire, train, and promote solely on the basis of merit without irrelevant considerations of race or ancestry....Utilization studies at the beginning of the program disclosed skills and potential among our minority employees which had been overlooked in the past. We had some catching up to do. These changes in the minority employment picture do not reflect special privilege. They are the result of insistence by President Kennedy, the Committee on Equal Employment Opportunity, which I headed as Vice President, and the agencies themselves that employees be hired, promoted, and upgraded on the basis of merit alone (para. 4).

In a word, Johnson advocated that the Federal government had to serve as the preeminent force behind spurring equal employment across the country: "That is why the Federal government must lead the way and we must lead the way by precept, by example, and by results, so that the

¹³³ Lyndon B. Johnson: "White House Statement on Employment of Members of Minority Groups in the Federal Government," March 3, 1964. Online by Gerhard Peters and John T. Woolley, *The American Presidency Project*. <http://www.presidency.ucsb.edu/ws/?pid=26094>.

¹³⁴ Ibid, Footnote 136.

rest of the employers in the large companies, in the entire Government offices....can see the evidence that equal employment opportunity is good for this Nation, and beneficial to its future” (April 21, 1964, para. 10). This finding represents an important element of the human resources management literature, the public personnel literature, and ultimately serves to advance the intellectual history of U.S. public administration. From the 1960s to the present, it is the legacy of Lyndon Johnson that provides the foundation for why the Federal government is more representative of the citizenry at large. More specifically, it was Lyndon Johnson who demanded that people from all racial and socio-economic backgrounds be afforded an equal opportunity to serve in their government as public administrators. This effort represents one of the most significant efforts to encourage, promote, and retain a more diverse governmental workforce and a representative bureaucracy.

In December 1964, the President’s Committee on Equal Employment Opportunity released a report entitled, *Study of Minority Group Employment in the Federal Government*.¹³⁵ This report indicated that the Federal government was continuing to make significant advances in the increase in minority Americans hired for civil service positions, despite a decline in the overall hiring of minority employees, which was largely reflective of the general cutback in government employment.¹³⁶ In a public statement given in conjunction with the release of the report, Johnson praised the results:

The progress is the result of affirmative and persistent efforts by the Federal agencies to hire, train, and promote on the basis of merit alone, without consideration of irrelevancies such as race or ancestry. It shows that it is possible to sweep away the customs and practices that have denied productive lives to many minority Americans. It demonstrates that there are, in truth, qualified persons from all races and regions who are available to fill posts of responsibility with dignity and competence. Our continued strength depends

¹³⁵ 1964, U.S. Civil Service Commission, Government Printing Office.

¹³⁶ Lyndon B. Johnson: "Statement by the President in Response to Report Reviewing Gains in Government Employment of Minority Groups," December 21, 1964. Online by Gerhard Peters and John T. Woolley, *The American Presidency Project*. <http://www.presidency.ucsb.edu/ws/?pid=26768>.

on our redoubled efforts to insure that the skills and potential of all our people are utilized effectively in the pursuit of our national goals (December 21, 1964, 1).

Ironically, as this dissertation will discuss further in Part III, the types of pressures Johnson placed on Federal agencies to increase the number of minorities and other disenfranchised groups hired into the government also came under the backdrop of a massive campaign initiated by the president to reduce the number of Federal employees overall. Thus, it was not enough to hire more minorities into the Federal government – Johnson also demanded that agencies make significant reductions in the overall personnel numbers during this time period.

Administrative Policy to Promote Johnson’s Full Employment Goals

With the exception of Franklin Roosevelt’s efforts with the New Deal, previous presidential administrations of the early to mid-twentieth century had confronted unemployment purely from the vantage point of its relationship to the nation’s overall economic security. Stated more succinctly, during this timeframe, there had been no major legislative or administrative effort to confront the chronic unemployment affecting the nation’s poorest populations. In fact, Kennedy had articulated only minimal interventions during his shortened presidency until the passage of the Manpower Training and Development Act of 1962 (MTDA), which triggered a paradigm shift in focus on skills training and job development to adequately address unemployment.¹³⁷ As Dellums (1986) described:

The advent of the New Frontier heralded progress and reform in the struggle for economic justice—but only in the eyes and ears of true believers and those mesmerized by form rather than substance. Consequently, the Kennedy administration created minimalist approaches to the problems of poverty and unemployment...with the one major exception to this minimalism being the Manpower Development and Training Act of 1962. During the first six years following its enactment, \$1.5 billion was spent to provide vocational training for over one million persons. More than 600,000 people

¹³⁷ See Administrative History of the U.S. Department of Labor, U.S. National Archives [174.1]. <http://www.archives.gov/research/guide-fed-records/groups/174.html>.

completed the program and most earned far better wages after training than before (42-43).

Beginning with the Manpower Training and Development Act in 1962, a combination of legislative statutes and administrative policies throughout the 1960s established various Federal programs to offer training and work experience to those subpopulations at greatest risk of unemployment, underemployment, and chronic impoverishment.¹³⁸ The Johnson administration's approach to investing in job training and employment support programs perpetuated a growing debate regarding how Federal resources should be used to address socioeconomic causes underlying poverty. By means of comparison, this phenomenon was similar to the equity versus equality debate that availed itself in the public education reforms that the Johnson administration promoted. During the Johnson administration, the focus of Federal investments in job training and employment support programs shifted from a concentration on recently unemployed skilled laborers to a sole focus on the most disadvantaged subpopulations (Gueron 1990; Leana and Ivancevich 1987).

Beyond the debate of whether the Federal government should be focusing its resources on targeting subpopulations whom were in the greatest need, the reality underscored that the traditional approaches to job training and workforce development did not necessarily work as well with the chronically unemployed population (Dellums 1986; Bovard 1989; Guero 1990). Thus, the Johnson administration had to experiment with new, innovative strategies in order to promote change for helping unskilled workers who had multiple barriers to employment attain

¹³⁸ John F. Kennedy: "Statement by the President Upon Signing the Manpower Development and Training Act," March 15, 1962. Online by Gerhard Peters and John T. Woolley, *The American Presidency Project*. <http://www.presidency.ucsb.edu/ws/?pid=9106>.

opportunities in the nation's workforce.¹³⁹ And yet, they were moderately successful despite the major hurdles faced. As Mangum (1983) highlighted:

Training to improve the employability of competitively disadvantaged individuals began with the Manpower Development and Training Act (MDTA) of 1962.¹⁴⁰ That act, which prevailed from March 1962 to December 1973, was generally popular and moderately successful. It was introduced to provide retraining to experienced workers displaced by technological and other labor market changes but was soon drafted into Lyndon Johnson's "War on Poverty" where the emphasis was shifted to providing job skills for those who were simultaneously poor and unable to obtain satisfactory employment because of their age, race, education, or handicap. This shift in emphasis provided MDTA with a more difficult clientele to serve. Nonetheless, the program proved its ability to elevate the average enrollee from low in the ranks of the poor to the upper edges of poverty (282).

Thus, the shift in focus by the Johnson administration to youth, minorities, the disabled, and welfare recipients challenged the nation's workforce development infrastructure, but also strengthened its potential overall. The programs typically provided income assistance to the unemployed, and provided access to training programs in high growth industries to help these individuals acquire the skills needed to become employable (Dellums 1986). Retrospectively, it is important to recognize that the Johnson-era influence still permeates a majority of Federally-funded training and employment support programs, primarily those aimed at combatting poverty and offsetting the adverse impact of economic recessions (Leana and Ivancevich 1987, 304).

Promoting the Private Sector's Role in Job Development

Private sector participation was a critical element in the potential success of the Johnson administration's Full Employment efforts. The Johnson administration encouraged the active engagement of industry and employers in developing successful responses to the unmet employment demand, which led to a collective sense of responsibility and significant

¹³⁹ Lyndon B. Johnson: "Statement by the President Upon Establishing the Job Development Program," February 1, 1965. Online by Gerhard Peters and John T. Woolley, *The American Presidency Project*. <http://www.presidency.ucsb.edu/ws/?pid=27107>.

¹⁴⁰ P.L. No. 87-415, 76 Stat. 23 (1962). Repealed in 1973.

commitment from corporate America.¹⁴¹ To incentivize the proactive role of industry to expand employment opportunities for minorities and other competitively disadvantaged individuals and groups, Johnson pushed for and secured a series of tax breaks to encourage companies to hire workers from minorities and other groups early in his presidency:

I am greatly encouraged by the announcement today that the unemployment rate for May dropped to 5.1 percent, its lowest level since February of 1960. It is down sharply from 5.4 percent in April and 5.9 percent in May a year ago. Employment in May reached an all-time high of 71 million. This is further heartening evidence that the tax cut is working as expected –and that its economic stimulus is being translated into new jobs.¹⁴²

Another key executive vehicle deployed to facilitate the implementation of effective equal employment strategies in the early 1960s was the use of the Committee on Equal Employment Opportunity. Executive Order 10925 signed by President Kennedy in 1961 originally established the Committee, but even in its early years, Johnson was responsible for overseeing its work. The Committee worked with the Johnson administration to execute key reforms with industry. These reforms included working with large corporations to develop *Plans for Progress*, which were intended to help companies design customized plans for making necessary reforms in their recruitment, hiring, and retention practices to assure greater access to employment opportunities within their corporate structure for minorities and the chronically unemployed.¹⁴³ Creating an environment of “competitiveness” among industry was a key strategy deployed by the Committee. At the three-year anniversary of the Committee’s inception, Johnson noted:¹⁴⁴

¹⁴¹ Lyndon B. Johnson: "Remarks to New Participants in "Plans for Progress" Equal Opportunity Agreements," December 12, 1963. Online by Gerhard Peters and John T. Woolley, *The American Presidency Project*. <http://www.presidency.ucsb.edu/ws/?pid=26310>.

¹⁴² Lyndon B. Johnson: "Statement by the President on the Decline in Unemployment," June 5, 1964. Online by Gerhard Peters and John T. Woolley, *The American Presidency Project*. <http://www.presidency.ucsb.edu/ws/?pid=26294>.

¹⁴³ Ibid, Footnote 143.

¹⁴⁴ Ibid, Footnote 143.

One set of statistics alone illustrates what has been accomplished under this committee, and I think it points to a very hopeful course for the future. These figures show that the employment of 86 companies, which submitted their Plans for Progress reports between January 1961 and January 1963, increased by 258,853 persons, and that 23.1 percent of those increased employees' jobs went to minority groups –23 percent went to minority groups. So think that we are making progress.

Johnson, however, did not stop there. He understood that the only way corporate America would embrace equal employment opportunity practices was if the leaders of large American companies conveyed a unified front in affirming the importance of a diversified workforce as part of their corporation's goals.¹⁴⁵ Johnson also recognized the value of corporate leaders communicating such a commitment from a top-down perspective:¹⁴⁶

So I want to announce today that I have sent out letters to the presidents of the nearly 200 companies who have signed Plans for Progress with the President's Committee, and I am asking them to extend their efforts beyond their office doors, beyond their plant gates, and into their communities wherever they have plants. It may be a plant in the faraway South, it may be a plant on the Atlantic seaboard. I have asked them personally to write to the manager of each of their plants—to get the letter from the president to the manager of each of their plants to enlist these men who are the real leaders in their community, in an effort to get this job done.

During this time Johnson, as was the case with most of the Great Society and War on Poverty initiatives, made it clear that he was not satisfied with the progress being made in this area.¹⁴⁷ He relentlessly challenged the Committee and the corporate companies involved as partners in the *Plans for Progress* to step up their efforts and institute more meaningful change:

I think that you have set an example in the employment field, but you just have been able to set an example, and that is all. We haven't skimmed the surface. We have covered roughly one-tenth of the jobs in the country by your Plans for Progress program. There are 70 million working, and you have 7 million of them covered.¹⁴⁸

¹⁴⁵ Ibid, Footnote 143.

¹⁴⁶ Ibid, Footnote 143.

¹⁴⁷ Lyndon B. Johnson: "Remarks at a Meeting of the President's Committee on Equal Employment Opportunity," May 12, 1964. Online by Gerhard Peters and John T. Woolley, *The American Presidency Project*. <http://www.presidency.ucsb.edu/ws/?pid=26246>.

¹⁴⁸ Ibid, Footnote 149.

To help create more meaningful change, President Johnson established the National Alliance on Business (NAB) in 1968, which provided governmental subsidies to businesses for hiring and training the hard-to employ, including racial minority groups, welfare recipients, recent immigrants, and workers with disabilities. The program was noteworthy, because it was the first Federal program to encourage the private sector to participate directly in dealing with the unemployment problems underlying the poverty paradigm in the United States (Leana and Ivancevich 1987, 302).

Corporate America was not the only private partners called on by the Johnson administration to engage in efforts to increase equal employment opportunity practices across the country. President Johnson also pressured labor unions to contribute to the nation's socio-economic challenges (Quadagno 1992). On March 16, 1964, the Johnson administration announced the establishment of the Labor Advisory Council, which was comprised of 16 international labor union presidents to advise the President's Committee on Equal Employment Opportunity on labor union matters and assist in the implementation of the Union Programs for Fair Practices.¹⁴⁹ On this date, Johnson publicly discussed the importance of this initiative:

So it is our responsibility – yours in labor and ours in Government – to encourage others to exercise those rights and responsibilities, which have been built into our system over the years. The time of positive provisions for segregated unions in union constitutions is long since past, and I think you are helping to write nondiscrimination clauses into more and more of your contracts every day. We know that you cannot always tell your local unions what to do – as a corporation president can tell his plant manager. But all of you are persuasive or you would not be where you are in your unions today and you would not be here today.¹⁵⁰

Reflecting on these collective efforts reveals another significant contribution the Johnson administration made to the intellectual history of U.S. public administration. It was Johnson who

¹⁴⁹ Lyndon B. Johnson: "Remarks to the Labor Advisory Council to the President's Committee on Equal Employment Opportunity," March 16, 1964. Online by Gerhard Peters and John T. Woolley, *The American Presidency Project*. <http://www.presidency.ucsb.edu/ws/?pid=26112>.

¹⁵⁰ Ibid, Footnote 149.

understood the value of creating and sustaining public-private partnerships as a means to improve some of the most critical challenges affecting the nation at-large. The field should also note that Lyndon Johnson was the first American president who actively engaged the private sector to help his administration and the Congress solve domestic policy problems, namely the War on Poverty.

The Administrative Challenges Associated with Intertwining Full Employment with the War on Poverty

The Johnson administration's push for Full Employment did not directly contradict the community action programs established throughout the country as part of the War on Poverty, for which the Office of Economic Opportunity managed, but there existed all too often competition between these two initiatives. And it was in these urban centers where the effects and consequences of long-term, generationally-sustaining unemployment were most obvious and prevalent. As discussed in previous chapters, Johnson was adamant that the investments the Federal government made in individuals who were directly impacted by poverty must be connected to improving various skillsets and creating meaningful employment opportunities for these affected citizens, otherwise the War on Poverty would never be won. Many CAP-initiated programs, however, were more concerned with serving the immediate social needs through income supplements and other financial assistance programs. As a result, there was often a struggle between the two efforts (Gueron 1990).

For the Johnson administration, winning the War on Poverty meant it had to create a comprehensive set of tactical approaches that attacked the vestiges of unemployment while at the same time addressing the complex social needs of the unemployment and impoverished. In Johnson's March 1967 Special Message to Congress entitled, *America's Unfinished Business:*

Urban and Rural Poverty, the president addressed the critical need for the legislative branch to build a concentrated employment program that was reinforced with strong social supports.¹⁵¹

Economic policy and unprecedented prosperity have not reached thousands of men and women who live in the nation's slums. The Secretary of Labor has investigated the unemployment situation in slums and found that: unemployment rates in the slums are three times the national average; large numbers of people work a few hours of the week, unable to find the full-time work they seek; large numbers work full-time at poverty wage levels; and nearly one-third of those who should be employed at self-supporting wages are not. Neither a high performance economy nor traditional training and employment services have been able to reach these men and women. Some need special counseling and training. Others need special health and educational assistance. All need follow-up assistance until they are permanently placed in a stable job. Even after that, they may need special attention during their first weeks of employment.

Such descriptive analysis is reminiscent of former First Lady Eleanor Roosevelt's evaluation of the slums and enormous poverty that existed in the United States throughout the Great Depression (Goodwin 1995). In some areas of American society, not much had changed since the 1930s. Over three decades later, it was the American president, not his spouse, who was challenging both the Congress and the nation to make good on the American promise that "all men are created equal," but in order for true equality to exist the nation had to confront the enormous socio-economic discrepancies affecting the chronically poor populations.

In an effort to confront the tensions in program implementation on the ground and strive for a unified Federal response in the War on Poverty, Johnson directed the Secretary of Labor and the Director of the Office of Economic Opportunity, with the assistance of other Federal agencies, to begin coordinating all available resources to provide concentrated assistance to those with the greatest need immediately (March 1966). The new concentrated initiative would focus on the following objectives: (1) enlisting the active support and cooperation of business and labor organizations at the local level; (2) providing a wide range of counseling, health, education,

¹⁵¹ Lyndon B. Johnson: "Special Message to the Congress: America's Unfinished Business, Urban and Rural Poverty," March 14, 1967. Online by Gerhard Peters and John T. Woolley, *The American Presidency Project*. <http://www.presidency.ucsb.edu/ws/?pid=28133>.

and training services on an individual basis; (3) providing the follow-up assistance necessary to insure that a job once obtained will not quickly be lost; and (4) using local community action agencies as the focal point wherever practicable.¹⁵² This effort complimented Executive Order 11297, signed by President Johnson on August 11, 1966, which called for stronger coordination among Federal urban programs.

Education and employment opportunities were the tools poor Americans needed to exit poverty, but improving access to education and employment alone would not be enough in and of themselves to tackle the social consequences of being born into poverty and remaining in sub-standard living conditions. At this point in the nation's history, racial segregation in housing developments and communities was perhaps more visibly obvious than in any other facet of American society (Schwemm 1988; Orfield 2005). As Johnson described during the signing of the Housing and Urban Development Act of 1965 (Public Law 89-117; 79 Stat. 451):

Many elements matter to the success and the stability of our great American society. Education matters a great deal. Health matters. Jobs matter. Equality of opportunity and individual dignity matter very much....But the legislation and labors in all of these fields can never succeed unless and until every family has the shelter and security, the integrity and the independence, and the dignity and the decency of a proper home....We must make sure that every family in America lives in a home of dignity and a neighborhood of pride, a community of opportunity, and a city of promise and hope (*Public Papers of the Presidents: Lyndon B. Johnson*, August 10, 1965, 1).

Despite these realities, Congress and a large portion of the citizenry were not ready to make substantial policy changes or the added appropriations necessary to correct the wrongs that allowed for many parts of American society to be overwhelmingly divided by race, income, and social status. The release of the Kerner Commission's Final Report in 1968, however, worked to bring about change in Congress' perspective and the nation's. It was President Johnson,

¹⁵² Lyndon B. Johnson: "Statement by the President Upon Signing Executive Order 11297, Coordination of Federal Urban Programs," August 11, 1966. Online by Gerhard Peters and John T. Woolley, *The American Presidency Project*. <http://www.presidency.ucsb.edu/ws/?pid=27771>.

nevertheless, who made the political deals needed – just like he had done throughout his entire career in Washington – to secure not only the initial legislative mandates needed but also the initial administrative apparatus that was necessary to make Fair Housing another major component of his administration’s Great Society agenda.

