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In the early 1950's, a number of African Americans began to bring lawsuits challenging the separation of schools under the theory of "separate but equal." *Brown v. The Topeka Board of Education* was heard by the United States Supreme Court in 1954. The Court ruled that separate schools were not in compliance with the United States Constitution. A second decision in the case was issued in 1955 and ordered that all schools were to integrate with "all deliberate speed." Across the South, the idea was met with resistance. While various groups fought the issue in multiple cities and states, the problem resulted in federal action in Little Rock, Arkansas in 1957.

In May 1955, the Little Rock School Board and Superintendent Virgil Blossom drew up a multi-year plan for integration. When students attempted to register in January of 1956 and were turned away, a lawsuit was filed. It would become known as *Aaron v. Cooper*, and end up in the United States Supreme Court before the issue was settled. While the case wound its way through the legal system, nine students were chosen to integrate Little Rock Central High. They were selected through discussions with African American teachers and principals across the city. The first round of integration was to take place with the start of the 1957-58 school year.

School was to start on September 2, 1957. The day before, Arkansas Governor Orval Faubus ordered the Arkansas National Guard to surround Little Rock's Central High, to prevent the African American students from entering. The "Crisis at Central High" had begun.

1957

Congressional Documents/Hearings/Reports

Donnelly, Charles H. *United States Defense Policies in 1957*. 85th Cong., 2nd sess., 1958. H. doc. 436. Serial 12098.

An Analysis of the United States Defense policies in 1957 was prepared at the request of Congressman Melvin Price (D, IL) by Charles H. Donnelly, Senior Specialist in National Defense at the Library of Congress, Legislative Reference Service. Donnelly discusses the two times in 1957 when the constitutional powers of the President over control of the Armed Forces came under discussion. The first came early in 1957 with Eisenhower's announcement of the Eisenhower Doctrine in January 1957, and Congress's approval of it in March. Under the Eisenhower Doctrine, a country could request American

which directed the Secretary of Defense to call the Arkansas Army and Air National Guard into federal service and to carry out the integration orders of the court in Little Rock using the Guard or federal troops as deemed necessary. President Eisenhower cited Chapter 15 of Title 10 of the United States Code, sections 332, 333, and 334 specifically.

Court Cases

***Aaron v. Cooper* 156 F. Supp. 220 (U.S. District 1957)**

In 1954, based on the decision in *Brown vs. Board of Education of Topeka*, the Little Rock School District began plans to integrate, starting with the high schools and working down to the elementary schools. Because the US Supreme Court decisions only indicated that integration must come “with all deliberate speed,” the Little Rock Schools developed a plan that would take six years, beginning with Central High School in 1957. When thirty-three students attempted to register in January of 1956 and were turned away, a lawsuit was filed. The students were represented by the *National Association for the Advancement of Colored People (NAACP)*. Their lawyers included Thurgood Marshall, who went on to become the first African American Supreme Court Justice.

John Aaron, the first of the children listed, became the “Aaron” in the name of the case. “Cooper” was the President of the Little Rock School District, whose name came to

6) An injunction would be necessary to protect and preserve the judicial process of the Court. Such an order was issued.

The activities at Central High School in 1957 led the Little Rock School District to recognize that the majority of the citizens of Little Rock were opposed to integration, leading them to ask to be allowed to suspend the integration of school until January, 1961.

Appeals went back and forth, from one side to the other, through the courts, until on February 20, 1958, when the school board petitioned for the beginning date of integration to be postponed. The trial on the school board's petition was held in District Court on June 3, 1958, and on June 20th, Judge Lemley issued an opinion granting the postponement to the school board. The plaintiffs first appealed their case to the Supreme Court who refused to hear the appeal before the Eighth Circuit Court had issued an opinion. The Eighth Circuit Court heard the arguments on August 4, 1958, and on August

Office of the Deputy Chief of State for Military Operations. [Situation Report No. 176, by the Office of the Deputy Chief of Staff for Military Operations](#), December 17, 1957. Office of the Staff Secretary, Subject Series, Alphabetical Subseries. Eisenhower Library.

The suspension of Minnie Brown for spilling food on white students is summarized.

