“A War within Our Own Boundaries”: Lyndon Johnson’s Great Society and the Rise of the Carceral State

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Over the five summers of Lyndon B. Johnson’s presidency, the nation witnessed more than 250 incidents of urban civil disorder. The violence—termed riots by policy makers, journalists, and the public—swept American cities and resulted in the deaths of more than two hundred black Americans, thirteen thousand injured civilians and officers, and the destruction of billions of dollars worth of property. Beginning with the killing of an unarmed black fifteen-year-old boy by New York City police that sparked the Harlem riot in July 1964, the uprisings constituted a prolonged and sporadic conflict involving more than one hundred thousand black participants and law enforcement officials. By the close of the 1960s these uprisings—sparked not by white hostility to integration like earlier race riots but by the presence of exploitative and exclusionary institutions in black neighborhoods—constituted the greatest period of domestic bloodshed the nation had witnessed since the Civil War. 1

Unprecedented in its fury and frequency, this disorder radically reshaped the direction of Johnson’s Great Society programs, resulting ultimately in a merger of antipoverty programs with anticrime programs that laid the groundwork for contemporary mass incarceration. The links that the fire of urban discord forged between the fighting of crime and the fighting of urban inequality were established as early as 1965, in the three pieces of legislation that represented the Johnson administration’s legislative response to the civil rights movement. In March of that year, the administration presented to Congress the

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Housing and Urban Development Act, which subsidized private homes for low-income renters; the Voting Rights Act, which gave black Americans in the South the opportunity to participate in the electoral process as full citizens; and the Law Enforcement Assistance Act, which broke with two hundred years of national policy and established federal influence over local police operations. Reflecting on these three bills, and on already-operating programs such as Job Corps, Head Start, and Youth Opportunity Centers, Johnson declared his hope that 1965 would be remembered not as the apex of American liberal reform but rather "as the year when this country began a thorough, intelligent, and effective war against crime." A new era in American law enforcement had begun.²

These and other measures blended the opportunity, development, and training programs of the War on Poverty with the surveillance, patrol, and detention programs of Johnson’s newly declared “War on Crime.” This entanglement of Great Society policies allowed law enforcement officials to use methods of surveillance that overlapped with social programs—for instance, antidelinquency measures framed as equal opportunity initiatives—to effectively suffuse crime-control strategies into the everyday lives of Americans in segregated and impoverished communities. In time, the entire spectrum of domestic

Social programs actively participated in national law enforcement, thereby pushing the boundaries of the carceral state beyond penal institutions. By the time Johnson's Omnibus Crime Control and Safe Streets Act passed in 1968, the carceral state had already begun to metastasize into a vast network of social programs originally created to combat racial exclusion and inequality. In response to rioting, however, these programs had shifted in purpose toward controlling the violent symptoms of socioeconomic problems. Ironically and tragically, as antipoverty and anticrime initiatives became increasingly entwined, neither the political coalition that privileged the “forgotten civil right” to safety nor the black activists who sought equality and full democracy realized the society they imagined.3

Scholars have recognized the role of the riots in mobilizing white backlash and the subsequent rise of conservatism, moving liberal sympathizers away from egalitarian policy, and precipitating the federal government’s retreat from progressive social reform. Yet the threat the uprisings posed to American law and institutions also needs to be understood as the central catalyst behind the punitive turn in twentieth-century domestic policy. Remembering Johnson’s presidency for its monumental civil rights legislation and social welfare initiatives, historians and political scientists tend to explain his embrace of the politics of “law and order” as an electoral tactic: a reappropriation of Barry Goldwater’s platform during the 1964 presidential contest and a necessary concession made to the emerging coalition of southern Democrats and western Republicans to secure the enactment of antipoverty and civil rights bills. Thus, Richard M. Nixon is usually credited for spearheading the War on Crime, even though he inherited an already-vibrant law enforcement infrastructure created by the Johnson administration. Far from being ambivalent about crime control as a major aim of domestic policy, Johnson and his radical domestic programs laid the foundation of the carceral state, opening an entirely new plane of domestic social programs centered on crime control, surveillance, and incarceration.4