Laying the Groundwork for Fair Housing Through Administrative Action

Up until this point, the executive branch had virtually ignored housing equity as a national priority. In the 1960s, the political environment began to change, because the legal and social conflicts related to education desegregation, housing integration, and violent riot upheavals rooted in urban racial tensions and continued struggles for equality escalated. This provided the necessary “window of opportunity” for Johnson to push for Fair Housing as part of the Great Society framework (Von Hoffman 2011; Larkin 2007; Lamb and Wilk 2009; Kingdon 2010). Yet, the journey to advance Federal policies and reforms essential to promoting Fair Housing was not as seamless or as automatic as some of Johnson’s earlier legislative proposals. As such, it was President Johnson, nevertheless, who went the extra mile to secure the support necessary to ensure Fair Housing was a part of the Great Society agenda – at times through exploiting the national tragedy of Martin Luther King’s death as well as the growing violence in various American urban centers – and to secure not only the statutory framework but also the initial administrative apparatus that was necessary to make Fair Housing another major component of his administration’s Great Society agenda.

Johnson’s approach to garnering a national commitment to the problems of urbanization was broad-sweeping and ambitious, covering topics of urban renewal to model cities, from rental

supplements to home ownership, from mass transit to beautification efforts.¹⁵³ As Johnson described in a Special Message to Congress on Urban Revitalization in September 1965, America was living in a different world, and in order to survive, the nation had to tackle the complex challenges of a growing urban population directly:

Even a century ago when Abraham Lincoln asked the Congress to create a Department of Agriculture, fewer than 20 percent of our people lived in cities. Now that day is gone. It will never return. In less than a lifetime—in less than my own 57 years—America has become a highly urbanized Nation, and we must face the many meanings of this new America...In the next 35 years we must literally build a second America—putting in place as many houses, schools, apartments, parks, and offices as we have built through all the time since the Pilgrims arrived on these shores. The physical challenge is awesome. But there is a challenge to the spirit that is even greater and more demanding. It is not enough for us to erect towers of stone and glass, or to lay out vast suburbs of order and conformity. We must seek and we must find the ways to preserve and to perpetuate in the city the individuality, the human dignity, the respect for individual rights, the devotion to individual responsibility that has been part of the American character and the strength of the American system.¹⁵⁴

Instilling a vigorous enthusiasm for the topic, Johnson demonstrated an unprecedented commitment to Fair Housing that was unmatched by any president prior to or since his administration (Weaver 1998; Von Hoffman 2011; Schwemm 1988). Through the creation of a cabinet-level Federal agency devoted to housing and urban affairs, passage of Federal fair housing legislation, and the initiation of a comprehensive Model Cities demonstration program, the Johnson administration paved the way for an enduring, direct Federal response to the vestiges of discriminatory practices that had perpetuated ongoing systemic segregation in America's neighborhoods and communities for far too long. As von Hoffman (2011) lamented: "Lyndon

¹⁵³ Lyndon B. Johnson: "Special Message to the Congress: America's Unfinished Business, Urban and Rural Poverty," March 14, 1967. Online by Gerhard Peters and John T. Woolley, *The American Presidency Project*. <http://www.presidency.ucsb.edu/ws/?pid=28133>.

¹⁵⁴ Lyndon B. Johnson: "Remarks at the Signing of Bill Establishing a Department of Housing and Urban Development," September 9, 1965. Online by Gerhard Peters and John T. Woolley, *The American Presidency Project*. <http://www.presidency.ucsb.edu/ws/?pid=27245>.

Johnson, a man who knew little about cities, became the American chief executive most associated with urban affairs” (10).

Establishing a Permanent Federal Focus on Fair Housing Efforts: Johnson’s Establishment of the U.S Department of Housing & Urban Development

On August 10, 1965, Johnson signed the first major housing bill of his administration into law. Congress intended the Housing and Urban Development Act of 1965 to centralize and coordinate the Federal government’s existing efforts to increase affordable, safe housing options throughout the country. The bill extended the FHA mortgage insurance program, increased efforts to support suburban development, and extended eligibility to existing Federal housing programs to veterans.¹⁵⁵ The legislation also included several new ideas initiated by the Johnson administration, including assistance to support the private construction and the rehabilitation of housing for the elderly and low-income families, sparking an innovative public-private approach to affordable housing policy.¹⁵⁶ As Johnson noted in his support for this legislation:

This imperative housing will be built under the sponsorship of private organizations. It will make use of private money, and it will be managed by private groups. With supplements paid by their government, the private builders will be able to move into the low-income housing field, which they have not been able to penetrate or to serve effectively in the past.¹⁵⁷

Beyond the housing dimensions of the bill, the Housing and Urban Development Act also included several urban improvement provisions, including Federal-funding assistance to cities and counties to help pay the cost of essential public works, as well as grants for the acquisition of open spaces, development of parks, construction of recreational facilities, and overall

¹⁵⁵ Ibid, Footnote 154.

¹⁵⁶ Ibid, Footnote 154.

¹⁵⁷ Ibid, Footnote 154.

beautification efforts of urban areas.¹⁵⁸ In typical Johnsonian style, less than a month after the president signed the landmark Housing and Urban Development Act of 1965, the administration awarded the first housing rehabilitation grant.¹⁵⁹

Also in 1965 Congress created the first U.S. Department of Housing and Urban Development (HUD). Beyond assuming the traditional responsibilities of the Home and Housing Financing Agency, the Johnson administration envisioned that HUD would adopt a broad agenda of urban reforms that extended well beyond housing. This created political and administrative tensions between HUD and other Federal partners, because there was a lack of clarity in terms of what programs would be transitioned to HUD's domain and what would be retained in their existing agency. For example, the Johnson administration originally considered removing waste management from HEW as well as the community action program from OEO and transitioning these initiatives over to HUD, but then decided to keep both initiatives in their original places (van Hoffman 2011).

After much deliberation, Johnson finally appointed Robert Weaver to become the first Secretary of HUD. Though understated in demeanor, Weaver was an excellent choice given his professional interest and expertise for fair housing and urban revitalization (Smith 1985). HUD's initial priorities centered on the establishment of a strong fair housing law and an increased emphasis on rolling out initiatives focused on addressing housing discrimination and racial segregation.¹⁶⁰ HUD's combined fair housing responsibilities under Executive Order 11063, Title VI, and Title VIII can be separated into two broad categories: (1) enforcement,

¹⁵⁸ Lyndon B. Johnson: "Remarks at the Signing of the Housing and Urban Development Act," August 10, 1965. Online by Gerhard Peters and John T. Woolley, *The American Presidency Project*. <http://www.presidency.ucsb.edu/ws/?pid=27147>.

¹⁵⁹ Lyndon B. Johnson: "Remarks at the Signing of Bill Establishing a Department of Housing and Urban Development," September 9, 1965. Online by Gerhard Peters and John T. Woolley, *The American Presidency Project*. <http://www.presidency.ucsb.edu/ws/?pid=27245>.

¹⁶⁰ See Administrative History on the U.S. Department of Housing & Urban Development: <http://www.hud.gov/offices/adm/about/admguides/history.cfm>.

which was implemented through the complaint process and program compliance reviews and (2) the creation of new programs, regulations, and incentives under the legislative mandate that HUD was responsible for affirmatively pursuing fair housing objectives (Smith 1985, 479).

HUD's first area of responsibility was the facilitation of proactive strategies that fueled integration and attacked discrimination at its core. Johnson pushed for the expansion of available low-income housing in good neighborhoods and also promoted home ownership among racial minorities and other disenfranchised subpopulations.¹⁶¹ In order to expand a national rental supplemental program that helped poor families to access privately-owned housing in safe neighborhoods, Johnson promoted the creation tax and other financial incentives to encourage the private housing construction market to accelerate the development of new, affordable housing. As the president noted in a March 14, 1967 speech:¹⁶²

The 89th Congress authorized the Rent Supplement Program to enable poor families to live in decent, privately-owned housing. Only families whose incomes are so low that they are eligible for publicly-owned housing can receive rent supplements—and then only if they are displaced from their homes by governmental action or a disaster, are elderly or physically handicapped, or occupy substandard housing. With low-rent housing in short supply, it is more important than ever to stimulate construction by private enterprise and nonprofit organizations. The Rent Supplement Program authorizes payments that make the construction of low-rent units attractive for builders.

Additionally, Johnson reaffirmed HUD's core responsibility to not only make rental housing more affordable, but to promote greater home ownership opportunities among low-income families. In the same address, Johnson pointed out:

We must learn how best to help low-income families own their own homes. I have directed the Secretary of Housing and Urban Development to carry out, within existing authority, a low-income housing ownership pilot program, so that these lessons may be learned and converted to public policy on a broad scale (Ibid, 7).

¹⁶¹ Ibid, Footnote 153.

¹⁶² Ibid, Footnote 153.

With this objective in mind, Johnson authorized the Federal National Mortgage Association (FNMA) to use \$20 million of its 1967 budgetary funds to support the home ownership program, directing the FNMA to prioritize the following objectives:¹⁶³ (1) identify low-income families with the potential to build an ownership equity in a home; (2) provide guidelines to assure the economic soundness of their investment; (3) explore a program to insure low-income families against mortgage defaults and foreclosures that result from loss of health economic recession; and (4) encourage ownership equity to be acquired through self-help in the construction of homes.

To achieve these objectives, HUD focused on a broad category of administrative activities, including: (1) promulgation of regulations governing all HUD programs to ensure that they operate in support of fair housing objectives; (2) regulations defining the specific provisions of the fair housing laws; and (3) programs and regulations supporting HUD's Title VIII mandate to pursue fair housing affirmatively (Smith 1985, 480). Title VI of the Civil Rights Act of 1964 required HUD to develop low-income housing options for economically poor minorities, in a variety of neighborhoods so as to foster greater integration among the housing market. But this did not deter Federal sponsoring of continued construction of public housing projects solely in poor segregated neighborhoods (Orfield 2005; Schwenn 1985). Ironically, the Johnson administration's historic launch of the largest Federal grant program ever to support the development of low-income housing only enabled local political machines and mayoral leaders, like Richard Daley in Chicago, among others, to continue systematic segregated neighborhood

¹⁶³ Lyndon B. Johnson: "Special Message to the Congress: America's Unfinished Business, Urban and Rural Poverty," March 14, 1967. Online by Gerhard Peters and John T. Woolley, *The American Presidency Project*. <http://www.presidency.ucsb.edu/ws/?pid=28133>.

planning in the nation's urban centers without legal or financial consequence. The following point highlights these challenges:

When challenged in the courts, HUD and local housing authorities attempted to shift the blame. Local housing authorities with urban and suburban jurisdiction claimed their duty was to build housing and argued that they could not influence resistant white neighborhoods and municipalities. HUD in turn argued that it was simply a funding agency and could not influence local decision-making. In defiance of Kennedy's executive order, HUD and local housing agencies continued to fund segregated public housing, arguing that housing in segregated ghettos was better than no housing at all (Orfield 2005, 4).

From the beginning, HUD's enforcement responsibilities were wrought with challenges in scope, authority, and design. HUD's enforcement mechanisms centered around an individual complaint process, similar to the work of the EEOC, which was an unsuccessful strategy for addressing systemic discrimination and segregation problems at any scalable level. As Smith (1985) correctly points out:

Complaint processing places the burden of attacking a discriminatory housing market on those least able to mount the attack (the victims), and it addresses this systemic problem through uncoordinated individual actions. Additionally, by addressing the discrimination issue only, the approach fails to recognize the distinction between the problems of discrimination and segregation and the lack of any necessary relationship between them. In fact, the complaint process has not been successful. The mechanics of filing complaints are not generally apparent and HUD's limited authority to arbitrate and conciliate is cumbersome and untimely (481).

Prior to passage of the Fair Housing Act in 1968, this was the only real means for enforcing the fair housing goals of the Johnson administration. And unfortunately, the tenuous, bureaucratic process entailed with the complaint process frustrated clients and overwhelmed agency personnel. It also prevented the agency from effectively focusing on expanding its work to include many of the other urban revitalization aspirations that top senior Johnson advisers had initially envisioned the new Federal agency taking on.

Securing Enactment and Launching Implementation of the Fair Housing Act

Despite the emerging violence in the early 1960s in several American cities from urban racial tensions, Congress, and to some degree, the Johnson administration, initially took a precautionary tone. While there was little dispute that racial discrimination was still a pervasive, toxic social ill in America's neighborhoods and housing markets, how best to address the inequities in housing and poor living conditions in the inner-city varied sharply. Fair housing was a major tenet of Martin Luther King's civil rights movement agenda, which culminated in a series of protests and campaigns in Chicago in 1966 to dispute the urban renewal strategies of then Mayor Richard Daley, who was Johnson's long-time friend and confidante:

At the time, the city under Mayor Richard J. Daley was in the midst of a largely federally funded urban renewal project that destroyed huge swaths of low-income housing in segregated neighborhoods. According to Daley's plan, the displaced poor blacks were moved into massive housing projects dozens of blocks away from the business district—the now notorious Robert Taylor and Henry Horner homes. In the minds of Daley and his planners, the dilapidated bricks and mortar and the abandoned lots of the “pre-improvement” neighborhoods were to blame for the horrific social conditions. Despite claims by advocates of urban renewals that modern, high-rise housing would revitalize neighborhoods, areas with projects had, at best, only very short term improvements. By 1970, these tracts showed the same declining opportunity and living conditions as the other parts of the south and west-side ghettos. Moreover, they retained their racially segregated character (Orfield 2005, 1799).

Johnson clearly recognized the problems that King illuminated in the Daley urban renewal plan, but the president had to walk a fine line in order to avoid spurring additional tensions with Daley and other mayors of major cities throughout the country, particularly when it was the Federal government that was responsible for underfunding a majority of such strategies.

It did not take long for Johnson to understand the powerful grip that the local political elites had on the souls of their urban bases, and the major influence popular mayors like Daley would likely have on determining the success or failure of signature Great Society initiatives. As previously discussed in Chapter 4, the difficult implementation of CAP-initiated programs as

part of the War on Poverty had magnified the important role that the nation's mayors had on the outcomes the Johnson administration was striving to attain. This dynamic was coupled with reluctance from Congress and a large portion of the citizenry to make further substantial policy changes or invest the resources necessary to correct the wrongs that allowed for many parts of American society to be overwhelmingly divided by race, income, and social status (Orfield 2005; Larkin 2007). Not surprisingly, captives of the ghetto expressed their frustration, too. The combination of "economic deprivation, social isolation, and psychological alienation" fueled by the discriminatory conditions sparked riots in urban areas throughout the 1960s.¹⁶⁴

The government sought to understand this phenomenon through the creation of the National Advisory Commission on Civil Disorders. Johnson appointed Illinois governor Otto Kerner, Jr., to head the commission, whose membership included several elected officials, most notably Edward W. Brooke III, the only African-American member of the U.S. Senate. The Kerner Commission developed an in-depth report studying factors producing civil unrest. It suggested three objectives for national action: (1) eliminating barriers to choice (anti-discrimination); (2) removing the frustration of the powerlessness (empowerment); and (3) increasing contact across racial lines to destroy stereotypes and hostility (integration).¹⁶⁵ The objectives were to operate as steps, with *antidiscrimination* opening up the marketplace for African-Americans who were financially *empowered* to choose to leave the ghetto and *integrate*.¹⁶⁶

The Kerner Commission, whose final report was influential in the passage of the FHA, recognized housing discrimination's harms. In the summer of 1967, more than 150 social

¹⁶⁴ United States. Kerner Commission, Report of the National Advisory Commission on Civil Disorders (Washington: U.S. Government Printing Office, 1968)

¹⁶⁵ Ibid, Footnote 164.

¹⁶⁶ Ibid, Footnote 164.

disturbances ranging “from minor disturbances to major outbursts including sustained and widespread looting of property” had occurred in the United States, overwhelmingly in segregated, black ghetto neighborhoods. After investigating the riots and surveying the growing social science literature on the consequences of concentrated poverty, the Kerner Commission found racial segregation and ghettoization was a core cause of the riots. It recognized how segregation limits opportunities: “although jobs were rapidly moving to the suburbs...eighty percent of the nonwhite population of metropolitan areas in 1967 lived in central cities” (Orfield 2005, 1800).

The Commission’s recommendations included passage of a comprehensive civil rights bill that possessed solid approaches to fostering integration in all aspects of housing and community life.¹⁶⁷ The release of the Kerner Commission’s Final Report in 1968, thus, helped solidify a major shift in Congress’ perspective and the nation’s, leading to passage of the Fair Housing Act of 1968. With the report in hand, the key Senate sponsors, Democrat Walter Mondale and Republican Edward Brooke, felt they had enough support to secure the two-thirds approval in the Senate. Three days after the publication of the Kerner Commission’s findings, the Senate voted cloture on the filibuster that had been blocking the fair housing bill for two years and passed the bill on March 11, 1968 (Orfield 2005; Larken 2007; Schwemm 1985). While it was anticipated that the bill faced an uphill battle within the House of Representatives, the assassination of Martin Luther King on April 4th led to an accelerated passage of the bill on April 10th, and President Johnson signed it into law the following day. Similar to efforts to secure passage of the 1964 Civil Rights bill amidst the death of President Kennedy, Johnson and congressional leaders seized on the momentum around King’s assassination to move the final passage of the Fair Housing Act forward.

¹⁶⁷ Ibid, Footnote 164.

The Fair Housing Act, also known as Title VIII of the Civil Rights act of 1968, continues to serve as the primary Federal statute prohibiting housing discrimination on the basis of race. Defined by two ambitious though not always parallel goals – equal opportunities and integrated living patterns – the Fair Housing Act was intended to serve as a “first step” in Federal policy with respect to tackling discrimination in the housing market through regulation of sales and rentals by home-owners and housing market stakeholders (Schwemm 1988; Larkin 2007).. Additionally, the statute charges the government “with an affirmative duty to promote fair housing through the Secretary of Housing and Urban Development” (Larken 2007, 1624-1625).

Another important aspect of the Fair Housing Act (FHA) related to the specific roles and responsibilities of HUD, its grantees, and local housing authorities to leverage their collective power and resources to entice integration within the nation’s public and private housing markets (Orfield 2005; Schwemm 1985; Larken 2007). As lawsuits progressed against HUD and the intransigence of housing authorities became clearer, pressure was building for a new civil rights act that would go significantly beyond Title VI of the Civil Rights Act of 1964. The sponsors of the FHA determined that the provision of Title VI prohibiting discrimination in federally assisted housing needed to be strengthened. During the legislative debate on the FHA, Senator Brooke noted “an overwhelming proportion of public housing...in the United States directly built, financed and through a back-and-forth process between and among courts and housing agencies. The current regulation owes much of its shape to the Third Circuit’s decision in *Shannon v. HUD* (436 F.2d 809; 3d Cir. 1970), and the Supreme Court’s decision in *Hills v. Gautreaux* (425 U.S. 284, 1976). These cases focus on the harms noted by the Kerner Commission and on a growing understanding of the harms of segregation and re-segregation (1803).

