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1957 Crisis at Central High: An Annotated
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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 economic assistance and/or aid from U.S. military forces if it was being threatened by armed aggression from another state. The second instance was Eisenhower's use of federal troops in Little Rock. Eisenhower first issued Proclamation 3204 which called on all persons demonstrating at Central High to cease their obstruction of justice. Dissatisfied with reaction to the proclamation, he then issued Executive Order 10730,

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 represent all individuals involved with the school district named in the suit. (When the membership of the school board changed, the names of the defendants were also changed to accurately reflect the new members. In 1959, the case is also known as *Aaron v. McKinley*.)

Six pointed were listed in the initial opinion:

- 1) The students accepted for admission into Central High School for the fall of 1957 must be allowed to begin classes as part of the integration plan for the Little Rock Schools.
- 2) Previous orders of the Court had confirmed the constitutional rights of said children to attend Little Rock Central High School.
- 3) The actions of Governor Faubus, General Clinger and Lt. Col. Johnson prevented said children from attending the school.
- 4) The use of the Arkansas National Guard to deny access to the school for said children interfered with the Court’s orders of August 28, 1956 and September 3, 1957 granting the students access.
- 5) The actions of Governor Faubus, using the Arkansas National Guard to prevent the students’ access to Central High School, were a violation of the Fourteenth Amendment rights of the children.

- 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 lead 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 18, reversed Judge Lemley's decision, ruling that although the Board was acting in good faith, it must proceed with integration.

After the decision of the U.S. Court of Appeals, 8th District, on August 18, 1958, the Arkansas General Assembly met in special session, and passed a series of acts designed to delay the integration of public schools in Arkansas. The appellants in this case are the six remaining Black students of the eight who were enrolled at Central High School in 1957, and had planned to continue their education there during the 1958 school year. The appellees in this case are the members of the Little Rock School Board and the Superintendent of the Little Rock School District.

The 8th Circuit Court of Appeals said in their opinion that all previous decisions of the courts had recognized the good faith intentions of the defendants, but that these actions and threatened actions put them in the position of no longer being viewed as neutral in relation to the court decree against them. The District Court's order dismissing the appellants' application for an injunction was vacated, and remanded back to that court with directions to enter an order of injunction against the appellees, enjoining them from taking any further steps to transfer possession, control, or operation of any of the senior high schools in Little Rock to any organization or person for the operation of any kind of segregated school.

Military Situation Reports

Situation Reports were daily reports filed by the Arkansas National Guard, listing the troops on duty at Central High during school hours, the troops on duty on Camp Robinson (a near-by military installation) during school hours, and the troops on duty during other hours of the day. A daily report also describes items of significant interest that occurred during school hours, or immediately before or after. Such events include student suspensions, locker damage, or other harassing activities.

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 – 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-5 (3), Box 732, DDE's 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-A (7), Box 733, DDE's Records as President. 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 for federal action. He also argues that he is not refusing to discuss the issue with other officials, citing his recent conversation with the Conference of Southern Governors.

_____. [Letter. President Eisenhower to Congressman Oren Harris, September 30, 1957](#). Official File 142-A-5-A (3), Box 732, DDE's Papers as President. Eisenhower Library.

President Eisenhower responds to Congressman Harris's telegram, regretting the necessity of his moves, but defending his view that federal action is necessary.

_____. [Letter. President Eisenhower to General Alfred Gruenther, September 24, 1957](#). Box 16, Administration Series. Alfred M. Gruenther, 1956-57 (2), DDE's Papers as President. Eisenhower Library.

In the relevant portion of this letter, the postscript, President Eisenhower addressed his view that the Oval Office is wherever the President happens to be. He feels the issue can be adequately addressed without his physical presence in Washington, D.C. He goes on to say that the federal government has ample resources to deal with situations of this nature, and feels that the need to is to act calmly and deliberately, allowing every offender opportunity to obey the order of the federal court.

_____. [Letter. President Eisenhower to Mr. W.B. Brown, October 4, 1957.](#) (identical letter sent to each set of parents) Official File 142-A-5-A (5), DDE's Papers as President. Eisenhower Library.

Nine identical letters were sent, one to each student's parents, expressing the President's appreciation for their telegram, and promising continued Presidential actions to defend their rights, as granted to him by federal law.

_____. [Letter. President Eisenhower to Senator Russell, September 27, 1957.](#) Box 23, Administration Series. Little Rock (2), DDE's Papers as President. Eisenhower Library.

President Eisenhower responds to Senator Russell, stating that he regrets the use of federal troops, but reiterates his belief that it was necessary to uphold the orders of a federal court. Eisenhower tells Russell that he fails to understand the comparison of US troops to those of Hitler, but has asked that alleged wrongdoings be investigated by the Army, and reported back to Russell.

_____. ["Telegram to the Governor of Arkansas in Response to His Request for Assurances Regarding His Action at Little Rock."](#) *Public Papers of the Presidents of the United States: Dwight D. Eisenhower, 1957.* Washington, D.C.: GPO, 1958. 659-660.

Eisenhower acknowledges receipt of a telegram from Governor Faubus requesting cooperation involving the situation in Little Rock. The President indicates that he took an oath to defend the Constitution of the United States and Faubus's refusal to comply with court orders will require the President to uphold it using all legal options at his disposal. Eisenhower also states that there is no factual basis to the Governor's accusation that the phone lines in his Executive Mansion had been tapped by the federal government.