The turn toward substituting confinement for opportunity programs resulted both from the urgency created by the rising disorder and from the way that Johnson and allied policy makers understood urban citizens’ decision to respond to their conditions with antipathy and mistrust. In response to rioting, however, these programs had shifted in purpose toward controlling the violent symptoms of socioeconomic problems. Ironically and tragically, as antipoverty and anticrime initiatives became increasingly entwined, neither the political coalition that privileged the “forgotten civil right” to safety nor the black activists who sought equality and full democracy realized the society they imagined.3

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violence. Johnson and many other liberals recognized poverty as the root cause of crime, but following Daniel Moynihan’s hugely influential 1965 report, “The Negro Family,” they also viewed community behavior and not structural exclusion as the cause of that poverty. To the policy makers reshaping American law enforcement, crime was an innate problem of black urban America, and—like a Soviet nuclear strike—something that might be targeted before it began if policy makers and foot soldiers possessed the proper tools. For example, two days after the Watts riot of August 1965 subsided and senators prepared for the upcoming vote on the Law Enforcement Assistance Act, Senate Judiciary Committee chair Roman Hruska told Attorney General Nicholas Katzenbach: “For some time, it has been my feeling that the task of law enforcement agencies is really not much different from military forces; namely, to deter crime before it occurs, just as our military objective is deterrence of aggression.” The War on Crime and its targeting of “pathologically” poor black communities, in other words, resulted as much from fears over rising crime rates as from the clearly articulated decision to manage urban crisis with punitive measures meant to deter further uprisings. With these arguments on politicians’ minds, and with American cities still smoldering from another summer of rioting, the Law Enforcement Assistance Act of 1965 won unanimous support in Congress.\(^5\)

Unlike the previous two centuries of crime-control legislation, this act created direct funding channels between the federal government and the criminal justice system at large, and it emphasized training and experimental programs for urban police forces serving low-income communities. Johnson intended police departments to be the primary beneficiaries of the newly available funds because he saw urban policemen as the “frontline soldier” of the national law enforcement program. “We are today fighting a war within our own boundaries,” the president believed. In a time of frequent unrest, police officers endangered their lives every day, “just as the man does in the rice paddies of Vietnam.” As such, under the direction of Katzenbach, the Office of Law Enforcement Assistance (OLEA) invested the vast majority of the federal crime-control funds in local police departments, private firms, and social science researchers working to improve urban surveillance and patrol strategies. By the end of its first year of funding, the OLEA had spent nearly $7 million on eighty-three projects in thirty states.\(^6\)

The most intensive program of the OLEA unfolded in Washington, D.C., which had evolved into a majority black city with one of the highest rates of reported crime in the

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nation by the mid-1960s. To ensure the safety of high government officials who worked in the troubled city, Johnson promised to give the nation's capital “the best police force in the United States.” Perhaps more importantly, this program was also an endeavor that Katzenbach and his staff could easily monitor. The earliest OLEA grants went to the Washington, D.C., police department, which received a combined total of $890,000 (equivalent to more than $6.5 million today) in 1966 alone. African American men between the ages of fifteen and twenty-four constituted the single largest group of residents arrested during the national uprisings, and growing numbers of policy makers and law enforcement officials came to view this demographic as prone to rioting and, by extension, to criminality. Evoking race in race-neutral terms, Johnson pledged: “We’re not going to tolerate hoodlums who kill and rape and mug in this city.” The funds would assist the Washington police force in controlling and supervising this troubling demographic to restore public safety. First and foremost on the agenda was putting more officers with better equipment on the streets of black neighborhoods in the city. The substantial OLEA grant bought local law enforcement sixteen new station wagons, three patrol wagons, twenty-five motor scooters for a roving neighborhood patrol squad, thirty-six scout cars, walkie-talkie radios for patrolmen on foot, eighty new detectives, and 271 additional police officers.7