Furthermore, a variety of new monitoring and oversight measures over real estate practices were included in the statute to prevent steering or access barriers that would further expand racial segregation in America's communities. This included giving victims of housing discrimination, for the first time, the ability to pursue legal recourse for damages, and also empowered the U.S. Justice Department to file class-action lawsuits when it identified patterns of discriminatory practices in the housing market (Larken 2007; Lamb and Wilk 2009).

However, the Federal government's power to challenge discriminatory housing practices remains limited, particularly in light of the insertion of section 810 of the Fair Housing Act, otherwise known as the "Dirksen Compromise." In the original version of the bill proposed by Senator Mondale, HUD could issue "cease and desist" and other affirmative orders. Senator Dirksen's support, which was needed to pass the bill, was gained in exchange for abandoning these powers and replacing them with merely "conference, conciliation, and persuasion" powers. The Dirksen Compromise has resulted in an agency procedure that provides for absolutely no sanctions against a recalcitrant defendant. In its first review of this statute, the Supreme Court concluded that "HUD has no power of enforcement" (Schwemm 1988, 377).

The consequence of this dynamic was that the enforcement of Title VIII provisions was intentionally and primarily dependent on private litigation. The Supreme Court agreed and concluded "complaints by private persons are the primary method of obtaining compliance with the Act".¹⁶⁸ Additionally, while Title VIII includes a prohibition on various layers of housing discrimination,¹⁶⁹ it stopped short of explicitly requiring housing integration. While future

¹⁶⁸ See *Shannon v. U.S. Department of Housing & Urban Development* (1970). 436 F.2d 809.

¹⁶⁹ Title VIII of the Civil Rights Act of 1968 prohibits the following practices (Lamb & Wilk 2009, 3): (1) refusals to rent or sell housing because of race, color, religion, sex, and national origin; (2) discrimination in terms, conditions, or privileges of rentals and sales in housing; (3) advertising that indicates a preference, limitation or discrimination; (4) misrepresenting the availability of housing for rent or sale; (5) discrimination in loans for

judicial decisions would interpret Title VIII as requiring integration as well as nondiscrimination,¹⁷⁰ the furtherance of this goal was centrally dependent upon the active commitment of not only the Johnson administration, but future presidencies as well (Lamb and Wilk 2009). As Lamb and Wilk (2009) describe in great detail, the Johnson presidency was the first administration to commit seriously to enacting and implementing Federal housing policy aimed at attacking the systemic discrimination practices and segregation that had prevailed in the nation's housing market.¹⁷¹

While the Johnson administration did not have the opportunity or time to implement the Title VIII of the Civil Rights Act of 1968 fully, its push for passage of the landmark legislation has historical implications on national urbanization policy as well as on today's administrative state:

Indeed, presidents paid little attention to residential segregation and discrimination prior to Lyndon Johnson. The first landmark breakthrough in fair housing policy came during the Great society with the passage of Title VIII. Johnson acted as an issue entrepreneur (see Edwards and Wood 1999, 342) by pushing housing discrimination onto the national policy agenda. Johnson's vigorous support for Title VIII was the first presidential effort of its kind (Lamb and Wilk 2009, 3).

purchasing, constructing, improving, or repairing housing; and (6) discrimination in access to or membership in multiple-listing services or organizations for real estate brokers (see also Kushner 1995; Schwemm 2007).

¹⁷⁰ See *Trafficante v. Metropolitan Life Insurance Co.* (1972); *Otero v. New York City Housing Authority* (1973).

¹⁷¹ In 2009, scholars Lamb & Wilk examined the variation in presidential support for Title VIII from the 1960s through 2000 and analyzed changes in administrative enforcement of the Act. Their conclusions were that "presidential support for Title VIII varied noticeably between the Johnson and Clinton administrations, and that Title VIII enforcement by Federal, state, and local agencies varied as well." Consistent with similar studies on the topic (Massey and Denton 1993; U.S. Commission on Civil Rights 1977; Yinger 1995), Lamb and Wilk concluded that, "stronger presidential support for Title VIII and more active bureaucratic enforcement are needed to deal with the continuing problems of housing discrimination and segregation in the twenty-first century," (p.129). Their assessment of presidential support is "based on related studies as well as all presidential statements in the *Public Papers of the Presidents* from Johnson to Clinton that expressly mention Title VIII or, secondarily, fair housing or housing discrimination." Their methodology found that 25 statements by Johnson, 13 by Nixon, 1 by Ford, 21 by Carter, 17 by Reagan, 5 by Bush, and 15 by Clinton. The authors qualified that their research was limited only to public statements, and thus did not factor in other key indicators of measuring administration's priorities, including presidential actions, the rules-writing process, or Justice Department lawsuits.

Johnson's presidential tenure ended shortly after passage of the FHA, and as such the implementation of its ideals and ambitious principles were left in the hands of future presidencies. Unfortunately, subsequent legislative and administrative efforts have yet to establish a solid Federal commitment or effective implementation of the 1968 statute (Lamb and Wilk 2009; Orfield 2005; Van Hoffman 2011).

Johnson's Quest for Urban Revitalization: Implementing the Model Cities Demonstration Program

Beyond establishing a national standard for fair housing policy, Johnson also wanted to set the country on a path toward strong urban modernization. The best representation of Johnson's commitment to urban development and prosperity was his Model Cities program, established in 1966. Although the program came to an end in 1974, the Model Cities program was significant, because it represented the first time the Federal government embarked on a national demonstration of urban revitalization efforts that would be documented, researched, and evaluated to inform the direction of Federal urban policy in the future. It also incorporated the principles behind New Public Management, and infused the methodologies deployed within the Federal government under the Performance-Based Budgeting System (PPBS) to instill a new era of grant accountability and managerial expectations on local governments receiving Federal assistance for their urban planning objectives (Costello 1973).

The search for grand transformative solutions to urban problems produced contradictory approaches. While unrest in the racial ghettos and the apparent failure of old programs encouraged bottom-up community participation in new programs, excitement over the military missile and space programs inspired policy makers, improbably, to apply top-down systems planning and budgeting methods to solve the "urban crisis" (Van Hoffman 2011, 21).

Similar to other major facets of Johnson's Great Society agenda, the Model Cities initiative arose from work of a presidentially appointed task force. The Task Force on Metropolitan and Urban Problems was one of original thirteen domestic policy task forces appointed by Johnson in 1964. Chaired by MIT political economist Robert C. Wood, the task force recommended the creation of flexible block grants, intergovernmental coordination, and the choice of two or three existing "demonstration cities" to achieve socio-economic "balance" and discover effective ways to deploy present and future urban programs" (Van Hoffman 2011, 27).

As Van Hoffman noted in 2011, the new Model Cities demonstration program was intended to spur new innovative strategies that could be easily replicated to replace older approaches that had been largely unsuccessful up to that point in time:

At the end of a long list of diverse recommendations about urban renewal, transportation, housing, and economic development, the panel members called for "demonstration cities," especially selected to try out existing and new programs based on long- and short-term planning "both for city-wide renewal and a comprehensive program of human services" (28).

The legislation authorizing the Model Cities initiative was just as ambitious and idealistic in scope as Johnson's vision and the task force's recommendations for the demonstration program.

As Johnson described the program in 1967:

The Model Cities program, enacted last year, is an attempt to focus a variety of aids—physical and social—on the problems of the slums and to enlist private and local support to rebuild the blighted areas of America's cities....it is a comprehensive approach to human problems—involving jobs, education, health facilities, housing (7).

Authorized under the Demonstration Cities and Metropolitan Development Act of 1966, the legislation embedded the task force's proposals of a comprehensive, multi-disciplinary approach to urban revitalization that included (1) requiring coordination across public systems and human service programs; (2) pooling and leveraging of public and private resources toward goals of

mutual aim; (3) implementation of evidence-based practices and strategies; and (4) built-in efficiencies to track and monitor progress, and adjust resources based on performance measurement and impact.¹⁷²

Johnson recognized and acknowledged that new buildings and homes alone were not the answer – fair housing would have to also rehabilitate the structures within the neighborhoods that had been chronically plagued by decades of segregation and neglect. As Johnson conveyed, urban rehabilitation was a key ingredient in transitioning long neglected crime-ridden, dilapidated ghettos into safe, clean community-based neighborhoods:¹⁷³

Rehabilitation is the key to many of our successful urban renewal programs. It is crucial to the success of the Model Cities Program. I intend to call together an outstanding group of private citizens from across the country—from business and labor, government and the building industry—to examine every possible means of establishing the institutions to encourage the development of a large-scale efficient rehabilitation industry. I will ask this group of outstanding Americans to find the best ways to tap the enormous market that exists in rebuilding our cities and to bring the most modern systems and the most advanced technology to this urgent task.¹⁷⁴

The Johnson administration's greatest challenge with implementing the Model Cities program was in securing the appropriate level of funding required to support the city demonstrations at the scale envisioned by the task force, particularly in a political environment of waning Congressional and public support for Johnsonian Great Society programs. Johnson was adamant to ensure the full funding of the demonstration program, however, and in 1967 called on Congress to rise to the occasion:

Fulfilling the purpose Congress proclaimed last year is a necessity. We have inspired the hopes of large and small cities in every State. We have generated in local communities a

¹⁷² Lyndon B. Johnson: "Remarks Upon Signing the Demonstration Cities Bill and the Clean Water Restoration Bill," November 3, 1966. Online by Gerhard Peters and John T. Woolley, *The American Presidency Project*. <http://www.presidency.ucsb.edu/ws/?pid=27987>.

¹⁷³ Ibid, Footnote 172.

¹⁷⁴ Lyndon B. Johnson: "Special Message to the Congress: America's Unfinished Business, Urban and Rural Poverty," March 14, 1967. Online by Gerhard Peters and John T. Woolley, *The American Presidency Project*. <http://www.presidency.ucsb.edu/ws/?pid=28133>.

commitment to excellence as they plan for the future. I strongly urge the Congress to appropriate the full amount it has authorized for Model Cities in fiscal 1968: \$12 million for additional planning grants; \$400 million for supplemental grants to be used in carrying out local model city programs; \$250 million for urban renewal projects in the Model cities.¹⁷⁵

Unfortunately, the program was never fully funded at these levels prior to the end of the Johnson administration, though the initial efforts and findings of the demonstration projects revealed new, illustrative data on the complexities in urban renewal and systems change, and challenged long-held theories about urban revitalization and community development (Schwemm 1985; Von Hoffman 2011).

Equal Opportunities for Housing and Employment: Important Victories and Milestones in the War on Poverty

Johnson's commitment to Full Employment and Fair Housing, while never fully realized during his presidency nor subsequent administrations, had a profound impact on both the evolution of urbanization policy and the role of the Federal government in ensuring equality in America's socioeconomic mainstream. The Johnson administration's focus on job training and economic development initiatives resulted in greater parity in employment opportunities for the country's racial minorities and socially disenfranchised, and led to the lowest unemployment rates witnessed since World War II.¹⁷⁶ Further, Johnson's push for fair housing and urban renewal priorities led to four major national housing programs over a five-year tenure (1964, 1965, 1966, and 1968). Johnson set the stage for tackling the deeply-embedded complexities of discrimination, empowerment, and integration in housing and urban development for future

¹⁷⁵ Lyndon B. Johnson: "Special Message to the Congress: America's Unfinished Business, Urban and Rural Poverty," March 14, 1967. Online by Gerhard Peters and John T. Woolley, *The American Presidency Project*. <http://www.presidency.ucsb.edu/ws/?pid=28133>.

¹⁷⁶ Lyndon B. Johnson: "Annual Message to the Congress: The Economic Report of the President," February 1, 1968. Online by Gerhard Peters and John T. Woolley, *The American Presidency Project*. <http://www.presidency.ucsb.edu/ws/?pid=29104>.

decades by establishing a Federal government role in the implementation and enforcement of fair housing policy. Johnson tackled some of the toughest socioeconomic causes underlying chronic poverty, and through trial and error, success and failure, strategy and impulse, greatly informed the evolution of anti-poverty efforts and urbanization policy for decades to come. Such efforts point to another key example for how the 36th president contributed to the intellectual and practical advancement of the American administrative state.

CHAPTER 9

PROMOTING LONG-TERM SECURITY:

FEDERAL ENTITLEMENT POLICY IN HEALTH CARE AND SOCIAL SECURITY

Over the last third of a century in America, we have proved that people who earn their living can make their lives better and more secure if they divert part of their incomes to protect themselves from the twists of fortune that face all men. Our challenge for the coming years is to see if we can extend that same human insurance and human dignity to persons who are not able to buy their own protection.

--Public Papers of the Presidents: Lyndon B. Johnson January 2, 1968,1-2

Social security benefits are not limited to the poor. They go to widows, orphans, and the disabled, who without them would be reduced to poverty. They relieve an awful burden from the young who would otherwise have to divert income from the education of their children to take care of their parents.

--Public Papers of the Presidents: Lyndon B. Johnson January 2, 1968, 1

As a New Deal Democrat, Lyndon Johnson witnessed first-hand the powerful impact of President Roosevelt's 1935 Social Security Act, which provided a long-term security net for America's widowed, disabled, and elderly populations. As Johnson came into the presidency with his own ambitious Great Society agenda, he strategically designed opportunities to expand the Social Security program in both 1965 and 1967. He focused his attention on increasing eligibility, increasing the benefits package, and increasing the scope of coverage offered under the existing social insurance and supplemental income components of the Social Security program.¹⁷⁷ Additionally, Johnson saw this landmark legislation as the best policy vehicle for initiating the country's first national health insurance programs for single women, children, the elderly, and the disabled. The creation of Medicare and Medicaid created a national safety net that has provided health care coverage to millions of American citizens over the past fifty years while also solidifying the Federal government's presence and role in one of the fastest growing

¹⁷⁷ Lyndon B. Johnson: "Statement by the President Upon Signing the Social Security Amendments and Upon Appointing a Commission To Study the Nation's Welfare Programs," January 2, 1968. Online by Gerhard Peters and John T. Woolley, *The American Presidency Project*. <http://www.presidency.ucsb.edu/ws/?pid=28915>.

sectors in the global economy – health care.¹⁷⁸ Johnson's tenacious, but subtle navigation, between Congress and the executive branch to secure successful passage and enactment of the Social Security Amendments Acts of 1965 and 1967 reflects a mastery of presidential leadership and of the policy making process at the Federal level of government that remains unprecedented (Califano 1991; Caro 2002, 2012; Dallek 1998; Goodwin 1991; Skowronek 1997; Updegrave 2012; Woods 2006). Without Johnson's concerted efforts, it is unrealistic that the United States would have benefitted from expanded Social Security initiatives, which addressed the health care insurance needs of the nation's elderly, poor, and disabled populations.

Facilitating the Establishment of the First National Health Insurance Program: Johnson's Enactment of Medicare and Medicaid

Of all the substantial improvements made to the Social Security program during the Johnson administration, the introduction of comprehensive health insurance programs for elderly Americans with the launch of Medicare is by far the most substantial. For years, prior presidential administrations had come to acknowledge the gap in the nation's social insurance program with respect to health care coverage for the aging. And this was an issue that did not just impact the chronically poor, but put all aging citizens at risk, no matter how financially stable they were in their working adult life or how much money they had saved for retirement. For the elderly, in particular, the risk escalates because income tends to go down after retirement while health care costs tend to rise. Prior to the introduction of Medicare, approximately 50 percent of all seniors over 65 years of age lacked any type of hospital insurance, and of those who had such insurance, very few had coverage that extended to surgical procedures or outpatient health care costs (SSA 1969). Additionally, the government allowed private insurers

¹⁷⁸ Lyndon B. Johnson: "Statement by the President Following Senate Passage of the Medicare Bill," September 2, 1964. Online by Gerhard Peters and John T. Woolley, *The American Presidency Project*. <http://www.presidency.ucsb.edu/ws/?pid=26479>.

to cancel the policies of aging citizens, because insurance companies considered them “high-risk.”

These challenges were insurmountable without a comprehensive national solution that pulled the buying power of all Americans together to create a permanent safety net for the medically fragile and elderly. Such a proposal was contentious, but eventually garnered a great deal of support across congressional party lines and among the American people. Johnson utilized the art of presidential persuasion to appeal to the American public, making it clear that this particular component of the Great Society would impact and be applicable to everyone in one way or another (Neustadt 1991). According to Johnson:

No longer will older Americans be denied the healing miracle of modern medicine. No longer will illness crush and destroy the savings that they have so carefully put away over a lifetime so that they might enjoy dignity in their later years. No longer will young families see their own incomes, and their hopes, eaten away simply because they are carrying out their deep moral obligations to their parents, and to their uncles, and their aunts (July 30, 1965, 1).

The president’s stance on providing government-sponsored health care for the aging was symbolic of the underlying themes associated with the Great Society and War on Poverty platforms. Like former President Roosevelt, Johnson argued that the nation had a moral obligation to care for its most vulnerable populations.

While conservative Arkansas Democrat Wilbur Mills, former Chairman of the House Committee on Ways and Means, received a large portion of the credit for the passage of the 1965 Social Security Amendments Act, which led to the establishment of Medicare and Medicaid, in reality it was President Johnson who played a dominant behind-the-scenes role as initiator, negotiator, and agitator to ensure the creation of these national hallmark social insurance programs. During conversations in early 1964, Johnson was already sending a clear message to

Mills¹⁷⁹ that Medicare should be the most important priority for the Ways and Means Committee during the 89th Congress (Updegrave 2012). In response, Mills proposed a three-prong approach to addressing Johnson's challenge, which consisted of the following: (1) a Social Security cash benefit program, (2) an in-patient hospital benefit, also known as the King-Anderson proposal, and (3) coverage for the poor, or an expansion of the Kerr-Mills program.¹⁸⁰ Johnson, while disguising himself as being fiscally conservative with respect to these proposals, also pushed hard for the inclusion of an expanded Medicare package that would include coverage for outpatient physician services as well, and eventually he prevailed on this point because Congress included this provision within the legislation.

The historical record demonstrates that without Johnson's executive leadership on this issue, it is highly unlikely that Congress would have enacted either the Medicaid and Medicare programs. As Blumenthal and Morone noted (2008):

Johnson did at least four things that measurably increased the probability of Medicare's enactment. First, he recruited a talented legislative staff, giving its chief, Lawrence O'Brien, his pick of personnel from throughout the administration. Second, he made Medicare the highest priority in his legislative program, arranging for the Medicare legislation to be designated H.R. 1 in the House and S. 1 in the Senate. This conveyed the importance that Johnson attached to it. Third, he made it clear to his staff that time was of essence and that no matter how impressive his recent landslide victory, his power as president was fragile and fleeting. Johnson did one other thing over the course of the winter and spring of 1965: he managed the economics of the Medicare and Medicaid legislation (2386).

In a word, Johnson's political contributions were vital for the successful passage of the 1965 Social Security Amendments. Without a strong chief executive within the office of the president these policy efforts would not have been accomplished.

¹⁷⁹ See telephone conversation with Lyndon Johnson and U.S. Representative Wilbur Mills (Arkansas 1939–77) and Wilbur Cohen dated March 23, 1965, 4:54 p.m.

¹⁸⁰ *Ibid*, 179.