Presidential Communications ó Sent and Received

Eckford, Oscar Jr., et al. [Telegram, parents of the nine African-American students to President Eisenhower](#), October 1, 1957. Official File 142-A-7 (5). Dqz 954. FFGøu Records as President. Eisenhower Library.

The parents of the African American students send their thanks and appreciation to the President for his actions in protecting their children's rights to attend Central High School.

Eisenhower, Dwight D. [Letter. President Eisenhower to Senator Stennis, October 7, 1957](#). Official File 142-A-5-C (9). Dqz 955. FFGøu Tgeqt fu cu Rtgukfgpvø Eisenhower Library.

In response to Senator Stennis's telegram from October first, President Eisenhower explains the role of the federal troops in Little Rock, indicating that they are not present to enforce any government policy of integration, desegregation, or segregation, but to enforce federal court orders. He points out that state and local law enforcement agencies were unable to uphold the law making it necessary

_____. **Letter. President Eisenhower to Mr. W.B. Brown, October 4, 1957.** (identical letter sent to each set of parents) Official File 142-A-5-C (7). FFGu Rcrgtu cu President. Eisenhower Library.

Nine identical letters were sent, one to each student's parents, expressing the President's appreciation for their telegram, and promising

Harris, Oren. [Telegram, Congressman Oren Harris, Arkansas, to President Eisenhower, September 26, 1957.](#) Official File 142-A-7ac (5) Dqz 954. FFGøu Records as President. Eisenhower Library.

Congressman Oren C. Harris protests the presidential actions. He expresses his concern that the President's use of federal troops in Little Rock contradicts Eisenhower's previous statement that he would not use federal troops to enforce the civil rights legislation being debated in Congress that year.

Mann, Woodrow Wilson. [Telegram, Woodrow Wilson Mann, Mayor of Little Rock, to President Eisenhower, September 23, 1957.](#) Official File 142-A-5-A (2), Box 732, FFGøu Tgeqt fu cu Rtgukfgpv0 Gkugpjygt Nkdtct{0

School resumed after the weekend on Monday, September 23, 1957. The nine black students entered Little Rock Central High School through a side door. The crowd outside grew to over 1000 people, and four black reporters were chased and beaten. Fearing that the protestors might make an effort to storm the school building, the police and school officials removed the nine students for their safety.

Mayor Mann sent a telegram that evening to President Eisenhower that evening describing the events of the day, saying he believed the crowd had been assembled and aroused by a concerted plan of action. Mayor Mann went on to offer the assistance of the local police if the Justice Department wanted to enforce the orders of the federal court in Little Rock.

Rankin, J. Lee. [Letter, J. Lee Rankin, U.S. Solicitor General, to Sherman Adams, Assistant to the President, concerning list of Court orders and plans for school Desegregation, October 28, 1957.](#) Official File 142-A-7 (6). Dqz 954. FFGøu Tgeqt fu as President. Eisenhower Library.

The cover letter from Rankin to Adams, listing some requested material concerning the number of schools under court order to desegregate and not complying, the number complying with court ordered desegregation, schools under court order to desegregate in 1958, schools under a court ordered desegregation but with no specific date, schools where a local policy has established a desegregation date of 1957 or later, and court ordered desegregation of higher education institutions, and the progress of each district under these plans.

_____. [Attachment to Rankin letter listing court orders and plans for school desegregation, undated.](#) Official File 142-A-5 (6). Dqz 954. FFGøu Tgeqt fu cu President. Eisenhower Library.

Sixty school districts throughout the South and in southern Delaware were included in Rankin's letter, eight of them in Arkansas. Two school districts in Arkansas were under court ordered desegregation plans, and listed as complying with the court ordered integration. In *Aaron v. Cooper*, August 27, 1956, the District Court approved the Little Rock school board's gradual integration plan, and ordered immediate integration on

Presidential Diary Entry/Personal Notes

Eisenhower, Dwight D. [Diary ó notes dictated by President Eisenhower on October 8, 1957 concerning meeting with Governor Faubus at Newport, Rhode Island, September 14, 1957](#)

ô ô ô. [ôUvcyogpvd{ vjg Rtgukfgpv Hqmnykpi c Oggvki ykvj vjg Iqxgtpqt qh Ctmcpuculô](#) *Public Papers of the Presidents of the United States: Dwight D. Eisenhower, 1957.* Washington, D.C.: GPO, 1958. 674-675.