Elsewhere, the OLEA worked with local law enforcement to develop new technologies to ground preemptive law enforcement methods in statistical knowledge. Federal policy makers and law enforcement officials were generally unwilling to challenge the widely held belief that only increased patrol in segregated urban areas could prevent crime, assuming that disorder could be contained simply by increasing the presence of law enforcement on the streets. The Johnson administration was committed to assisting local police departments in modernizing their data-gathering capabilities, which would allow them to build criminal profiles of residents and therefore target street patrols more effectively. In St. Louis, law enforcement personnel fed crime statistics into a machine to “show where and when particular types of crime are likely to occur and help police decide where patrols should be concentrated.” Officers could then effectively swoop into targeted neighborhoods and apprehend offenders. Similarly, the Philadelphia police department received computerized crime prediction programs to target street patrols based on anticipated crime. By treating urban crime as a scientific phenomenon that could be predicted and contained, these and other programs further rationalized the concentrated deployment of police officers in black communities.8

Beyond helping police departments increase patrols in segregated urban areas and acquire criminal knowledge about the residents in these areas, the Johnson administration wanted to support police in building their weapons arsenals in preparation for the ever-looming


threat of unrest. Katzenbach and his staff focused on supplying urban police departments with bulletproof vests, machine guns, and armored vehicles as riot-prevention measures. Much of this military-grade equipment had been introduced in overseas interventions and urban uprisings at home. Helicopters, for instance, had performed strongly during the Watts riot, and in June 1966 the Los Angeles Sheriff’s Department received nearly $200,000—the largest single grant the OLEA awarded to local law enforcement—for an air-surveillance program called Project Sky Knight. By the early 1970s, the federal government had purchased helicopters for departments in fifty other cities.9

As the Johnson administration shored up support for the War on Crime during the early stages of the War on Poverty, liberal policy makers remained sympathetic to housing, employment, education, and social welfare programs. But “because the anchor of society must be an abiding respect for law and order,” as Johnson said in his remarks upon signing the Law Enforcement Assistance Act, crime control occupied an increasing amount of the administration’s attention. During the first half of the 1960s, antipoverty programs expanded the degree of federal influence in the everyday lives of black urban Americans. By fashioning a new liberal synthesis that brought crime-control strategies under the fold of social welfare programs, federal policy makers eased the shift toward national punitive programs in the second half of the decade.10

With the first OLEA programs up and running in the fall of 1966, White House staff sought what they called a “middle ground” between both urban interventions. To do so, federal policy makers and officials linked new law enforcement measures to existing urban social institutions. Even though Johnson officials maintained that the War on Poverty offered a long-term solution to the root cause of crime, they concluded that “it is necessary to proceed with a program of criminal justice” and expected federal social welfare agencies to integrate the administration’s law enforcement strategies into their programming.11

As one of the most ambitious initiatives of the Johnson administration, the Model Cities program is particularly illustrative of the ways the carceral state took shape inside the Great Society. Under the purview of the newly created Department of Housing and Urban Development (HUD), the Demonstration Cities and Metropolitan Development Act of 1966 authorized $2.3 billion in grants to “improve the quality of urban life” in racially marginalized communities throughout the United States. Policy makers imagined that the program would redevelop vulnerable areas by creating communities in which living quarters, health clinics, education facilities, and recreation centers, all in close proximity to one another, would function as a cohesive system. The program enlarged the scope of federal urban intervention from public housing projects to entire communities. Strong opposition from municipal authorities to the controversial community-action and


mobilization programs had stained the administration, and Model Cities marked a decisive retreat from the principle of “maximum feasible participation” by community members that guided early War on Poverty programs. Instead of funding autonomous grassroots organizations, Model Cities institutionalized community-based antipoverty efforts and put local service professionals in charge of general administration.\(^\text{12}\)