Ironically, the addition of Medicaid to the Social Security Amendments Act was in many ways a mere afterthought in the overall legislative scheme to authorize these two programs. Congress created Medicaid as a broad-based state-Federal program, in which state governments could access Federal funding to supplement health care and other long-term supports and services for the medically fragile and economically vulnerable populations. Deeply rooted in the nation's public welfare system, Medicaid was an outgrowth of the original 1950 public assistance amendments, referred to as the Kerr-Mills program, which authorized the first Federal payments for the medical treatment of welfare recipients. Under the Kerr-Mills program, Congress provided Federal matching funds to a limited number of state medical payment initiatives to providers of health care to pay for the medical costs of people who were simultaneously receiving welfare benefits. Quite simply, no one in 1965 could have foreseen the magnitude of growth in the Medicaid program in future decades.

Throughout the legislative debate [in 1965], attention was focused on Medicare, not Medicaid. Almost no one foresaw the potential of Medicaid or would have imagined that hit would one day overtake Medicare and become, after Social Security, the country's largest entitlement program (Moore and Smith 2006, 48).

What was apparent in 1965, however, was Medicare and Medicaid became permanent fixtures within the nation's domestic policy agenda. And just as importantly, Congress and President Johnson transformed the nation's health care system by making the Federal government the largest payer and carrier of health care coverage in the United States.

Building the Administrative Apparatus to Operationalize Medicare and Medicaid Successfully

Congress made the Secretary of Health, Education, and Welfare responsible for the administration of both the Medicare and Medicaid programs. However, the Federal government's entrée into the health care insurance arena necessitated the reliance on an array of

public and private external actors. First and foremost, the Social Security Administration (SSA) established agreements with state governments for determining the eligibility of providers to participate in the hospital insurance program and to set parameters around the scope and reach of services for each state.¹⁸¹ Then, SSA contracted with a variety of private insurance carriers and health care organizations, acting as intermediaries to administer the health insurance claims process (SSA 1969).

These contract negotiations, unfortunately, required a level of depth and intensity that overwhelmed the agency's field operations. As such, the 1965 Social Security Amendments led to another reorganization effort of the SSA to achieve the following objectives: (1) establish new units within SSA that possessed responsibility for the hospital and supplemental medical insurance programs; (2) provide greater efficiencies and fuller utilization of scarce skills in the new technical area of electronic data processing and transmission through a centralized unit at SSA headquarters; (3) strengthen the role of management; (4) increase technical support to all field operations, including district offices, payment centers and state agency operations; and (5) create regional commissioner offices to help ensure coordination and leadership in the field (SSA 1969, 18). The result of these reorganization efforts and changes was the creation of eleven new divisions of the SSA working in concert with each other, and a significantly expanded regional infrastructure.¹⁸² Despite the multitude of programs and activities taking place under the helm of the SSA, Social Security continued to be a highly integrated administrative model in the United States, requiring these various divisions to work interdependently. Its success, therefore, was

¹⁸¹ See Administrative History of the Social Security Administration, 1963-1968.
<http://www.ssa.gov/history/ssa/lbjhistory.html>.

¹⁸² Ibid, Footnote 181.

linked to the effective coordination of strategies and efforts in the field.¹⁸³ As noted in the SSA's administrative history during the Johnson years:

In retrospect, the reorganization of 1965 provided a framework for the high degree of specialization required by new and more complete social security programs, by technological advancements in the area of data processing and transmission, and by new concepts in governmental administration. Special skills and knowledge were conserved and concentrated where they could most effectively, efficiently and economically serve the Administration.¹⁸⁴

The administrative reorganization of the SSA provides an important lesson for the field of public administration in terms of what happens when a theory of government or a policy approach to solving social problems faces challenges during the implementation process. How the Johnson administration, in conjunction with congressional approval, restructured the SSA to carry out the goals and responsibilities associated with Medicare and Medicaid adds another layer of insight into how Johnson's executive branch management affected meaningful change within the administrative state.

Ensuring Success in the Early Years: The Johnson Administration's Multifaceted Outreach Campaign for Medicare

The implementation of the Medicare program required the Johnson administration to invest heavily in a national public outreach campaign to make sure that all eligible citizens were informed of their rights and their potential benefits under the program. At the time Congress enacted Medicare, 152 million citizens were already receiving Social Security and/or railroad retirement benefits, and these individuals were automatically enrolled into the new health insurance program.¹⁸⁵ Beyond this population, there existed an estimated 32 million people who

¹⁸³ Ibid, Footnote 181.

¹⁸⁴ Ibid, Footnote 181.

¹⁸⁵ Ibid, Footnote 181.

would reach the age of 65 by July 1, 1966 and thus would be eligible for coverage under Medicare.¹⁸⁶

The administration's outreach efforts were aggressive. The initial enrollment period was scheduled to end on March 31, 1966, and individuals who had not enrolled by this date would be unable to do so for another two years, and then would be subject to pay higher premiums.¹⁸⁷ The SSA contacted directly over 19.1 million of the targeted 32 million people over the age of 65 not already enrolled in Social Security or receiving railroad retirement benefits during the initial enrollment period (SSA 1968). The Office of Economic Opportunity also invested in the Federal government's Medicare and Medicaid outreach efforts, approving grants to 463 Community Action Programs (CAPs) across the country to target information dissemination efforts toward the hardest to reach seniors in poor neighborhoods and low-income communities (SSA 1968). The administration directed the CAPs to work closely with their regional SSA offices to ensure continuity in messaging and information dissemination efforts.¹⁸⁸ Of the 19.1 million people reached through public education efforts, an impressive 88 percent (or 16.8 million people) enrolled by the March 31 deadline.¹⁸⁹ The administration extended the deadline to May 31, and by then 17.2 million people, or roughly 90 percent of the original 19.1 million that had received direct communication from the Federal government regarding the launch of Medicare, had enrolled (SSA 1969).

¹⁸⁶ Ibid, Footnote 181.

¹⁸⁷ Ibid, Footnote 181.

¹⁸⁸ Ibid, Footnote 181.

¹⁸⁹ Ibid, Footnote 181.

Administrative Strategies for Confronting the Unintended Consequences of Medicare and Medicaid Implementation

The Johnson administration anticipated a number of administrative problems to arise in the rapid implementation and complex nature of the Medicare and Medicaid programs. One major unintended consequence of the Medicare program was the escalation in medical care costs. Clearly, the introduction of a new market of 150 million citizens had tremendous implications with regard to the laws of supply and demand in health care delivery. In the first year alone, the Johnson administration observed escalated pricing in virtually every service delivery category reimbursed by the Medicare program.¹⁹⁰ As Levitan and Taggart (1977) described:

Medicare and Medicaid contributed to the rapid inflation of health care prices in the late 1960s. But supply did expand and reallocation occurred. The price rises pinched middle-income families and those at the margin of eligibility, and significant inequities were created, providing cogent arguments for a more comprehensive health care system. But with limited resources, those most in need (as defined by individual states) are generally being helped (607).

In August 1966, Johnson requested the Secretary of HEW to study the reasons associated with the rapid increases in medical care prices and to offer recommendations for how to control costs. HEW Assistant Secretary for Program Coordination, William Gorham, submitted a report to the President in late February 1967 that outlined key recommendations for how to control costs and avoid escalated pricing in health care delivery in the future.¹⁹¹ One of the major recommendations from the report was that the Department of HEW should collaborate with the Department of Labor and other federal partners to monitor and conduct ongoing research and data analysis to explain fluctuating medical prices.¹⁹² In response to this recommendation, the Johnson administration held two national conferences – one on medical costs and the other on

¹⁹⁰ Ibid, Footnote 181.

¹⁹¹ See "A Report to the President on Medical Care Prices," also referred to as the Gorham Report, at <http://www.ssa.gov/history/ssa/lbjmedicare7.html#70>.

¹⁹² Ibid, Footnote 181.

private health insurance – and then followed up with a series of regional conferences to explore several experimental designs and demonstrations related to the management of health care costs.¹⁹³ SSA also invested in the completion of a study of prices of in-hospital medical and surgical services commonly used by America’s elderly, and HEW launched a Task Force on Prescription Drugs to look at various models for increasing coverage of prescription drugs and medical technologies.

Another major dilemma was the requirement that Medicaid eligibility be tied to the receipt of public welfare assistance, creating what would become a major dilemma in social welfare policy with regard to promoting or encouraging optimal self-sufficiency. For as health care costs have continued to escalate, the threat of losing Medicaid eligibility has deterred individuals from pursuing opportunities that may result in increased income that may exceed the allowable limit to retain Medicaid eligibility. As Moore and Smith described, “...Medicaid’s heritage has clearly shaped a program steeped in public assistance and welfare mentality, seen by most observers as a tremendous weakness” (2006, 51). Unfortunately, this phenomenon continues to exist, and the broader implications of arbitrary income and asset limits associated not only with Medicaid specifically, but Social Security generally, is one of the most contentious and unresolved Federal entitlement policy issues debated today.

Johnson’s Expansion of Roosevelt’s New Deal Investments in Social Security

While most noted for the introduction of Medicare and Medicaid, the Johnson administration made sweeping reforms to the original 1935 Social Security Act. It also instituted massive administrative changes to grapple with the accelerated growth of the Social Security program coupled with the nation’s first health insurance programs. Prior to his death, President Kennedy initiated a major reorganization of the Social Security Administration to stimulate the

¹⁹³ Ibid, Footnote 188.

administrative apparatus needed to handle the growing Social Security program specifically and the increasing welfare responsibilities shared with the Department of Health, Education, and Welfare (HEW) generally. The reorganization resulted in the establishment of a Commissioner who had become responsible for the handling of both the Social Security and welfare mandates of the Department and who reported directly to the Secretary of HEW. Congress transitioned the former Bureau of Family Services and Children's Bureau to a newly created Welfare Administration while dismantling the Bureau of Old-Age and Survivors Insurance and replacing it with the Social Security Administration. From 1963-1968, Congress made several improvements to the Social Security program. These efforts intended to increase the financial protection of covered workers and their families against the risks of illness, retirement in old age, disability, or death (SSA 1968; Johnson 1968).

In addition to the creation of Medicare, the 1965 amendments made significant improvements in the cash benefits program. The major cash benefit provisions included: a seven percent increase in cash benefits; expansion of the definition of disability; an increase in the income limits associated with maintaining eligibility for full benefits; extended eligibility benefits to children aged 18-21 who were attending school and to widows at age 60; liberalized insured-status requirements for persons aged 72 or older; and increased the contribution and benefit base to \$6,600 of the amount of earnings (SSA 1968, 42).

The Social Security Amendments of 1967

In January 1967, President Johnson took his plans for further reforms to the Social Security system to Congress, first in his State of the Union on January 10th followed by a Special Message to Congress on the aging. Johnson also sent to Congress his Special Message on Aid for the Aged. In both messages, Johnson shared the findings of the study completed by the

administration in 1966 and offered recommendations for remedying some of the operational and economic challenges facing the Social Security program as well as Medicare and Medicaid.

Johnson proposed several reforms to Social Security, including an across-the-board increase in base benefits for all Social Security recipients; cash benefits for disabled widows; an increase in the annual exempt under the retirement test; broader coverage of agricultural workers; protections for Federal employees in the civil service or foreign service retirement systems; and health insurance for Social Security disability beneficiaries.¹⁹⁴ Johnson also called on the Department of Health, Education, and Welfare to conduct a study of the socioeconomic costs of including prescription drugs under Medicare.¹⁹⁵

Despite the administration's 1966 study, Congress conducted its own evaluation of Johnson's recommendations for Social Security program improvements as well as alternative strategies "weighing the needs of the American people for more meaningful social security protection against the economic impact of these improvements on taxpayers and on the general economy" (SSA 1969, 42). Eventually, Congress passed the Social Security Amendments of 1967, and President Johnson signed this legislation into law on January 2, 1968. The most significant cash benefit changes made in the social security program by the 1967 amendments included: a 13 percent increase in old-age, survivors, and disability insurance benefits; an increase in the special age-72 payments; an increase in the annual income limits associated with full benefits eligibility; monthly cash benefits for disabled widows and disabled dependent widowers at age 50 at reduced rates; a liberalization of eligibility requirements; an alternative insured-status test for workers disabled before age 31; new guidelines for determining eligibility for disability insurance benefits; additional non-contributory wage credits for servicemen;

¹⁹⁴ Ibid, Footnote 181.

¹⁹⁵ Ibid, Footnote 181.

broadened coverage of clergy and members of religious orders; and an increase in the contribution and benefit base from \$6,600 to \$7,800.¹⁹⁶

Although the bill Congress passed was not as comprehensive as that recommended by the administration, the amendments made substantial structural and contextual improvements to the Social Security cash benefit program. As Johnson conveyed during his public remarks before signing of the bill into law, "Because of social security, tens of millions of Americans have been able to stand straighter and taller unafraid of their future ... Measured in dollars of insurance benefits, the bill enacted into law today is the greatest stride forward since social security was launched in 1935."¹⁹⁷

The Social Security Amendments of 1967 also provided the first major changes to Medicare, including the expansion of coverage under the program to certain services previously excluded; the simplification of reimbursement practices under both the hospital and medical insurance portions of the program; and the strengthening of administrative procedures around program enrollment.¹⁹⁸ In addition, the legislation provided for the establishment of an advisory council to study the question of extending Medicare to disability beneficiaries, a chief suggestion that came directly from the Johnson administration.

In summary, the Social Security amendments that Congress enacted during the Johnson administration years represent the most comprehensive expansion of the Social Security program since the program's inception in 1935. Beyond the creation of Medicare and Medicaid, cash benefits increased steadily, and Congress relaxed eligibility requirements and extended them to other at-risk populations.

¹⁹⁶ Ibid, Footnote 181.

¹⁹⁷ Lyndon B. Johnson: "Statement by the President Upon Signing the Social Security Amendments and Upon Appointing a Commission To Study the Nation's Welfare Programs," January 2, 1968. Online by Gerhard Peters and John T. Woolley, *The American Presidency Project*. <http://www.presidency.ucsb.edu/ws/?pid=28915>.

¹⁹⁸ Ibid, Footnote 181.

The Impact of Expanding and Reforming Social Security

Whereas President Roosevelt established the groundwork for the nation's Social Security program in 1935, Johnson elevated the program to create a multi-faceted, comprehensive entitlement safety net for millions of Americans. The impact of the Johnson administration's contributions to the country's social security framework had far-reaching implications for the national budget, the size of the Federal government, and the quest for racial parity in terms of long term economic security.

With regard to the national budgetary implications of such a vast expansion of the Social Security program and the advent of Medicare and Medicaid, the Johnson administration was already witnessing dramatic spending increases in entitlement spending in the early years when the programs were being launched and transformed.

Together, the 1965 and 1967 amendments to the social security law increased social security case benefits by an average of about 23 percent. When Medicare is taken into account, social security benefits for people 65 and older increased in value by an average of more than 35 percent. Total benefits under the program rose from an annual rate of about \$16 billion in June 1964 to an annual rate of about \$30 billion in June 1968. The 1965 and 1967 amendments accounted for about 70 percent of this increase, the remainder being due to ordinary program growth. Over 2 million beneficiaries were added to the social security rolls by legislation enacted in the 5-year period [1964-1968]. In no other period have so many people benefitted from social security legislation. In no other period has the Social Security Administration faced—and successfully met—so many new and difficult administrative challenges.¹⁹⁹

Johnson considered these financial investments, however, to be strategic investments in the nation's economic stability and they had a profound impact on the long-term security of the American people. As Levitan and Taggart described:

During the 1965-1975 decade, benefits were raised substantially in real terms, and the system matured to the point where coverage of workers and benefits to the elderly became nearly universal. The redistributive features of the programs were expanded but social security remained a good insurance buy for most workers (1977, 604).

¹⁹⁹ Ibid, Footnote 181.

The reality of these investments was striking. The increases in cash benefits under the amendments substantially improved the financial situation of millions of Social Security beneficiaries. In fact, the 1967 SSA Amendments alone moved approximately 800,000 aged beneficiaries out of poverty. Altogether, these programs kept more than 62 million aged beneficiaries out of poverty, a direct result of the benefit improvements to the Social Security program in 1965 and 1967.²⁰⁰

The Johnson administration also made tremendous progress toward increasing access to high-quality health care to the elderly, poor, and medically fragile. The sustained coverage under Medicare and Medicaid for almost fifty years certainly fulfilled Johnson's promise that all Americans have access to high quality health care regardless of age, geography, or economic status (Levitan and Taggart 1977, 606). Of course, any program that grows at the size and rapidity like Medicare and Medicaid did will face scrutiny, and the administration dealt with many of the complexities around administering these programs by contracting with major private and public entities in the health care community as well as focusing on building an infrastructure focused on specialization and efficiency (Warner 2008). Even today, these programs are constantly trying to balance the delivery of adequate services while avoiding waste, fraud, or overutilization.

To address these issues early on, the Johnson administration promoted innovation and encouraged experimentation. Some of these approaches were more successful than others, and there were political consequences associated with the interventions that failed. However, the administration handled problematic issues with corrective courses of action that worked to solve the dilemmas at hand.

²⁰⁰ Ibid, Footnote 181.

Perhaps to quell fears that government intervention would mean government control, Medicare may have displayed excessive generosity in considering the desires of doctors and other vested interests. After problems emerged, however, steps were taken to cut the fat from the system, (Levitan and Taggart 1977, 606).

In other words, it was to be expected that the implementation of a national long-term security and health insurance framework of this magnitude would face significant administrative hurdles, but it does appear that the Johnson administration worked diligently to address such challenges efficiently and effectively.

Improving racial parity in long-term socioeconomic security was one of the most significant, but overlooked, areas for which the Johnson administration contributed to the nation's Social Security system. First, social policy researchers have long established the linkages between the legacy of racism in American social structures and the control of state governments in the decision making process concerning social programming (Eldridge 2007; Height 1996; Brooke 1997). Second, because of the major income disparities between African-Americans and Caucasians, African-American heads of households and their families relied more heavily on the cash benefits that Social Security provided. Dr. Dorothy Height (1996) illustrated this point at the Clinton administration's 30th anniversary of the creation of Medicare and Medicaid:

Income and poverty status are critical factors to consider for elderly black Americans. Social Security benefits are central to the retirement income of many elderly people. We must not forget, however, that black people are less likely than their white counterparts to receive Social Security benefits and are more likely to receive lower benefits. The lower Social Security benefits of black Americans reflect our lower earnings. Even with the lower Social Security benefits, black Americans still rely on Social Security for much of their income: In 1994, 76 percent of black persons relied on Social Security for 50 percent or more of their income, compared with 65 percent of white persons (3).

And the lasting consequences of system discrimination and segregation certainly transcended to the health care arena.

Prior to the passage of the Civil Rights Act of 1964 and the introduction of Medicare and Medicaid, most African-Americans and other racial minorities could not afford health care coverage. In addition, health care clinics, hospitals, and physicians who did not want to treat African-Americans and other racial minorities could deny them medical access and treatment (Height 1996). The passage of Title VI of the Civil Rights Act prohibited racial discrimination in any institution receiving Federal funds, and thus served as a powerful tool for pushing hospitals to review and change their policies and practices. The law also required that those receiving Federal funds be prohibited from denying admission to patients based on race; subjecting patients to separate treatment based on race; or denying admitting privileges to medical personnel solely on the basis of race (Height 1996). And the introduction of Medicaid and Medicare assured that even low-income minorities had buying power to access quality health care services. The combined effect of the Johnsonian-era civil rights legislation and the launch of Medicaid and Medicare “changed the health care landscape forever for black Americans and minorities for all ages” (Height 1996, 4).