President Eisenhower and Governor Faubus met on September 14, 1957, in Newport,

President Eisenhower's indicates that he does not believe Arkansas's Governor Faubus will take the necessary actions to carry out the orders of the US District Court. He commends the governors from the Southern Governors Conference for their cooperation in attempting to bring about the withdrawal of federal troops from Little Rock. An

Act 10 required teachers to sign affidavits listing their contributions to all organizations within the last five years.

Act 11, amendi

Military Situation Reports

white, received an indefinite suspension for passing out slips of paper with that slogan. Minnie Jean Brown continued her suspension.

Office of the Deputy Chief of State for Military Operations. [Situation Report No. 226, by the Office of the Deputy Chief of Staff for Military Operations, February 27, 1958.](#) Office of the Staff Secretary, Subject Series, Alphabetical Subseries. Eisenhower Library.

The meeting between Superintendent Blossom, other school officials and student Sammie Dean Parker and her parents is described.

When questioned about his next step and what would be wisest, Eisenhower indicated that they hoped the City of Little Rock would be able to maintain peace and order on their own, allowing the National Guard to be removed. He made it clear that he felt the issue was at the

Year.”

ô ô ô . [ôUvcygo gpv d{ vjg Rtgukfgpv qp Fwv{ qh Eq o rnkcepg Ykvj Uwrtgog Eqwtv Fgekukqpuô](#) *Public Papers of the Presidents of the United States: Dwight D. Eisenhower 1958*. Washington, D.C: GPO, 1959. 722.

Eisenhower summarizes the Supreme Court's decision regarding equal educational opportunities for public schools throughout the nation. He then reminds the country that all Americans must recognize their duty to comply with the rulings of the Supreme Court and to be faithful to the ideals of the US Constitution.

1959

Acts of Arkansas

Act 46 – “An Act Authorizing School Districts and/or the State Department of Education to Grant Financial Aid Under Certain Conditions to Persons of School Age; and for Other Purposes.” Approved February 13, 1959. Act 46 was passed to go into effect until a Constitutional amendment that Governor Faubus proposed could be passed. That amendment would funnel public money directly Actsi4(R)-2(T Oc)-2(c)4(a)4(sional P)-4(a)-5(pe)4(r #4

children who might suffer in integrated classrooms. Governor Faubus stated that this bill would fill a gap extending Act 5 of 1958 to apply to integrated schools as well as closed. Act 151 was repealed by Act 202 of 1979.

1963

Congressional Documents/Hearings/Reports

Alexander, Vida O. ed. *Official Opinions of the Attorneys General of the United States Advising the President and Heads of Departments in Relation to their Official Duties*. 87th Cong., 2nd sess., 1963. H. doc. 488, serial 12531.

Multiple times while considering possible actions in response to the issues at Central High, President Eisenhower consulted with the Attorney General of the United States for legal guidance. In the process of reviewing the President's request and the activities in Little Rock, Attorney General Brownell assured Eisenhower that Governor Faubus did not have the right to activate the National Guard just because there was a possibility of domestic violence. Going into detail, he explained that acts of forcible resistance against federal law disrupted the peace and therefore violates state law as well. It was his interpretation of law that when state officers refuse or fail to follow state law, it is necessary for the federal government to take action.

1998

Congressional Documents/Hearings/Reports

U.S. Congress. Senate. Committee on Banking, Housing, and Urban Affairs. *Little Rock Nine Congressional Medal Act*. 105th Cong., 2d sess., 1998. S. Rep. 105-245.

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Karen and Sarah would like to thank Elizabeth Danley of the Arkansas State Library for her work accessing and annotating the Acts of Arkansas included in this work.

Elizabeth Danley is a reference librarian at the Arkansas State Library. She earned a Master's Degree in Librarianship from Emory University in 1970 and a Ph.D. in Library and Information Studies from Florida State University in 1998.