Like many of the other antipoverty measures of the Great Society, the Model Cities program created new spaces in racially marginalized communities—under the aegis of fighting social exclusion—into which law enforcement programs smoothly entered. Three months after the program’s launch, Johnson encouraged federal officials to “take advantage of our Model Cities program—the most comprehensive urban development program this country has ever undertaken—to promote the effective goal of law enforcement.” The president directed HUD secretary Robert Weaver to cooperate with the newly appointed attorney general Ramsey Clark to “plan ahead for law enforcement in a new environment” and “create safe streets in safe neighborhoods.” The administration quickly imposed a statutory mandate requiring police, court, probation, and legal services to participate in the Model Cities program alongside social welfare agencies. In conjunction with job counseling and after-school programs, the sixty-three Model Cities communities would include new precincts, police-training centers, service bureaus for adjudicated youth, probation and legal services, and police-community relations programs.\(^\text{13}\)

Soon, Model Cities areas evolved into important sites for radical new approaches to crime control. Police professionalization efforts in the postwar period had encouraged officers to patrol communities in motorized vehicles, but in “high-crime” urban areas this approach seemed to create a large disconnect between the police and the community by the mid-1960s. The federal government’s “team policing” programs, which were first tested in Model Cities areas, marked a return to foot patrol in targeted neighborhoods. A forerunner to the community policing methods that many departments serving low-income areas embraced in the mid-1970s, team policing decentralized authority and empowered officers to exercise greater discretion in segregated urban neighborhoods. On foot, beat police could prevent future crime by ingratiating themselves into community life, and, in doing so, identify and arrest suspects with greater ease.\(^\text{14}\)


\(^{14}\) Crime-control measures took on an even greater significance in Model Cities during the Nixon administration before the program was dissolved in 1974. By the fall of 1971, 139 Model Cities sites had completed, established, or were about to initiate nearly 500 programs related to crime and delinquency. The Department of Housing and Urban Development had devoted more than $50 million to criminal justice programs in Model Cities, with an additional $35 million coming from the Department of Justice. See Vorenberg to Farr, May 25, 1967, “Re: Examples of Crime Commission Recommendations Relevant to Model Cities Program”; Doleschal, “Criminal Justice Programs in Model Cities,” 146–47, 159.
Model Cities and similar programs also fostered additional police surveillance by giving officers a role in administering social programs in the community. In Washington, D.C., where the ninety-two-acre Model Cities area served some ninety thousand residents on the northeast side of the city, the Office of Economic Opportunity’s Model Precinct Program called for the joint management of Neighborhood Service Centers by police, providing the officers training in what a reporter described as “ghetto lifestyles, the law and techniques for improved community relations.” These and other combined efforts to improve the delivery of federal social programs both cut costs and coordinated domestic policies pursuing antipoverty and anticrime goals in blighted neighborhoods.\(^{15}\)

Since all Great Society programs were expected to include, in Johnson’s words, “a well-designed program for [crime] prevention and control,” in the wake of the Law Enforcement Assistance Act, the Department of Health, Education, and Welfare (HEW) and the Department of Labor joined the OLEA in professionalizing law enforcement and controlling delinquency. As with Model Cities, even when agencies did not explicitly limit their programming to delinquent youth, they still worked toward the goal of combating and treating juvenile delinquency. The Johnson administration inherited that goal from the HEW and Labor Departments of the Kennedy administration, which originally developed federal youth employment and community mobilization programs. As an official from the Department of Labor described the effort in a memo to Johnson’s Task Force on Crime, the Youth Development Program was meant to “provide extensive support for programs designed to meet the needs of youth in general with a heavy emphasis in slum areas, where delinquency is highest.” Implemented exclusively in “high risk delinquency areas,” the Youth Development program sought to provide cultural activities and skill-building workshops to “identified problem youth.” This constituency was also the focus of HEW’s Work Related Training Program, which provided vocational training and remedial education to “enable delinquents and potential youthful offenders to gain employment.” Policy makers and program officials believed this effort would “keep these individuals from becoming dependent on State support, and from becoming criminals.” Because many politicians and local authorities worried that black youth would revolt at any moment, in practice this mix of social welfare and social control imperatives imposed a soft form of surveillance in vulnerable and isolated communities.\(^{16}\)