Finally, Johnson’s actions in securing the enactment of the Social Security Amendments Acts of 1965 and 1967, coupled with his careful oversight of the implementation process, provides many lessons for future presidents:

Presidents must be committed deeply and personally to health care reform if they are to be successful in enacting major legislation. Second, speed is essential...Third, presidents would do well to concentrate on the one job that they and they alone can do: the creation of the political momentum that will enable other leaders and experts to fashion effective legislation. Fourth, they must also use that mandate with consummate skill in negotiating some of the most complicated governing machinery in the world. And finally, they must accept the reality that expanding health care for large populations is an expensive endeavor, and as such they will have to go with the flow and “quiet their inner economists” (Blumenthal and Morone 2008, 2387).

During Johnson's presidential term, the monumental changes in the Social Security system, coupled with the launch of Medicare and Medicaid, had a tremendous impact on the future of the American administrative state in terms of its role, responsibility, entitlement budgetary obligations, and parity in providing for the long-term socioeconomic security of the American people. This represents not only another significant contribution to the development of the intellectual history of the field of public administration but also speaks to the need for administrative theorists to be able to connect administrative theories of governance to the practice of public management.

PART III.

ASSESSING THE IMPACT OF JOHNSON'S GREAT SOCIETY ON TODAY'S ADMINISTRATIVE STATE: THE LIMITS OF TRANSFORMATIVE ADMINISTRATIVE LEADERSHIP

Examining the totality of the Johnson administration's domestic contributions to the continued development and advancement of the modern U.S. administrative state is a daunting task. One of the most enduring legacies of Johnson's Great Society platform was that the president was incredibly ambitious, and often times this executive ambition represented unrealistic expectations for what the country could and should accomplish during this time period. Johnson's transformative agenda, however, set the stage for remarkable achievements in the 1960s, and distinguished the nation's 36th president as a visionary who, for better or worse, was successful in dramatically changing the scope, breadth, and influence of the Federal government's role in American public life. More so than any other American president in modern history, Johnson made a permanent mark on the daily lives of American citizens – from the public schools children attend; to the choices available for higher education; to the voting rights enjoyed by the many as opposed to the few; to the numerous housing and community development initiatives that continue to address complex urban challenges; to the long term entitlement programs of Social Security, Medicare, and Medicaid – all of these monumental policy reforms fundamentally altered the role of the modern administrative state and greatly enriched the intellectual history of U.S. public administrative theory and practice.

The 1960s represented a period of turbulent times in American history. It was an era in which many Americans, especially those the government had purposefully oppressed for generations, started a cultural war and openly challenged how the government was applying and enforcing the rule of law. These counter-revolution movements attempted, and in many ways were largely successful, at forcing the U.S. government to live up to its democratic ideals and republican principles. Just as importantly, for the purposes of this research, it also represents the type of political, institutional, and historical backdrop President Johnson used to create and

implement much of the Great Society platform, which sought to eradicate systemic vestiges of racial inequality, injustice, and discrimination that had divided blacks from whites, the poor from the rich, the urban ghettos from the suburbs, the medically fragile from the healthy, and the needy from the plentiful.

Indeed, the Johnson administration embraced and symbolized the idealism of the 1960s. In doing so, it relied on a distinctive window of opportunity that allowed for the creation of a policy environment in which the Federal government began to execute and sustain a commitment towards the implementation of a national civil rights framework. This involved not only the enforcement of new civil rights laws, but a myriad of investments to assure equality of opportunity in public education, full employment, fair housing, and retirement security; equity in outcomes, particularly with regard to anti-poverty community action programs, urban renewal, and Medicaid; and representativeness, which included parity in voting rights as well as greater political and societal participation in the public policy process. In its approach to this vast domestic agenda, the Johnson administration encountered a number of complex philosophical challenges that were never resolved completely, and these fiscal, policy, and programmatic disagreements concerning the purpose(s) of American government, especially at the Federal level, continue to test the boundaries of effective governance within the executive branch of government specifically and throughout the nation more generally.

To summarize the impact of the Johnson administration's influence on the field of public administration, it is necessary to investigate further these dynamics as well as other challenges that impacted the effective execution of the Great Society agenda. It is also important to understand how the Johnsonian experience informed the evolution of public administration theory. This retrospection further necessitates additional exploration into the inherent struggle

faced throughout the Johnson administration with regard to balancing the implementation efforts of the president's ambitious Great Society domestic agenda with the expectation for operating an effective government through resource constraints and stringent management principles. Finally, it is important to examine the summative administrative milestones achieved during the Johnson-era and the lasting impacts of such actions on the evolution of the American administrative state and the evolution of political administration.

Addressing Administrative Challenges with the Implementation of the War on Poverty and Great Society

Building an administrative state sophisticated enough to handle the complexities and challenges of implementing the multi-faceted War on Poverty and the comprehensive Great Society agenda was not easy. The administration achieved noteworthy accolades and political support early on in passing landmark legislative statutes and launching initial implementation strategies pertaining to civil rights, anti-poverty reform, public education, full employment, and fair housing. However, it still had to operate within the dated, inefficient, and limiting parameters of America's existing bureaucratic structure (Heineman 1967; Rourke 1987; Stever 1993; Halachmi 2002). The only way for the Johnson administration to make progress towards its domestic goals was to address the long-term problems inherent within both the existing administrative apparatus and the Federal bureaucracy of the executive branch. Admittedly, the Johnson administration did identify and apply shortcuts to circumvent the bureaucratic structure as much as possible. For example, circumventing careerists in Federal agencies and overlooking formal administrative policy development processes was one way the administration tried to incorporate more efficient and effective implementation strategies for its domestic policy priorities. Another way included establishing insulated task forces to develop legislative and

administrative recommendations under tight timelines. These efforts undoubtedly helped the Johnson administration present numerous legislative proposals to the 89th Congress while simultaneously allowing them to implement a number of executive orders and administrative policy proposals more quickly and efficiently. The historical record reveals, however, that not even the application of a few alternative approaches like an overreliance on closed task forces to evade arduous bureaucratic procedures could remedy the long-term consequences of outdated administrative and technological processes inherent at this time within the Federal bureaucracy.²⁰¹ And, just as importantly, the mere breadth and depth of the Great Society platform required a complete overhaul of the nation's Federal administrative infrastructure so that it could absorb the growing demands and new responsibilities that Johnson's domestic agenda required on the executive branch of government.

To comprehend this enormous burden on the Johnson's administration better, a review of the recommendations of the President's Task Force on Government Organization, chaired by industrialist Ben Heineman, is necessary. The findings produced by this task force offer important insight into the internal struggles the Johnson administration was facing with regard to executing the Great Society, and it offers valuable lessons for contemporary executive branch management. From the beginning, Johnson directed the Heineman task force to focus primarily on creating sound solutions for addressing the managerial and implementation problems within the Great Society.²⁰² The task force explored a number of models for addressing the Great Society's interagency dilemmas and managerial frustrations, including the incorporation of a

²⁰¹ See Oral Histories of Ben Heineman and Bill Moyers.

²⁰² Private correspondence between Bureau of the Budget Director Charles Schultze and Heineman in 1966 reveals the tremendous pressure and sense of urgency felt by Johnson's senior advisers to develop feasible strategies for successfully overcoming the intergovernmental management issues inherent in the mixed results associated with implementing the Great Society agenda up to that point (Stever 1993).

Pentagon-like hierarchical model traditionally reserved for military and defense institutions (Stever 1993).

The task force submitted its final report to the White House on June 15, 1967, and reaffirmed many of the administrative barriers that impeded the ability of the Johnson administration from making more progress in implementing the key tenets of the Great Society.²⁰³ The Heineman task force also outlined its recommendations for achieving long-term organizational change and reform that would be necessary to improve presidential management of the executive branch: “Organizationally the goals of the Great Society legislation demand collaboration and cooperation – between Federal bureaus and departments AND between governments” (Heineman 1967, 3). The task force aggressively attacked the ongoing lack of coordination among and within federally funded initiatives as the main reason progress on the War on Poverty and other key aspects of the Great Society platform had declined. It placed blame on the continual management of key programs in isolation, turf wars over agency jurisdiction, and excessive centralization from Washington as key contributors that impeded progress (Heineman 1967).

With regard to institutional weaknesses within the executive branch of government, the Taskforce on Government Organization cited five key challenges that the administration needed to address in order to strengthen the organizational infrastructure responsible for administering the Great Society. These included:

1. Over-centralization among Federal agencies in Washington, but a lack of control by Cabinet Secretaries;
2. Lack of focus on long-range planning, ongoing evaluation process, or linking data from such efforts to help inform policy and budget decisions in the future;

²⁰³ Heineman, B. Final Report of the President’s Task Force on Government Organization (June 15, 1967). Extrapolated from the National Archives at the LBJ Memorial Library in Austin Texas.

3. Lack of institutional staff²⁰⁴ and machinery within the Executive Office of the President to manage conflict, control, and coordinate Federal programs and resources; mediate problems and disputes between the Federal departments and the field; and reflect the presidential perspective in program areas requiring cooperation at all levels of government;
4. Fragmented, powerless regional offices that were poorly staffed both in terms of quality and quantity, and under resourced; and
5. Poor channels of communication and coordination between Federal-state-local governments (Heineman 1967, 2-3).

The task force created two sets of recommendations. The first related to strengthening the Executive Office of the President (EOP), and the second focused on improving the management of domestic programs through the executive departments within the administration.²⁰⁵ As Stever (1993) described, the recommendations of the Heineman Commission extended “intergovernmental management logic” to addressing Great Society problems in three important ways: (1) reliance on the EOP as the central coordinating source; (2) use of field officers loyal to the president to implement EOP coordination; and (3) expansion of the Bureau of the Budget’s (BoB) capacities to assist in the management of intergovernmental programs (76). In essence, the task force promoted an executive-centered model of intergovernmental management for overseeing the multi-faceted aspects of implementing the Great Society agenda (Stever 1993).

With regard to the president, the task force advocated for the repositioning of the BoB to allow it to have a more active role in shaping the long-term domestic planning, as opposed to being simply a reactor to agency budget proposals. Additionally, in order to establish a stronger

²⁰⁴ The Report distinguished institutional staff from the President’s personal staff (White House counsel, special assistants, and their aides) whose daily activities are shaped by the President’s personal and immediate requests. The Task Force felt that the president required another layer of institutional staff support to deal with “Presidential-level issues and problems that are continuing, regular, and routine in character” (Heineman 1967, pg. 2). It is important to note that in a cover memo prepared by White House Special Advisor Joseph Califano, he does not list this particular observation as a priority issue for the president to consider.

²⁰⁵ Ibid, Footnote 203.

White House staff capable of solving disagreements when interagency conflicts emerged and to improve coordination among agencies, the task force suggested the creation of a new Office of Program Coordination (OPC) for domestic affairs separate and distinct from the Bureau of the Budget.²⁰⁶ The purpose of the OPC was to “mediate and settle interagency arguments; spur and insure cooperation between Federal agencies, and provide a focal point in the President’s Office for Governors, Mayors and other key executives on domestic program issues” (Heineman 1967, 4). The task force also recommended that the OPC be staffed with a permanent field force. In addition to the creation of this office, the task force recommended the establishment of a new Office for Program Development with clear responsibilities to develop a domestic social program for the president as a part of a reorganized Bureau on the Budget.

In terms of the executive agencies tasked with implementing the nation’s key domestic programs, the task force outlined six specific recommendations, including: (1) the full implementation of Performance Based Budgeting Systems (PBBS) methodologies; (2) the continued realignment and merging of various Federal departments in order to avoid redundancy or overlap; (3) the decentralization of authority and operational management within Federal agencies; (4) the creation of strong regional offices, and the physical collocating of regional offices of key divisions, including HEW, Housing, Labor, and OEO, for the purposes of creating greater synergies; and (5) the consolidation all manpower development, training and workforce programs currently in Labor and OEO to the Manpower Administration under the Department of Health, Education, and Welfare.

This last recommendation, (6) to move all of the manpower initiatives to HEW, revealed the power dynamics occurring behind the scenes with regard to HEW, OEO, and the Department

²⁰⁶ While the majority of the task force advocated for the Office of Program Coordination to be parallel and outside of the Bureau of the Budget, three of the president’s top advisers, including Chairman Ben Heineman, Charles Schultze, and Robert McNamara, argued that the new office should be housed within the Bureau of Budget.

of Labor (DOL). This particular recommendation was the one that Senior White House Advisor Joseph Califano (1967) emphasized in his three-page reaction to the task force report to the president. There were two key aspects of this recommendation that are particularly noteworthy. First, the taskforce recommended that the Secretary's powers under HEW be strengthened, and suggested that the consolidation of "parochial" agencies such as Welfare, Office of Education, and Public Health Service be transferred into supporting agencies, headed by undersecretaries for whom the president appointed. The only Federal agency to date to command such a platform of programs and jurisdiction of this magnitude was the Department of Defense. Second, the task force recommendations also provided further evidence of the inconspicuous commitment of the Johnson administration to retain the OEO for the foreseeable future. Despite the myriad of programs that the EOA-64 had authorized and developed under OEO and DOL's leadership, Califano emphasized the task force's recommendation to transition OEO's programs and authorities to other divisions as soon as possible. "For the time being, OEO would remain as an independent agency to innovate programs to reach the poor, but its "poverty coordinating" functions would ultimately be transferred to a strengthened BoB," and further argued that the Johnson administration would not maintain its support of the OEO, by affirming "...when OEO has outlived its usefulness, all of its functions could be transferred to a renovated HEW" (Califano 1967, 2).

In addition to the vast number of problems and recommendations the Federal Task Force on Government Organization identified, the Johnson administration was also contending with another major dilemma – the impact of ongoing budget constraints on administrative priorities. Ironically, some unanticipated financial consequences became transparent as a result of the administration's continual over-reliance on appointed task forces. While Johnson relied on the

efficiency of the insulated task force structure, because they served as an instrument of innovation and program development, the corresponding proposals coming out of various task forces required solutions of new problems relating to legislative coordination and budget preparation. And the administration was never in a position to address all of these concerns. Furthermore, the administration never developed formalized arrangements for performing cost analyses of task force recommendations before the EOP considered or approved these proposals. It, therefore, became evident that a more systematic approach was necessary. As the 1969 Administrative History of the Bureau of the Budget describes:

First, program proposals and the budget add-ons from resulting task force recommendations involved large resources, often totaling many billions for the first year and with occasional individual proposals on a multi-billion dollar scale. Second, task forces were generating new ideas and program proposals without any guidance with respect to fiscal resource constraints while such constraints were a large element in regular budget planning, particularly under the tight budget guidelines necessitated by the growing costs of the Vietnam conflict. Moreover, no specific arrangement existed for obtaining the judgment of a task force on the relative priority of its various proposals. As task force efforts broadened it became clear that there was a substantial overlap between task force proposals and those being considered in the regular budget process. The task force reports often included recommendations for expansion of existing programs and these proposals were frequently at variance with those that were submitted to the Bureau through regular channels. Proposals were being made to the White House that an agency could not accommodate in its budget requests (100-1).

At this point in time, the administration not only had to finance the increased war efforts in Vietnam, but it also had to determine how to fund for the overwhelming recommendations made by the various task forces created by Johnson. One of the major consequences of Johnson's initial approach to advance his Great Society agenda early on in his presidency was that it left no real opportunity for the EOP or the BoB to coordinate and plan for various legislative proposals and investments that were colliding in terms of priority and timing at the same time. This dynamic strained the budgetary priorities for Johnson's domestic policy agenda. In addition, Johnson's ongoing push for cuts in Federal government spending would

eventually necessitate a focused strategy on managerial and budget reforms, which later availed itself as the War on Waste and the introduction of the Performance Based Budgeting System (PBBS).

Creating a Balance Between Compassionate Politics and Performance-Based Budgeting: Johnson's Quest to Win the War on Poverty and the War on Waste

Many of the administrative challenges associated with implementing the Great Society agenda were symptomatic of larger problems for the Johnson administration. Their continual attempt to reconstruct impoverished urban communities through meaningful civic engagement exercises between Federal field employees and economically disadvantaged citizens not only posed implementation challenges but did very little to produce meaningful empirical data (Derthick 1978; Musolf and Seidman 1980; Edelman 2006). After 1964, Congress showed growing reluctance to appropriate the needed resources to support Johnson's antipoverty programs. The administration, as a result, began to struggle with how to maximize efficiency standards for programmatic implementation while simultaneously continuing to accelerate the reforms envisioned within the Great Society portfolio.

Certainly, Johnson possessed a resilient tenacity for persuading Congress to move rapidly on a number of comprehensive proposals. During his first State of the Union address in 1964, Johnson called on Congress to support not only his socioeconomic agenda but, more importantly, to advance noteworthy democratic principles that he found painstakingly absent in mainstream American life. As the president plainly noted:

Let this session of Congress be known as the session which did more for civil rights than the last hundred sessions combined; as the session which enacted the most far-reaching tax cut of our time; as the session which declared all-out war on human poverty and unemployment in these United States; as the session which finally recognized the health needs of all our older citizens; as the session which reformed our tangled transportation and transit policies; as the session which achieved the most effective, efficient foreign aid

program ever; and as the session which helped to build more homes, more schools, more libraries, and more hospitals than any single session of Congress in the history of our Republic (1964, 4).²⁰⁷

Johnson's call for Congress to embrace the Great Society agenda also came with an equally ambitious timeframe, requesting members of the House and Senate to act on his legislative proposals immediately. Johnson's vision for the Great Society was more than just a political strategy – it was the centerpiece of his administrative vision. But he was also just as preoccupied on making government better. And in order to get everything he wanted accomplished, Johnson had to modernize public administration so as to operationalize his vision efficiently and effectively and produce the level of results that would ensure lasting and firm public support. As such, from late 1963 until his departure from office in 1969, Johnson became just as focused on the “shrinking” of government as he was in witnessing the seeds of his Great Society vision become a reality, with a strong Federal executive branch at the helm. Thus was the spirit underlining Johnson's third war: The War on Waste.

Johnson's impatient manner guided his efforts not only on Great Society priorities but also transcended to the War on Waste, resulting in permanent tensions in the president's competing priorities for developing the socioeconomic policy platform necessary to realize civil rights goals and the quest for efficient and cost-effective government fully. Even early on in Johnson's term, the president's tendency to set unrealistic expectations and arbitrary timelines seeped into the administration's approach toward managerial reforms and cost containment (Heller 1970; Yarmolinsky 1980; Bauer 1982; Weiss 1987; Lemann 1989; Patterson 1994; McKee 2005; Dallek 2012). For example, for the second time in his first year as president, Johnson announced to his Cabinet on December 11, 1963 of his decision to tighten the

²⁰⁷ Lyndon B. Johnson: "Annual Message to the Congress on the State of the Union," January 8, 1964. Online by Gerhard Peters and John T. Woolley, *The American Presidency Project*. <http://www.presidency.ucsb.edu/ws/?pid=26787>.

management and curb employment in the Federal government. Later that day, BoB Director Kermit Gordon sent a memorandum to Cabinet members giving them two days to conduct a thorough review of their 1965 budgets to identify additional areas where further reductions in appropriations, expenditures, and personnel could be made through “tighter management, better personnel, utilization, postponement of program expansions, curtailment of programs which are not of the highest urgency, and other steps appropriate to a time of severe budgetary stringency” (Gordon 1963, 1).

The aggressiveness was warranted and critical. Early projections issued by the Bureau of Budget anticipated a 60 percent increase in Federal spending due to the establishment of Great Society programs from 1964-1966, for a total of \$4.5 billion (Johnson 1965). To help Johnson attain his goals with regard to fiscal constraint, he deployed a slightly different model of task force structure to inform his work. He directed each member of the Cabinet and Federal agency head to develop their own internal mini-task forces comprised of careerists and budget staff to provide additional recommendations on cost reduction strategies specific to their individual agencies.²⁰⁸ Johnson also directed each of his Cabinet members and agency heads to appoint internal task forces to identify areas where savings could be made to offset the increased spending required for new and expanded programs resulting from the Great Society agenda.²⁰⁹

These agency-specific teams became the President’s Task Force on Cost Reduction, whose work was timely and critical. Substantial increases to both Great Society programs and defense priorities, coupled with decreased government asset sales, necessitated a government-

²⁰⁸ Lyndon B. Johnson: "Remarks to Members of the Budget Bureau Staff at the Signing of the 1965 Budget," January 20, 1964. Online by Gerhard Peters and John T. Woolley, *The American Presidency Project*. <http://www.presidency.ucsb.edu/ws/?pid=26001>.

²⁰⁹ Ibid, Footnote 211.

wide focus on massive cost reductions.²¹⁰ President Johnson provided strong direction to this Task Force on July 15, 1965:

Over half of the new spending [for Great Society programs] is being financed from improved efficiency and by reductions that shrewd, and able, and discerning administrators have made in less essential programs.....I don't want a penny more than is necessary spent to do this, and I am absolutely certain that a growth in budget expenditures at the rate indicated is neither necessary nor inevitable.²¹¹

Johnson continued to share his sentiments, intimating how serious he was about the efforts of the task force by outlining three key principles to inform their deliberations:

First, hold no program sacred. No program, no matter how long it's been established, should be free of a very cold and a very searching examination. Second, the real savings are going to come from reducing or eliminating programs that can be reduced. While I do want you to find more efficient ways of running exciting programs, I don't want you to concentrate so heavily on that aspect, that you refrain from asking whether this program is really essential to furthering the national interest. Third, I want you to put your imagination to work. When it comes to proposing new programs, I find little want of imagination. We have some real dreamers and people that are quite idealistic. So I urge you to be equally ingenious in looking for ways to contain costs and save resources.²¹²

Less than two months after establishing the Task Force on Cost Reduction, Johnson launched the Planning-Programming-Budgeting System (PPBS) across all Federal agencies.²¹³

Johnson's budget negotiations with both administrative officials and the Congress seemed like a never-ending saga, and the weight of such discussions were felt throughout the Cabinet. However, despite this dynamic, Johnson still remained committed to enact his own focus on decreasing Federal expenditures. Beginning in 1964, Johnson required every agency within the Federal government, including new agencies authorized as part of the War on Poverty, to begin implementing the PPBS methodology. On August 25, 1965, Johnson announced that he

²¹⁰ Lyndon B. Johnson: "Memorandum on the Operation of the Government-Wide Planning, Programing, and Budgeting Systems," November 17, 1966. Online by Gerhard Peters and John T. Woolley, *The American Presidency Project*. <http://www.presidency.ucsb.edu/ws/?pid=28039>.

²¹¹ Lyndon B. Johnson: "Remarks to Members of Federal Agency Task Forces on Cost Reduction," July 15, 1965. Online by Gerhard Peters and John T. Woolley, *The American Presidency Project*. <http://www.presidency.ucsb.edu/ws/?pid=27088>.

²¹² Ibid, Footnote 214.

²¹³ Presidential Memorandum to all Heads of Departments and Cabinet Members dated November 30, 1963.

had instructed his Cabinet and the heads of Federal agencies to begin immediately introducing a new system of planning, programming, and budgeting throughout the Federal government “so that through the tools of modern management the full promise of a finer life can be brought to every American at the lowest possible cost.”²¹⁴

The president ordered all Federal agencies to organize technocrats or experts who would apply modern program analysis methods to define agency goals and search out the most effective ways of attaining those goals (Treasury 1969, 3). Thus began a major effort to improve the government’s resource allocation decisions and the Federal budget system. As described in the administrative history of the U.S. Department of Treasury, the purpose of PPBS was to align and modernize administrative process relating to planning, program development, and budget forecasting to ensure a more efficient and accountable executive branch:

The Planning-Programming-Budgeting System (PPBS) can be defined as a program-oriented management discipline for improving executive decisions and the implementation of those decisions through the budget process. It was and is a system of decision-making intended to alter the existing process, not simply a collection of analytic techniques to be applied to targets of opportunity within the existing process....A key part of the intent of those who introduced PPBS and those who have sponsored and supported it has been to develop a coherent and comprehensive system through the imposition of certain formal elements of procedure and requirements for documentation. These requirements were and are less than fully defined, but their basic purpose has been to alter decision processes in a way that makes relevant to Government choices through both new questions and new methods of obtaining answers (1969, 3-4).

PPBS served as the pre-eminent administrative methodology during the Johnson years or standardizing the Federal government’s approach to accomplishing the following process-oriented objectives: (1) establishing goals; (2) providing a basis for program choice; (3) developing a continuous planning process; and (4) linking between plan, program design, and

²¹⁴ Lyndon B. Johnson: "Statement by the President to Cabinet Members and Agency Heads on the New Government-Wide Planning and Budgeting System," August 25, 1965. Online by Gerhard Peters and John T. Woolley, *The American Presidency Project*. <http://www.presidency.ucsb.edu/ws/?pid=27182>.

budget projections.²¹⁵ From a policy standpoint, one of the most significant achievements of the PPBS model was that it established policy analysis and program evaluation as central functions to inform future policy-making (at least in theory, but not necessarily in practice).²¹⁶ In terms of budgeting, it reaffirmed the need to elevate the role of the Bureau of the Budget from one that served as a reactionary administrative entity to one that provided a visionary strategy for the president.²¹⁷ Additionally, PPBS linked social science research and methods to public administration, which reshaped the requirements of public investments with regard to current and future domestic programs (Weiss 1987; Lynch and Day 1996; Halachmi 2002).

Many of Johnson's top advisers, including Charles Schultze, Kermit Gordon, Joseph Califano, and others were extremely enthusiastic about the potential use of PPBS in a broader sense, and the model also appeased fiscally conservative congressional leaders in both parties (Caro 2012; Califano 1999; Dallek 1995; McNamara 1993). However, PPBS was not necessarily a new or novel concept but rather a hybrid of many evolving strategies that had taken hold in government overtime (Staats 1968), and the implementation of this model across the Federal government did not come without its challenges.²¹⁸ That being said, PPBS was a proven tool and served as the foundation behind Johnson's War on Waste.

While Johnson directed Federal agencies to adopt the general principles of PPBS, many of the pre-existing templates for reporting monthly, quarterly, and annual budget information across the agencies remained intact. This caused some friction as the government was operationalizing PPBS, because Federal agencies were now expected to complete two different sets of data collection and reporting activities. Additionally, the complexities associated with

²¹⁵ Ibid, Footnote 214.

²¹⁶ See Administrative History of the Bureau on Budget (1969), Part I, pp. 1-24. Hard copy extrapolated from the national archives at the LBJ Memorial Library.

²¹⁷ Ibid, Footnote 2213.

²¹⁸ Ibid, Footnote 213.

PPBS implementation were often inefficient and not necessarily uniform throughout the Federal government, which reflected the unique nature of each of the missions and cultures of Federal agencies (Weiss 1987; Lynch and Day 1996; Halachmi 2002). What worked for the Department of Defense, for example, would need to be modified for HEW. Despite these challenges, however, the underlying principles of PPBS helped the administration focus on an outcomes-based investment orientation, which guided the work and decision-making process of the Johnson presidency in its later years.

These perplexing managerial tactics transcended into the domestic policy funding stream Congress appropriated for some of Johnson's most important initiatives relating to the Great Society as well as to the landmark legislative statutes the administration prided itself on achieving. This dichotomy created enormous tensions between the Johnson administration and local and state governments, many of whom accused the president of instituting unfunded Federal mandates that purposively undermined the constitutional principle of federalism, though in reality this was not the case (Califano 1991; Caro 2002, 2012; Dallek 1998, 2004; Goodwin 1991; Kotz 2006; Skowronek 1997; Updegrove 2012; Woods 2006). Indeed, those who were most negatively impacted by the Johnson-era's War on Waste were not local and state entities, most of whom continued to receive steady increases in Federal government grants, matching funds, and other sources of aid, but rather it was the Federal agencies whom placed administrators in the field regionally as well as in Washington (Strange 1972; Hinderer 1993).

Although the Great Society agenda was comprised of reforms aimed at improving the socioeconomic quality of impoverished communities and increasing the financial security of all Americans, the levels of funding committed was not sufficient enough to accomplish the ambitious goals laid out in various landmark legislative statutes passed during the first two years

of Johnson's administration. For example, during fiscal years 1965-67, the OEO witnessed incremental increases in its annual budget from \$800 million to \$1.5 billion and then \$1.75 billion respectively. However, the total Federal investment for antipoverty efforts extended well beyond the OEO's operational budget. The totality of this budget included approximately 250 programs administered by at least 15 other Federal agencies, totaling estimated expenditures of \$21 billion in Federal benefits and services to the poor from both administrative budgets and trust funds.²¹⁹ This represented an increase of nearly \$4 billion in 1966 and \$48.6 billion in 1963, and also comprised almost half of the total \$45 billion in Federal investments in the Great Society agenda overall.²²⁰ The budgetary realities during these critical years put further pressure on agencies that were facing enormous pressure to produce major results in accomplishing the Great Society policy agenda. And yet Johnson's resolve in his quest for moving full-steam ahead with implementation of the Great Society agenda while simultaneously transforming the executive branch into a lean and mean organization remained throughout his presidency. Walter Heller, former Chairman of the Task Force on Cost Reduction, articulated the spirit behind Johnson's intense conscientiousness regarding Federal spending in a personal letter to the president in 1964:²²¹

After "waste not, want not" struck me as an apt labor for your current budget efforts, I looked up the origin of the phrase. It is an 18th Century English proverb. In tracking down this fact, we ran across the following classic poem, "You Never Miss the Water" by Rowland Howard, 1876:

"Waste not, want not, is a maxim I teach.

²¹⁹ Administrative History of the U.S. Treasury (1969). National Archives of the LBJ Memorial Library.

²²⁰ The total Federal annual investments in Great Society programs in 1967 was \$45 billion, representing nearly 14.5 percent of all cash payments and to the public from administrated budget and trust fund accounts. See: Lyndon B. Johnson: "Remarks to Members of Federal Agency Task Forces on Cost Reduction," July 15, 1965. Online by Gerhard Peters and John T. Woolley, *The American Presidency Project*. <http://www.presidency.ucsb.edu/ws/?pid=27088>.

²²¹ While Chairman of the Council on Economic Advisers, Walter Heller sent President Johnson a personal note on December 12, 1963, encouraging him to continue his dual focus on both waste reduction and the Great Society agenda.

Let your watchword be dispatch, and practice what you preach;
Do not let your chances like sunbeams pass you by,
For you never miss the water till the well runs dry.”

Perhaps no truer words or expression illustrated Johnson’s executive dilemmas more astutely as Heller’s reference to the Howard poem did here.

Without question, the Johnson administration struggled with the constant pressure to cut additional Federal resources and human capital while simultaneously moving forward in operationalizing key tenets of the Great Society agenda. This dual focus likely delayed many implementation efforts. But Johnson’s frugality was clear from the beginning. Despite the Great Society’s political opponents who criticized Johnson for wasting billions of Federal dollars investing in policies that were not the responsibility of the national government, the president continued to support reductions in Federal spending and in strengthening Federal administrative practices.²²² As BoB Director Kermit Gordon conveyed: “If you took the heat from the White House that I do, you would have no doubt about the President’s deep feeling about economy. The President is making his ‘tight fist’ policies work by convincing the whole payroll he means it.”²²³

Lyndon Baines Johnson’s Lasting Contributions to the Development of the American Administrative State

Part II of this dissertation investigated the Johnson administration’s role in implementing key components of the Great Society and War on Poverty platforms. These chapters identified a number of strategic approaches used by the administration to reshape and transform the role of the administrative state in American public policy implementation. At this point in the analysis, the identification of several reoccurring themes becomes critical to this overall evaluation for

²²² Ibid, Footnote 214.

²²³ Excerpt found in article by Scripps-Howard Staff Writer Marshall McNeill for the Dallas Times in 1966. National Archives within the LBJ Memorial.

how President Lyndon Johnson transformed public administrative theory and practice at the Federal level of U.S. government. The culmination of several strategic tactics deployed during the Johnson administration – including the infusion of “creative federalism” (matching grants), fiscal restraint, public-private partnerships, income transfers as a poverty strategy, community action (maximum feasible participation, power enhancement and increased stakeholder engagement), collaboration, Federal enforcement of civil rights and interest group liberalism – collectively represent significant contributions that changed the role of the Federal government in numerous aspects of domestic policy implementation and spurred a permanent linkage between political strategy and public administration.

One of the most significant and lasting ways Johnson contributed to the intellectual history and democratic-constitutional advancement of American public administration is through the landmark legislative statutes, Federally-funded programs, and executive branch institutions established over the course of his administration. Congress passed over thirty-five individual pieces of legislation associated with the Great Society platform between 1963 and 1968. Of these legislative efforts, at least nine – including the Economic Opportunity Act of 1964, the Voting Rights Act of 1964, the Civil Rights Act of 1964, the Elementary and Secondary Education Act, the Higher Education Act, the Older Americans Act, the Fair Housing Act, and the Social Security Amendments Act of 1965 and 1967 – had a lasting impact on the advancement of the American administrative state. Individually and collectively, they fundamentally shifted and expanded the role of the Federal government in the daily lives of the American people. The organizational changes made to the administrative state’s infrastructure during Johnson’s presidency remains unprecedented. During this time, Congress created the U.S. Department of Housing and Urban Development and the U.S. Department of Transportation. Congress further

expanded the Social Security Administration and the Department of Health, Education, and Welfare, while also establishing the Equal Employment Opportunity Commission (EEOC) and Office of Economic Opportunity (OEO).

Beyond the mere expansion in size and scope of the Federal government, the Johnson administration's actions led to an evolution of *how* the Federal government operates. Other than Franklin Roosevelt, Lyndon Johnson made the most noticeable impact on executive branch dynamics and organization. The Johnson legacy continues to influence the role of the U.S. president in public administration in three very important ways: (1) the expanded influence of outside stakeholders in the decision-making process of administrative management; (2) the direct involvement and regulatory oversight of the Federal government concerning issues that traditionally were left to local and state governments; and (3) the introduction of public management strategies (ie. program evaluation, etc.) to assure optimal efficiency and effectiveness in the stewardship of public resources.

A thorough examination of Johnson's White House years reveals the extraordinary means by which this presidential administration shaped, and in many ways drastically changed, the social, political, economic, and especially constitutional realities of individual life in the United States. In a word, the American administrative state and the nation as a whole were fundamentally transformed as a result of Lyndon Baines Johnson's executive leadership. The forging of new Federal partnerships with local and state governments and the use of Federal funds to influence almost every aspect of American society, including elementary and secondary education, higher education, community development, poverty reduction, civil rights, voting rights, employment and job training, and housing and urban renewal. All of these policy efforts created a monumental opportunity for the Federal government to demand from the nation as a

whole a radically different way to maintain and preserve democratic-constitutional principles and to ensure that the Federal government was protecting and providing for all of its citizenry in a more comprehensive and equitable manner. Such efforts, according to Johnson, were the only way the nation and its citizenry could secure “a more perfect union.”

As a result of the Johnson presidency, the Federal government became a permanent “intervener” in shaping the nation’s societal priorities at all layers of government. During this time, the Federal government also became a steward and financier for the provision of direct services focused on America’s vulnerable populations, some of which included education, housing, job training, and health care, while also enforcing the nation’s new civil rights framework. While the leaders of the Great Society’s initiatives remained in Washington, the deployment of Federal civil servants to the field represented one of the first instances in which the Federal government created a heavily participatory bureaucratic structure that engaged citizens in their states, communities, neighborhoods, schools, hospitals, and economies, so as to educate them on how the Federal government was working to improve their lives and the lives of their families. This hands-on approach to public administrative management did not occur without controversy, but the remnants of this model can be seen in virtually every Federal department linked to Johnson’s initial Great Society agenda.

Critics of the Johnson administration tend to downplay the far-reaching impacts of the War on Poverty, and while Congress dismantled the OEO along with several of the earlier initiatives authorized under the Economic Opportunity Act of 1964, the War on Poverty is a central part of Johnson’s presidential legacy. As Robert Dallek (2004), one of Johnson’s senior advisers, correctly points out:

Head Start, food stamps, elimination of urban slums, public housing, expanded social security, legal services and expanded welfare to needy citizens added up to an assault on

poverty that reduced the percentage of Americans living in penury from roughly 23 percent to 12 percent. Although a number of Johnson's initiatives fell short of what he hoped they might accomplish, his domestic reforms added up to a record of liberal alterations that rivaled the New Deal (2).

The Johnson administration's domestic legacy achieved two major goals. First, it substantially reduced economic disparities among the American citizenry, and secondly it established a legal framework for assuring equal opportunities in all aspects of societal life for America's minority populations. While the purpose of this dissertation was to focus primarily on the implementation aspects of Johnson's Great Society policies, it is also important to reflect on the results that the administration produced during its tenure:

When President Johnson announced his Great Society program in 1964, he promised substantial reductions in the number of Americans living in poverty. When he left office, he could legitimately argue that he had delivered on his promise. In 1960, 40 million Americans, 20 percent of the population, were classified as poor. By 1969, their number had fallen to 24 million, 12 percent of the population. Johnson also pledged to qualify the poor for new and better jobs, to extend health insurance to the poor and elderly to cover hospital and doctor costs, and to provide better housing for low-income families. Here too Johnson could say he had delivered. Infant mortality among the poor, which had barely declined between 1950 and 1965, fell by one third in the decade after 1965 as a result of expanded federal medical and nutritional programs. Before 1965, 20 percent of the poor had never seen a doctor; by 1970 the figure had been cut to 8 percent. The proportion of families living in houses lacking indoor plumbing also declined steeply, from 20 percent in 1960 to 11 percent a decade later (Mintz and McNell 2013, 2).

Beyond these results, however, lies the most significant contribution Johnson made, which permanently transformed American public administration. The enactment of civil rights legislation created the urgent impetus for all of the major components of the Great Society platform and represented a real, practical effort that demonstrated how the Federal government was putting democratic-constitutional principles into practice, especially norms and values associated with equality, equity and representativeness. This effort impacted every facet of the citizen's full participation and advancement in American society.