As the federal government increased its investment in fighting crime and pulled back from social welfare programs, law enforcement continued to try to fill the void left behind by the many promising War on Poverty programs that were shuttered during the second half of the 1960s. In Washington, D.C., for example, the police department opened neighborhood police stations inside the National Capital Authority Projects on the southeast side of the city beginning in 1967. One center moved into a space in a first-floor suite of the housing project that had previously housed a health clinic serving residents. Open eight hours a day and five days a week, the new recreational center gave youth access to a pool table, a record player, and a library filled with police pamphlets and medical literature left behind by the previous occupants. Washington, D.C., Public Safety director Patrick Murphy believed that the presence of the force would “reduce tension and diminish the possibility of disorder.” Facilitating opportunities for positive communication


between residents and law enforcement officers soon became more a salient and immediate riot-prevention goal than a means of maintaining social programs.17

These examples begin to demonstrate that the health, housing, education, and training programs of the War on Poverty eventually gave way to providing momentary recreation to improve police-community relations during the War on Crime. In addition to assigning police patrols to public schools during this period, law enforcement officials provided additional supervision in after-school programs and during the summer months. Shortly after the Watts uprising, the Los Angeles Police Department sponsored grand outings for some twenty-five thousand disadvantaged youth to sporting, professional, and entertainment venues. Similarly, during the summer of 1966 in New York City, the Police Athletic League instituted a Playstreet Program with additional support from the National Recreation and Park Association and the sports equipment manufacturer AMF. The program offered bowling, golf, punching bags, tetherball, dome climbers, and horseshoes to low-income children and teenagers. By providing urban youth with such opportunities, law enforcement programs created a space where police could, in a wholly benevolent manner, monitor young people who seemed vulnerable to disorder and delinquency.18

Johnson and federal policy makers had ushered in a national law enforcement program to staunch the bleeding in American cities. Yet, in the end, shifting the trajectory of postwar liberal reform toward surveillance had the opposite effect: increased police presence on the streets, in the sky, and within schools and housing projects further inflamed violent civil disorder. When urban police forces became militarized and police officers increasingly assumed the role of social service providers during the first two years of the War on Crime, black residents and activists responded by becoming more confrontational. Police brutality and law enforcement practices had long shaped black urban life, but the formation of the Black Panther party in 1966 and other organizations calling for community control and armed self-defense were, in no small part, a response to the Great Society and the law enforcement programs that arose within it. Urban civil disorder only escalated during the War on Crime era, culminating in the unprecedented destruction and black civilian casualties in Newark and Detroit during the summer of 1967 and the riots in 125 cities following the murder of Martin Luther King Jr. in April 1968.19


In response, and with federal policy makers still operating under the assumption that black urban poverty was endemic and preventable with a sufficient show of force, Johnson passed his final piece of major domestic legislation. The capstone of his Great Society, the Omnibus Crime Control and Safe Streets Act (1968), accelerated the expansion of the carceral state by financially incentivizing and at times specifically requiring state and local authorities to increase surveillance and patrols in already-targeted black urban neighborhoods. Whereas the Office of Economic Opportunity at the center of the War on Poverty never grew into a larger, more permanent agency, the 1968 act expanded the OEO into the Law Enforcement Assistance Administration (LEAA). Whereas federal-local partnerships had steered postwar social policies, Congress introduced the block-grant system into domestic programs via the LEAA, which granted the vast majority of crime-control funds to states, effectively restoring to them a degree of autonomy that was threatened by the dismantling of Jim Crow. And whereas the American criminal justice and law enforcement systems had previously focused on punishing offenders and preventing crime, following the Omnibus Crime Control and Safe Streets Act the underlying principle of these systems shifted to management and control within isolated and marginalized communities.