Just as importantly, however, Johnson's executive leadership in securing the passage of landmark civil rights legislation and prioritizing the implementation of key policy goals inherent in the civil rights movement across the Federal government had lasting effects on our society, our government, and our national moral compass. Johnson's tenacious stewardship of Federal civil rights policy directly resolved important moral discrepancies in the country's constitutional heritage, and addressed challenges that no other president before Johnson or since had the desire, strength, or capacity to take on. In describing Johnson's presidential leadership with regard to securing the passage of the Civil Rights Act of 1964, O'Donnell (2014) makes a most astute observation:

The head of the executive branch firmly seized the initiative, taking up a moribund bill addressing the nation's most agonizing problem. Here was Johnson, president for only five days, working out of the Executive Office Building because the White House was still occupied by Kennedy's family and staff, with an election already looming less than a year away. Instead of proceeding tentatively, as most anyone in those circumstances would have done, he radiated decisiveness, betting everything he had right after he got it. As Caro shows so persuasively, from that moment, Johnson's urgency and purpose infused every stage of the bill's progress (A-2).

While Johnson's tenure was shorter than what he probably envisioned when he assumed the presidency in 1963, it is unquestionable that the nation's 36th president made a permanent mark on the Executive Office of the President, on the modern administrative state, and on the nation as a whole. During his last state of the union address in January 1969, Johnson remarked:

Now, it is time to leave. I hope it may be said, a hundred years from now, that by working together we helped to make our country more just, more just for all of its people, as well as to insure and guarantee the blessings of liberty for all of our posterity. That is what I hope. But I believe that at least it will be said that we tried.²²⁴

Fifty years have now passed since Congress enacted unprecedented civil rights legislation. As the historical record clearly demonstrates, without Johnson's executive leadership during this

²²⁴ Lyndon B. Johnson: "Annual Message to the Congress on the State of the Union," January 14, 1969. Online by Gerhard Peters and John T. Woolley, *The American Presidency Project*. <http://www.presidency.ucsb.edu/ws/?pid=29333>.

time, the nation would not have seen fundamental changes in either civil rights or voting rights. As president, Johnson demanded that the American state and its democratic institutions treat all of its citizens equally and commanded that the legislative branch support the nation's democratic-constitutional ideals.

In his last public speech at the Civil Rights Symposium held at the Lyndon Baines Johnson Presidential Library on December 12, 1972 in Austin, Texas, the former president explained the fundamental purposes and goals of his administration's efforts to advance civil rights best:

We have proved that great progress is possible. We know how much still remains to be done. And if our efforts continue, and if our will is strong, and if our hearts are right, and if courage remains our constant companion, then my fellow Americans, I am confident, we shall overcome.²²⁵

These collective efforts not only demonstrate how to build a great society, but, just as importantly, they illustrate how and why Lyndon Baines Johnson is a transformative figure within the intellectual history of American public administration.

²²⁵ <http://www.lbjlibrary.org/page/library-museum/memorable-moments-at-the-lbj-library>

BIBLIOGRAPHY OF RESOURCES

Primary Resources: Presidential Papers of Lyndon Baines Johnson

Johnson, Lyndon B. (1963, November 27). Address Before a Joint Session of the Congress. Online by Gerhard Peters and John T. Woolley. *The American Presidency Project*. <http://www.presidency.ucsb.edu/ws/?pid=25988>.

Johnson, Lyndon B. (1963, December 12). Remarks to New Participants in "Plans for Progress" Equal Opportunity Agreements. Online by Gerhard Peters and John T. Woolley. *The American Presidency Project*. <http://www.presidency.ucsb.edu/ws/?pid=26310>.

Johnson, Lyndon B. (1963, December 31). Statement by the President on Recent Legislation in the Field of Education. Online by Gerhard Peters and John T. Woolley. *The American Presidency Project*. <http://www.presidency.ucsb.edu/ws/?pid=26731>.

Johnson, Lyndon B. (1964, March 3). White House Statement on Employment of Members of Minority Groups in the Federal Government. Online by Gerhard Peters and John T. Woolley, *The American Presidency Project*. <http://www.presidency.ucsb.edu/ws/index.php?pid=26094>.

Johnson, Lyndon B. (1964, March 16). Remarks to the Labor Advisory Council to the President's Committee on Equal Employment Opportunity. Online by Gerhard Peters and John T. Woolley. *The American Presidency Project*. <http://www.presidency.ucsb.edu/ws/?pid=26112>.

Johnson, Lyndon B. (1964, April 21). Remarks to a Group of Treasury Department officials on Equal Employment Opportunity. Online by Gerhard Peters and John T. Woolley. *The American Presidency Project*. <http://www.presidency.ucsb.edu/ws/?pid=26173>.

Johnson, Lyndon B. (1964, April 30). Remarks at a Meeting of the President's Committee on Employment of the Handicapped. Online by Gerhard Peters and John T. Woolley. *The American Presidency Project*. <http://www.presidency.ucsb.edu/ws/?pid=26202>.

Johnson, Lyndon B. (1964, May 12). Remarks at a Meeting of the President's Committee on Equal Employment Opportunity. Online by Gerhard Peters and John T. Woolley. *The American Presidency Project*. <http://www.presidency.ucsb.edu/ws/?pid=26246>.

Johnson, Lyndon B. (1964, May 22). Remarks at the University of Michigan. Online by Gerhard Peters and John T. Woolley. *The American Presidency Project*. <http://www.presidency.ucsb.edu/ws/?pid=26262>.

Johnson, Lyndon B. (1964, June 5). Statement by the President on the Decline in Unemployment. Online by Gerhard Peters and John T. Woolley. *The American Presidency Project*. <http://www.presidency.ucsb.edu/ws/?pid=26294>.

- Johnson, Lyndon B. (1964, July 9). Remarks upon Signing the Urban Mass Transportation Act. Online by Gerhard Peters and John T. Woolley. *The American Presidency Project*. <http://www.presidency.ucsb.edu/ws/?pid=26369>.
- Johnson, Lyndon B. (1964, September 26). Statement by the President upon making public an FBI report on the Recent Urban Riots. Online by Gerhard Peters and John T. Woolley. *The American Presidency Project*. <http://www.presidency.ucsb.edu/ws/?pid=26533>.
- Johnson, Lyndon B. (1964, October 16). Statement by the President upon Signing Executive Order "To Facilitate Coordination of Federal Education Programs. Online by Gerhard Peters and John T. Woolley. *The American Presidency Project*. <http://www.presidency.ucsb.edu/ws/?pid=26624>.
- Johnson, Lyndon B. (1964, October 30). Presidential Statement No. 10 on Economic Issues: Achieving Full Employment. Online by Gerhard Peters and John T. Woolley. *The American Presidency Project*. <http://www.presidency.ucsb.edu/ws/?pid=26691>.
- Johnson, Lyndon B. (1964, November 1). Presidential Policy Paper No. 1: Education. Online by Gerhard Peters and John T. Woolley, *The American Presidency Project*. <http://www.presidency.ucsb.edu/ws/?pid=26703>.
- Johnson, Lyndon B. (1964, December 21). Statement by the President in Response to Report Reviewing Gains in Government Employment of Minority Groups. Online by Gerhard Peters and John T. Woolley. *The American Presidency Project*. <http://www.presidency.ucsb.edu/ws/?pid=26768>.
- Johnson, Lyndon B. (1965, January 12). Special Message to the Congress: Toward Full Educational Opportunity. Online by Gerhard Peters and John T. Woolley. *The American Presidency Project*. <http://www.presidency.ucsb.edu/ws/?pid=27448>.
- Johnson, Lyndon B. (1965, February 1). Statement by the President upon Establishing the Job Development Program. Online by Gerhard Peters and John T. Woolley. *The American Presidency Project*. <http://www.presidency.ucsb.edu/ws/?pid=27107>.
- Johnson, Lyndon B. (1965, March 15). Special Message to the Congress: The American Promise. Online by Gerhard Peters and John T. Woolley. *The American Presidency Project*. <http://www.presidency.ucsb.edu/ws/?pid=26805>.
- Johnson, Lyndon B. (1965, March 28). Statement by the President on Federal Employment of Mentally Retarded Persons. Online by Gerhard Peters and John T. Woolley. *The American Presidency Project*. <http://www.presidency.ucsb.edu/ws/?pid=26842>.
- Johnson, Lyndon B. (1965, April 11). Remarks in Johnson City, Tex., Upon Signing the Elementary and Secondary Education Bill. Online by Gerhard Peters and John T.

- Woolley. *The American Presidency Project*.
<http://www.presidency.ucsb.edu/ws/?pid=26887>.
- Johnson, Lyndon B. (1965, July 15). Remarks to Members of Federal Agency Task Forces on Cost Reduction. Online by Gerhard Peters and John T. Woolley. *The American Presidency Project*. <http://www.presidency.ucsb.edu/ws/?pid=27088>.
- Johnson, Lyndon B. (1965, July 26). Statement by the President upon Announcing a White House Conference on Equal Employment Opportunities. Online by Gerhard Peters and John T. Woolley. *The American Presidency Project*.
<http://www.presidency.ucsb.edu/ws/?pid=27112>.
- Johnson, Lyndon B. (1965, August 10). Remarks at the Signing of the Housing and Urban Development Act. Online by Gerhard Peters and John T. Woolley. *The American Presidency Project*. <http://www.presidency.ucsb.edu/ws/?pid=27147>.
- Johnson, Lyndon B. (1965, August 10). Remarks at White House Conference on Equal Employment Opportunities. Online by Gerhard Peters and John T. Woolley. *The American Presidency Project*. <http://www.presidency.ucsb.edu/ws/?pid=27170>.
- Johnson, Lyndon B. (1965, September 4). Statement by the President in Response to a Report on the Nation's Employment Record. Online by Gerhard Peters and John T. Woolley. *The American Presidency Project*. <http://www.presidency.ucsb.edu/ws/?pid=27230>.
- Johnson, Lyndon B. (1965, September 9). Remarks at the Signing of Bill Establishing a Department of Housing and Urban Development. Online by Gerhard Peters and John T. Woolley. *The American Presidency Project*.
<http://www.presidency.ucsb.edu/ws/?pid=27245>.
- Johnson, Lyndon B. (1966, August 11). Statement by the President Upon Signing Executive Order 11297, Coordination of Federal Urban Programs. Online by Gerhard Peters and John T. Woolley. *The American Presidency Project*.
<http://www.presidency.ucsb.edu/ws/?pid=27771>.
- Johnson, Lyndon B. (1967, March 14). Special Message to the Congress: America's Unfinished Business, Urban and Rural Poverty. Online by Gerhard Peters and John T. Woolley. *The American Presidency Project*. <http://www.presidency.ucsb.edu/ws/?pid=28133>.
- Johnson, Lyndon B. (1967, July 29). Remarks Upon Signing Order Establishing the National Advisory Commission on Civil Disorders. Online by Gerhard Peters and John T. Woolley. *The American Presidency Project*.
<http://www.presidency.ucsb.edu/ws/?pid=28369>.

Primary Sources: Other Correspondence of the Johnson Administration

White House Memorandum to the Heads of all Cabinets and Agencies from Kermit Gordon (November 30, 1963). File F-I-1/2. Austin, Texas: LBJ Memorial Library.

Memorandum to President Johnson from Sargent Shriver, Director of OEO, (May 17, 1966). File WE9-1. Austin, Texas: LBJ Memorial Library.

Memorandum to President Johnson from Vice President Hubert Humphrey (May 14, 1966). File FG-440 Austin, Texas: LBJ Memorial Library.

Primary Sources: Recorded Telephone Conversations of President Lyndon Baines Johnson

Recorded Telephone Conversation of Chicago Mayor Richard Daley to Lyndon Johnson, 6:10 P.M., 20 January 1964, in *Presidential Recordings, Johnson*, vol. 3, *January 1964*, ed. Germany and Johnson, p. 651. *The Presidential Recordings, Lyndon B. Johnson: The Kennedy Assassination and the Transfer of Power, November 1963–January 1964*, vol. 2, *December 1963*, ed. Robert David Johnson and David Shreve (New York: Norton, 2005), p. 193.

Recorded Telephone Conversation of President Johnson to Kermit Gordon and Robert Anderson, 10:37 A.M., 8 January 1964, in *The Presidential Recordings, Lyndon B. Johnson: The Kennedy Assassination and the Transfer of Power, November 1963–January 1964*, vol. 3, *January 1964*, ed. Kent B. Germany and Robert David Johnson (New York: Norton 2005), p. 275.

Recorded Telephone Conversation of President Johnson to Walter Heller, 12:00 P.M., 23 December 1964, in *The Presidential Recordings, Lyndon B. Johnson: The Kennedy Assassination and the Transfer of Power, November 1963–January 1964*, vol. 2, *December 1963*, ed. Robert David Johnson and David Shreve (New York: Norton, 2005), p. 699.

Recorded Telephone Conversation of See Lyndon Johnson to Sargent Shriver, 6:10 P.M., 20 January 1964, in *Presidential Recordings, Johnson*, vol. 3, *January 1964*, ed. Germany and Johnson, p. 651.

Recorded Telephone Conversation of President Johnson to Sargent Shriver, 1:02 P.M.; Sargent Shriver to Johnson, 2:25 P.M.; Johnson to Sargent Shriver, Time Unknown; and Sargent Shriver to Johnson, 6:28 P.M., all occurring on 1 February 1964, in *The Presidential Recordings, Lyndon B. Johnson: Toward the Great Society, February 1, 1964–May 31, 1964*, vol. 4, *February 1, 1964–March 8, 1964*, ed. Robert David Johnson and Kent B. Germany (New York: Norton, 2007), pp. 13–25, 36–49, 55–70.

"Lyndon Johnson and Hubert Humphrey," 28 January 1964. Conversation WH6401-23, *Presidential Recordings of Lyndon B. Johnson Digital Edition*, ed. David G. Coleman, Kent B. Germany, Guian A. McKee, and Marc J. Selverstone (Charlottesville: University of Virginia Press, 2010). *The Presidential Recordings: Lyndon B. Johnson*,

The Kennedy Assassination and the Transfer of Power, January 1964, Volume 3 (New York: W.W. Norton, 2005).

"Lyndon Johnson and Roy Wilkins," 28 July 1964. Conversation WH6407-16-4361, *Presidential Recordings of Lyndon B. Johnson Digital Edition*, ed. David G. Coleman, Kent B. Germany, Guian A. McKee, and Marc J. Selverstone (Charlottesville: University of Virginia Press, 2010).
<http://presidentialrecordings.rotunda.upress.virginia.edu/4002747.xml>.

"Lyndon Johnson and Bill Moyers at the LBJ Ranch," 7 August 1964. Conversation WH6407-16-4244, *Presidential Recordings of Lyndon B. Johnson Digital Edition*, ed. David G. Coleman, Kent B. Germany, Guian A. McKee, and Marc J. Selverstone (Charlottesville: University of Virginia Press, 2010).
<http://presidentialrecordings.rotunda.upress.virginia.edu/LBJ4000744.xml>.

"Lyndon Johnson and U.S. Representative Wilbur Mills (Arkansas 1939–77) and Wilbur Cohen," 23 March 1965, 4:54 p.m. Conversation WH6407-16-4244, *Presidential Recordings of Lyndon B. Johnson Digital Edition*, ed. David G. Coleman, Kent B. Germany, Guian A. McKee, and Marc J. Selverstone (Charlottesville: University of Virginia Press, 2010).
<http://presidentialrecordings.rotunda.upress.virginia.edu/LBJ4000744.xml>.

Administrative Histories

Brief History of the U.S. Department of Labor, Chapter 6: Eras of the New Frontier and the Great Society, 1961-1969. <http://www.dol.gov/dol/aboutdol/history/dolchp06.htm>.

Administrative History of the U.S. Department of Housing & Urban Development at: <http://www.hud.gov/offices/adm/about/admguid/history.cfm#1960>.

Administrative History of the Social Security Administration at: www.ssa.gov/history/ssa/lbjmedicare5.html.

Administrative History of the Bureau on Budget (1969), Part I, pp. 1-24. Hard copy extrapolated from the national archives at the LBJ Memorial Library.

Administrative History of the Equal Employment Opportunity Commission (EEOC) at <http://www.eeoc.gov/eeoc/history/35th/thelaw/>.

Administrative History of the U.S. Department of Housing & Urban Development. http://portal.hud.gov/hudportal/HUD?src=/program_offices/fair_housing_equal_opp/aboutfheo/history.

Administrative History of the Office of Economic Opportunity [381.1 "Administrative History] at <http://www.archives.gov/research/guide-fed-records/groups/381.html#381.1>.

Administrative History of the U.S. Treasury (1969). National Archives of the LBJ Memorial Library.

U.S. Department of Labor. 2013. *History of the U.S. Department of Labor*.
<http://www.dol.gov/oasam/programs/history/dolchp06.htm>.

History of SSA during the Johnson Administration, 1963-68.
<http://www.ssa.gov/history/ssa/lbjleg1.html>

U.S. Supreme Court & Federal Cases

Brown v. Board of Education. 347 U.S. 483. (1954). Retrieved from
<http://supreme.justia.com/us/347/483/case.html>.

Butler v. United States. 297 U.S. 1. (1936). Retrieved from
<http://supreme.justia.com/us/297/1/case.html>.

Griggs v. Duke Power. 401 U.S. 424. (1971). Retrieved from
<http://supreme.justia.com/us/401/424/case.html>.

Harper v. Virginia State Board of Elections. 383 U.S. 663 (1966). Retrieved from
<http://supreme.justia.com/us/383/663/case.html>.

Otero v. New York City Housing Authority. 484 F.2d 1122. (1973).
<http://openjurist.org/484/f2d/1122/otero-v-new-york-city-housing-authority>

Schechter v. United States. 295 U.S. 495. (1935). Retrieved from
<http://supreme.justia.com/us/295/495/case.html>.

Shannon v. U.S. Department of Housing & Urban Development. 436 F.2d 809. (1970).
http://www.pilcop.org/wp-content/uploads/2012/04/Shannon_Third.pdf

Trafficante v. Metropolitan Life Insurance Company. 409 US 205. (1972).
<http://supreme.justia.com/cases/federal/us/409/205/>

West Coast Hotel Co. v. Parrish, 300 U.S. 379 (1937).
<http://supreme.justia.com/cases/federal/us/300/379/case.html>

Secondary Resources

Ambrose, Stephen. 1983. *Eisenhower: (vol. 1) Soldier, General of the Army, President-Elect (1893–1952)*. New York: Simon & Schuster.

- Ambrose, Stephen. 1984. *Eisenhower: (vol. 2) The President (1952–1969)*. New York: Simon & Schuster.
- Anderson, LW. 2005. The No Child Left Behind Act and the legacy of federal aid to education. *Education policy analysis archives*. 13 (24), p. n24. (ISSN: 1068-2341)
- Andrew, John A. 1999. *Lyndon Johnson and the Great Society*. Chicago: Ivan R. Dee.
- Bernstein, Barton J. 1968. "The New Deal: The Conservative Achievements of Liberal Reform". In Barton J. Bernstein, ed., *Towards a New Past: Dissenting Essays in American History*, pp. 263–88.
- Bernstein, Irving. 1996. *Guns or Butter: The Presidency of Lyndon Johnson*. New York: Oxford University Press.
- Best, Gary Dean. 1993. *The Critical Press and the New Deal: The Press Versus Presidential Power, 1933–1938*. New York: Praeger.
- Best, Gary Dean. 2002. *Retreat from Liberalism: Collectivists versus Progressives in the New Deal Years*. New York: Praeger.
- Bornet, Vaughn Davis. 1983. *The Presidency of Lyndon B. Johnson*. Lawrence: University Press of Kansas.
- Brands, H. W. 1997. *The Wages of Globalism: Lyndon Johnson and the Limits of American Power*. New York: Oxford University Press.
- Brauer, Carl. 1977. *John F. Kennedy and the Second Reconstruction*. New York: Columbia University Press.
- Brinkley, Alan. 1955. *The End of Reform: New Deal Liberalism in Recession and War*. New York: Vintage.
- Breyer, Stephen. 2011. *Making Our Democracy Work: A Judge's View*. New York: Knopf.
- Burner, David. 1988. *John F. Kennedy and a New Generation*. New York: Pearson.
- Califano, Joseph. 1991. *The Triumph and Tragedy of Lyndon B. Johnson*. College Station, TX: Texas A&M University Press.
- Califano, Joseph. 1999. *What was Really Great about the Great Society: The Truth behind the Conservative Myths*. Washington Monthly Online.
<http://www.washingtonmonthly.com/features/1999/9910.califano.html#byline>.
- Caro, Robert A. 1982. *The Years of Lyndon Johnson: The Path to Power*. New York: Knopf.

- Caro, Robert. 1990. *Means of Ascent*. New York: Knopf.
- Caro, Robert A. 2002. *Master of the Senate: The Years of Lyndon Johnson*. New York: Knopf.
- Caro, Robert A. 2012. *The Passage of Power: The Years of Lyndon Johnson*. New York: Knopf.
- Cervantes, A. 2005. Opening the Doors to Higher Education: Perspectives on the Higher Education Act 40 Years Later. TG Research and Analytical Services, November (p. 17).
- Cooke, J., editor. 1961. *The Federalist*. Edited by Jacob E. Cooke. Middletown, Conn.: Wesleyan University Press.
- Dallek, Robert. 1998. *Flawed Giant: Lyndon Johnson and His Times (1961-1973)*. New York: Oxford University Press.
- Dallek, Robert. 2004. *Lyndon B. Johnson: Portrait of a President*. New York: Oxford University Press.
- Dallek, Robert. 2008. *Harry S. Truman*. New York: Times Books.
- Denhardt, Robert. 1995. *Public Administration: An Action Orientation* (2nd ed.). Fort Worth, TX: Harcourt Brace.
- DeHaven, T. (2009, June). CATO Institute. Downsizing the Federal Government: Community Development. <http://www.downsizinggovernment.org/hud/community-development#sthash.TiCr5kPv.SXgGgLBH.dpuf>
- DeHaven, T. Community Development. June 2009
<http://www.downsizinggovernment.org/sites/downsizinggovernment.org/files/pdf/hud-community-development.pdf>
- Derthick, Martha. 1978. "The Government's Use of Non Profit Organizations for Social Demonstrations," in National Academy of Public Administration, *Government-Sponsored Nonprofits*, papers prepared for, and a summary of the discussion at, a Conference on the Government's Use of Nonprofit Agencies to Manage Social Research and Demonstrations (Washington DC; National Academy of Public Administration, November), pp. 77-78.
- Dolan, Julie and David H. Rosenbloom. 2003. *Representative Bureaucracy: Classic Readings and Continuing Challenges*. Armonk, NY: M.E. Sharpe.
- Donovan, Robert J. 1983. *Tumultuous Years: 1949-1953*. New York: W. W. Norton.
- Edelman, P. 2006. The War on Poverty and Subsequent Federal Programs: What Worked, What Didn't Work, and Why? Lessons for Future Programs. *Journal of Poverty Law and Policy*. May-June: Pages 7-18.

- Edwards, George C. and Steven A. Shull. 1985. *The Presidency and Public Policy Making*. Pittsburgh, PA: University of Pittsburgh Press.
- Emmerich, Herbert. 1963. "Comment and Critique: Louis Brownlow and the American Society for Public Administration." *Public Administration Review*. 23:4 (December).
- FDR Fireside Chat, May 7, 1933.
http://xroads.virginia.edu/~ma02/volpe/newdeal/outline_fireside_text.html
- Federal Judicial Center. [http://www.fjc.gov/public/pdf.nsf/lookup/debates-federal-judiciary-vol-ii.pdf/\\$file/debates-federal-judiciary-vol-ii.pdf](http://www.fjc.gov/public/pdf.nsf/lookup/debates-federal-judiciary-vol-ii.pdf/$file/debates-federal-judiciary-vol-ii.pdf)
- Fesler, James W. 1987. The Brownlow Committee Fifty Years Later. *Public Administration Review*. 47(4): 291-296.
- Fraker, T.M., Martini, A.P., Ohls, J.C. (1995). The effect of food stamp cashout on food expenditures: An assessment of the findings from four demonstrations. *Journal of Human Resources*.
- Fraser, Steve and Gary Gerstle, eds. 1989. *The Rise and Fall of the New Deal Order*. Princeton, NJ: Princeton University Press.
- From, Al. 2010. *Spotlight on Poverty and Opportunity; Sargent Shriver and the War on Poverty -- Reflections on How One Dedicated Idealist Made Our Nation Better*. Sargent Shriver Peace Institute. <http://www.sargentshriver.org/articles/war-on-poverty>.
- Gardner, Michael R.; McKeelsey, George; Mfume, Kweisi. 2003. *Harry Truman and Civil Rights: Moral Courage and Political Risks* (revised ed.). Carbondale, Illinois: Southern Illinois University Press.
- Garraty, John A. 1973. "The New Deal, National Socialism, and the Great Depression." *American Historical Review*. 78(4) pp. 907–44.
- Giglio, James. 1991. *The Presidency of John F. Kennedy*. Lawrence, KS: University Press of Kansas.
- Gould, Lewis L. 2010. *1968: The Election That Changed America*. Chicago: Ivan R. Dee.
- Goodwin, Doris Kearns. 1991. *Lyndon Johnson and the American Dream*. New York: St. Martin's.
- Habicht, R.D., Devaney, J.P. 1998. Household participation in the Food Stamp and WIC programs increases the nutrient intakes of preschool children. *The Journal of Nutrition, American Society of Nutrition*.

- Halperin, M.H. 1972. The decision to deploy the ABM: Bureaucratic and domestic politics in the Johnson administration. *World Politics*. 25 (01), p. 62.
- Hamby, Alonzo L., ed. 1974. *Harry S. Truman and the Fair Deal*. Lexington, Ma.: D. C. Heath and Company.
- Hamby, Alonzo. *Beyond the New Deal: Harry S. Truman and American Liberalism*. 1973. New York: Columbia University Press.
- Hamby, Alonzo L. 1995. *Man of the People: A Life of Harry S. Truman*. Oxford: Oxford University Press.
- Hamby, Alonzo. 1998 *Man of the People: A Life of Harry S. Truman*: New York: Oxford University Press.
- Hannsgen, Greg E. and Papadimitriou, Dimitri B. 2009. *Lessons from the New Deal: Did the New Deal Prolong or Worsen the Great Depression?* Working Paper No. 581, The Levy Economics Institute of Bard College. October 2009.
- Harper, P. and Krieg, J.P., eds. 1998. *John F. Kennedy: The Promise Revisited*.
- Heath, Jim F. 1976. *Decade of Disillusionment: The Kennedy–Johnson Years*. Bloomington, IN: Indiana University Press.
- Heineman, Ben W. 1967. *A Final Report by The President’s Task Force on Government Organization*. Washington, DC: Executive Office of the United States. Reprinted via Lyndon B. Johnson Memorial Library, Austin, TX: University of Texas.
- Holt, D., editor. 2013. *Debates on the Federal Judiciary: A Documentary History Volume II: 1875–1939*. Federal Judicial Center, Washington, DC.
- Javidan, M. and D. Waldman. 2003. Exploring Charismatic Leadership in the Public Sector: Measurement and Consequences. *Public Administration Review*, 63(2): 229-242.
- Johnson, L.B. 1971. The vantage point: Perspectives of the presidency, 1963-1969.
- Kaestle, CF. 1982. The federal role in elementary and secondary education, 1940-1980. *Harvard Educational Review*, 52 (4), p. 384.
- Keough, Brian. 2012. Politics as Usual or Political Change: The War on Poverty's Community Action Program in Albany, New York 1959-1967. *Afro-Americans in New York Life and History*, Vol. 36, No. 2.

- Kingdon, John W. 2010. *Agendas, Alternatives, and Public Policies*. Upper Saddle River, NJ: Pearson.
- Kotz, Nathan. 2005. *Judgment Days: Lyndon Baines Johnson, Martin Luther King Jr., and the Laws That Changed America*. New York, NY: Houghton Mifflin Company.
- Krislov, Samuel. 2012. *Representative Bureaucracy*. New Orleans: Quid Pro, LLC.
- Krieg, Joann P., ed. 1987. *Dwight D. Eisenhower, Soldier, President, Statesman*. New York: Praeger.
- Levedahl, JW. 1995. A theoretical and empirical evaluation of the functional forms used to estimate the food expenditure equation on food stamp recipients. *American Journal of Agricultural Economics*.
- Loney, M. 2000. Community action and anti-poverty strategies: Some transatlantic comparisons. *Community development in theory and practice*, Nottingham, England: Spokesman Books Russell House. 97-112
- Lowi, Theodore. 1967. The American Public Philosophy: Interest-Group Liberalism. *The American Political Science Review*, Vol. 61, No. 1, March: 5-24.
- Lynn, Laurence E. 2001. The Myth of the Bureaucratic Paradigm: What Traditional Public Administration Really Stood For. *Public Administration Review*. 61, 144-160.
- MacDonald, J. Fred. 2009. Television and the Red Menace: The Video Road to Vietnam. <http://jfredmacdonald.com/trm/ivlbj.htm>
- MacKenzie, G.C. & Weisbrot, R. The Liberal Hour: Washington and the Politics of Change in the 1960s. <http://faculty.weber.edu/kmackay/great%20society.htm>
- Manchester, William. 1967. *Portrait of a President: John F. Kennedy in Profile*. New York: MacFadden.
- Manza, Jeff. 2000. Political Sociological Models of the U.S. New Deal. *Annual Review of Sociology*: 26: 297–322.
- March, Michael S. 1966. Coordination of the War on Poverty. *Law and Contemporary Problems*. 31:114-141 (Winter). <http://scholarship.law.duke.edu/lcp/vol31/iss1/9>
- Marmor, Theodore E.. 2000. *The Politics of Medicare* (2nd Edition). New York: Aldine Transaction.

- Marx, Jerry D. American Social Policy in the 60's and 70's. *The Economic Context*.
<http://www.socialwelfarehistory.com/eras/american-social-policy-in-the-60s-and-70s/>.
- McCoy, Donald R. 1984. *The Presidency of Harry S. Truman*. Lawrence, KN.: University Press of Kansas.
- McCullough, David. 1992. *Truman*. New York: Simon & Schuster.
- McCurdy, Howard E. and David H. Rosenbloom, editors. 2006. *Revisiting Waldo's Administrative State: Constancy and Change in Public Administration*. Washington, DC: Georgetown University Press.
- McCurdy, Howard E. 2001. *Faster, Better, Cheaper: Low-Cost Innovation in the U.S. Space Program*. Baltimore, MD: Johns Hopkins University Press.
- McCurdy, Howard E. 1998. *Space and the American Imagination*. Washington, DC: Smithsonian Institution Press.
- McKee, M. 2000. Review of “The Politics of Medicare (2nd Edition) by Theodore Marmor”, *Health Economics*, 9:8, December: 741-742.
- McKee, G. (2005). Lyndon B. Johnson and the War on Poverty: Introduction to the Digital Edition. Miller Center of Public Affairs, Frank Batten School of Leadership and Public Policy University of Virginia.
<http://presidentialrecordings.rotunda.upress.virginia.edu/essays?series=WarOnPoverty>
- Milkis, Sidney M. and Jerome M. Mileur, eds. 2002. *The New Deal and the Triumph of Liberalism*. Boston: University of Massachusetts Press.
- Miller, Merle. 1974. *Plain Speaking: An Oral Biography of Harry S. Truman*. New York: Putnam Publishing Group.
- Miller Institute. *Presidential Recordings: Lyndon Baines Johnson*. Charlottesville, VA: University of Virginia.
<http://millercenter.org/scripps/archive/presidentialrecordings/johnson>
- Miroff, B. 2010. *The Democratic Debate: American Politics in an Age of Change* (Sixth Editions). Co-authored with Raymond Seidelman, Todd Swanstrom, and Tom De Luca Boston: Wadsworth.
- Mitchell, Franklin D. 1998. *Harry S. Truman and the News Media: Contentious Relations, Belated Respect*. Columbia, MO.: University of Missouri Press.

- Musolf, L. and Seidman, H. 1980. The Blurred Boundaries of Public Administration. *Public Administration Review*. March/April, 40:2/124-130.
- Neustadt, Richard E. 1990. *Presidential Power and the Modern Presidents*. New York: Free Press.
- New America Foundation. 2013. *Federal Education Budget Project: Background & Analysis*. <http://febp.newamerica.net/background-analysis/no-child-left-behind-overview>
- Newbold, S.P. 2010. *All But Forgotten: Thomas Jefferson's Contribution to the Development of Public Administration*. Albany: State University of New York Press.
- Newbold, Stephanie P. and David. H. Rosenbloom, co-editors. 2007. Brownlow Report Retrospective. *Public Administration Review*, 67:6. November/December, 1006-58.
- Newbold, Stephanie P. and Terry, Larry D. 2005. The President's Committee on Administrative Management: The Untold Story and the *Federalist* Connection. *Administration and Society*, 38(5): 522-555.
- Newton, Jim. 2011. *Eisenhower: The White House Years*. New York: Anchor.
- Ohmann, R. 2012. Class Dismissed: Why we cannot teach or learn our way out of inequality (A Review). *Radical Teacher*. 94:63-72.
- Paige, R. 2006. No Child Left Behind: The Ongoing Movement for Public Education Reform. *Harvard Educational Review*, 76:4, 461-473.
- Parmet, Herbert. 1983. *JFK: The Presidency of John F. Kennedy*. New York: Doubleday.
- Patterson, James T. 1969. *The New Deal and the States: Federalism in Transition*. Princeton, NJ: Princeton University Press.
- Pauley, G. 1997. Presidential Rhetoric and Interest Group Politics: Lyndon B. Johnson and the Civil Rights Act of 1964. *The Southern Communication Journal*; Fall; 63, 1.
- Reeves, Richard. (1993). *President Kennedy: Profile of Power*. New York: Simon & Schuster.
- Riccucci, Norma M. 2012(a). *Public Personnel Management: Current Concerns, Future Challenges*, 5th ed. New York: Longman Press.
- Riccucci, Norma M., ed. 2012(b). *Serving the Public Interest: Profiles of Successful and Innovative Public Servants*. Aramark, NY: M.E. Sharpe

- Riccucci, Norma M. 2002. *Managing Diversity in Public Sector Workforces*. Boulder, CO: Westview Press.
- Rohr, John A. 1986. *To Run A Constitution: The Legitimacy of the Administrative State*. Lawrence: University of Kansas Press.
- Rosenbloom, David H. 2002. *Building a Legislative-Centered Public Administration: Congress and the Administrative State, 1946-1999*. Tuscaloosa, AL: University of Alabama Press.
- Rosenbloom, David H. and Robert S. Kravchuk. 2005. *Public Administration: Understanding Management, Politics, and Law in the Public Sector*. 6th ed. Boston: McGraw Hill.
- Schulman, Bruce J. 1995. *Lyndon B. Johnson and American Liberalism: A Brief Biography with Documents*. Boston: Bedford Books of St. Martin's Press.
- Shafritz, Jay M. and Albert C. Hyde. 1997. *Classics of Public Administration*. US: Harcourt Brace College Publishers.
- Shils, Edward A. 1965. Charisma, Order, and Status. *American Sociological Review*, 30: 199-213.
- Skowronek, Stephen. 1997. *The Politics Presidents Make: Leadership for John Adams to Bill Clinton*. Cambridge: Harvard University Press.
- Smith, Nancy K. 1985. Presidential Task Force Operation during the Johnson Administration. *Presidential Studies Quarterly*, 15(2): 320-329.
- Stanley, H. and Niemi, R. 1998. *Vital Statistics on American Politics, 2007-2008*. Washington, D.C.: Congressional Quarterly Press.
- Stillman, Richard. 1988. *Public Administration: Concepts and Cases*. (4th ed.). Boston: Houghton Mifflin.
- Stillman, Richard. 1991. *Preface to Public Administration: A Search for Themes and Directions*. New York: St. Martin's Press.
- Thomas, J. and Brady, K. 2005. "The Elementary and Secondary Education Act at 40: Equity, Accountability, and the Evolving Federal Role in Public Education." *Review of Research in Education*. Vol. 29, Special Issue on the Elementary and Secondary Education Act at 40: Reviews of Research, Policy Implementation, Critical Perspectives, and Reflections, p. 51-67.
- Thomas F. Jackson 2007. *From Civil Rights to Human Rights: Martin Luther King Jr., and the Struggle for Economic Justice*. Philadelphia: University of Pennsylvania Press.

- Thomas, J.Y. and Kevin P. Brady. 2005. Federal Role in Public Education. Review of Research in Education, Vol. 29, Special Issue on the Elementary and Secondary Education Act at 40: Reviews of Research, Policy Implementation, Critical. Presidential Studies Quarterly Vol. 15, No. 2, Spring.
- Tozzi, J. ed. 1979. "Part 9: Resource Allocation – The Traditional Role of the OMB." *Towards a Regulatory Budget: A Working Paper on the Cost of Federal Regulation (1979)*. Center for Regulatory Effectiveness. <http://www.thecre.com/ombpapers/part9-10.html>
- Troy, Gil. 2008. *Leading from the Center: Why Moderates Make the Best Presidents*. New York: Basic Books.
- Tucker, Robert C. 1968. The Theory of Charismatic Leadership. *Daedalus*, 97: 731-756.
- Updegrove, Mark K. 2012. *Indomitable Will: LBJ in the Presidency*. New York: Crown.
- Waldo, D. 1948. *The Administrative State: A Study of the Political Theory of American Public Administration*.
- Waldo, D. 2006. *The administrative state: A study of the political theory of American Public Administration*.
- Walker, Stephen G. 2000. The Political Universe of Lyndon B. Johnson and His Advisors: Diagnostic and Strategic Propensities in Their Operational Codes. *Political Psychology*. 21 (3), p. 529 - 543.
- Weingroff, Richard F. "Federal-Aid Highway Act of 1956, Creating the Interstate System". Retrieved 9 November 2010.
- Wicker, Tom. 2002. Remembering the Johnson Treatment. *New York Times*. May 9th edition.
- Woods, Randall B. 2006. *LBJ: Architect of American Ambition*. New York: Free Press.
- Wolfe, Tom. 1970. *Radical Chic & Mau-Mauing the Flak Catchers*. San Francisco, CA: Farrar, Straus and Giroux.
- Woods, Randall. 2006. *LBJ: Architect of American Ambition*. New York: Free Press.