The Johnson administration had spent two years funding research and demonstration programs to create a blueprint for a national law enforcement program amenable to

Congress, and the 1968 act enshrined for wider implementation many of the OLEA experiments. Under the new legislation, the federal government financially encouraged states to acquire surplus M-1 military carbines, army tanks, bulletproof vests, and walkie-talkies for local police by covering up to 90 percent of the costs of riot-prevention programs, which were defined broadly. And despite the reputation of the OLEA’s antiriot squads for harassing black activists and imposing stop-and-frisk searches on young residents, Congress promoted such units by authorizing the LEAA to cover 75 percent of their cost. In contrast to these hardware and patrol programs, the federal government agreed to cover only 40 percent of the expenses incurred by police-community relations programs. Assuaging tensions between the majority white police forces and the racially marginalized communities they patrolled was not a priority, even though policy makers and law enforcement officials paid great lip service to this issue. With the promise of more substantial federal funds, state and local governments opted to enlarge their street patrol forces, acquire military-grade weapons, and invest in crime-control technologies. As these tactical forces hit the ground, they generated a climate of surveillance and intimidation that all too often culminated in street warfare between police and residents. In what is known as the Glenville shootout in Cleveland in July 1968, a deadly street battle broke out on the city’s east side between the antiriot squad and the black nationalists they had harassed for well over a year. Within an hour three white police officers, three black suspects, and one black civilian were shot to death, while fifteen others were wounded. This death toll exceeded that of the city’s disturbance in 1966 and evolved into a four-day uprising. By the early 1970s, tactical squads flourished in major U.S. cities, the most violent and notorious of which included STRESS (Stop the Robberies, Enjoy Safe Streets) in Detroit.
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between 1971 and 1973 and crash (Community Resources against Street Hoodlums) in Los Angeles between 1973 and 2000.21

Ultimately, the federal government dissolved War on Poverty programs, replacing them with the state apparatus of punishment—including law enforcement, criminal justice, and prison systems—that remains at the heart of American economic and social policy. Although Johnson could not have foreseen that the War on Crime would eventually completely supplant the War on Poverty, by wedding antipoverty and anticrime interventions and thereby expanding and strengthening the carceral state, his administration sowed the seeds of the liberal welfare state’s undoing. For the remainder of the twentieth century and into the twenty-first, the federal government continued on the path set by Johnson, eventually sustaining surveillance and confinement as the nation’s primary social programs.

By the dawn of mass incarceration in the 1980s, as the scale of resources allocated to federal crime-control measures ballooned from $22 million in 1965 to approximately $7 billion before Ronald Reagan’s presidency, contact with police, a stay in a juvenile detention center, and a long term in prison had become parts of ordinary life for a generation of black Americans. Following the union of social welfare and social control measures facilitated by the Johnson administration, the strategies federal policy makers adopted for the War on Crime yielded new possibilities for supervision in segregated urban public schools, housing projects, and within families on welfare. These targeted patrol and

surveillance programs brought black communities, and black youth in particular, into everyday contact with police. By tying federal grant funds to arrest records, the law enforcement policies birthed by the Great Society promoted the apprehension of alarming numbers of low-income urban Americans and ensnared them in the clutches of criminal-justice supervision. Once marginalized men and women from urban communities were detained, increasingly draconian sentencing guidelines vastly increased the chance that they would serve long sentences in prison. Penal confinement, in turn, often transformed low-income youth into hardened criminals (even Nixon referred to prisons as “colleges of crime”), as an ever-increasing police presence expanded the carceral web. Born from one of the most idealistic enterprises in the nation’s history, the punitive transformation of domestic urban policy that now overshadows much of the Great Society’s social promise has left as its legacy more crime, more prisons, and more inequality.