_____. ["Telegram to the Governor of Arkansas in Response to His Request for a Meeting."](#) *Public Papers of the Presidents of the United States: Dwight D. Eisenhower, 1957* Washington, D.C.: GPO, 1958. 673-674.

Governor Faubus had sent a telegram to President Eisenhower requesting a meeting where they could discuss his course of action as governor of Arkansas. Eisenhower replied by telegram, and suggesting two possible meeting times, either Friday afternoon, September 13, at 3pm, or Saturday, September 14, at 9 am.

Faubus, Orval. [Telegram, Arkansas Governor Orval Faubus to President Eisenhower, September 12, 1957.](#) Official File 142-A-5-A (1), Box 732, DDE's Records as President. Eisenhower Library.

Governor Faubus's telegram confirms that he will be travelling to President Eisenhower's vacation home for a meeting and that travel arrangements will be forthcoming.

Harris, Oren. [Telegram, Congressman Oren Harris, Arkansas, to President Eisenhower, September 26, 1957.](#) Official File 142-A-5_a (3) Box 732, DDE's 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, DDE's Records as President. Eisenhower Library.

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-5 (4), Box 732, DDE's Records 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 (4), Box 732, DDE's Records as 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

September 3, 1957. Rankin comments that “state resistance and violence necessitated calling forth of federal troops to permit enforcement of court order. Troops were still on duty as of the date of Rankin’s letter, October 27, 1957.

In *Hanks v. Izzard*, January, 1956, the District Court ordered a “prompt and reasonable start” to desegregate and accepted a plan submitted July 1956 by the Van Buren Board of Education. Rankin comments that 24 Negroes entered the high school, which had about 550 white students. No incidents of any kind were reported.

Mathews v. Launius ordered the Bearden School District to submit a plan for desegregation, but with no time limit. There were no reports of integration. The boards of three school districts set policies for integration of their districts without a court ordered process. Fort Smith began with the first grade and one Negro/Black boy enrolled at a white school. North Little Rock began with the twelfth grade, and seven Negro/Black students were registered before classes were to start on September 9, six days later than Little Rock. After the trouble at Little Rock, the North Little Rock School Board decided to delay its plan until the “confusion” had cleared up and until the litigation over four state segregation laws was complete. In Ozark two Negro boys and a Negro girl enrolled in Ozark High School, but quit after two days because of harassment by white students.

The Pine Bluff School District was under a court order to begin desegregation in 1958. The Hoxie School District began integration in 1955, but met with local resistance. The School Board brought a suit to prevent interference, which the United States joined as *amicus curiae*. In October 1956 the Court of Appeals upheld the District Court which had enjoined the interference, and stated that the School Board was authorized & required to proceed with integration. By the 1957 fall school term, integration was proceeding quietly.

Russell, Richard B. [“Telegram, Georgia Senator Richard B. Russell to President Eisenhower, September 26, 1957.”](#) Eisenhower Library.

Senator Russell, Chair of the Senate Committee on Armed Services, strongly protests the arrest of multiple citizens in Little Rock, whose rights to communication and legal advice were allegedly denied. He also objects to the physical treatment of other individuals, feeling that this reflects poorly on the troops involved. Russell compares the actions of the federal troops to those of Hitler’s storm troopers.

Stennis, John. [Telegram, Senator John Stennis, Mississippi, to President Eisenhower, October 1, 1957.](#) Official File 142-A-5-A (4), Box 732, DDE’s Records as President. Eisenhower Library.

Senator Stennis, Mississippi, suggests that the President does not understand the Southern way of life and is not taking into consideration the possibility that most citizens, regardless of race, are in agreement with the use segregated schools. Stennis believes that militarily forced integration of schools will ruin public schools and recommends the creation of a large citizens advisory board for the President.

Presidential Diary Entry/Personal Notes

Eisenhower, Dwight D. [Diary – notes dictated by President Eisenhower on October 8, 1957 concerning meeting with Governor Faubus at Newport, Rhode Island, September 14, 1957.](#) Box 23, DDE's Records as President, Administrative Series. Eisenhower Library.

President Eisenhower also kept a diary, where he recorded his notes of the topics discussed at meetings, and his thoughts on how those involved reacted. He stated that he reassured Governor Faubus that there was no attempt to do anything except to obey the courts, and suggested that Faubus go home and simply “tell the Guard to continue to preserve order but to allow the Negro children to attend Central High School.” Eisenhower seemed to feel that Faubus would go back to Arkansas and act within a matter of hours to revoke his earlier orders to the Guard.

Presidential News Conferences

Eisenhower, Dwight D. [“The President's News Conference of October 3, 1957.”](#) *Public Papers of the Presidents of the United States: Dwight D. Eisenhower, 1957.* Washington, D.C.: GPO, 1958. 704-716.

In responding to questions, he summarized his meeting with the Southern Governors' Committee and explained the actions necessary to have the federal troops removed from Little Rock. When asked point blank if he thought Governor Faubus would cooperate, he chose not to answer because he did not want to interpret the Governor's motives and that he does not like to answer hypothetical questions. He also refused to discuss the conversation with Faubus when they met in Newport, RI, citing it as a private conversation. A lengthy portion of the news conference addressed the reasons Eisenhower acted as he did and how he investigated the issue before deciding to send federal troops to Little Rock

———. [“The President's News Conference of October 9, 1957.”](#) *Public Papers of the Presidents of the United States: Dwight D. Eisenhower, 1957.* Washington, D.C.: GPO, 1958. 719-732.

This news conference occurred after Russia launched Sputnik on October 3, 1957, the first human made object to orbit the earth. He answered several questions about that and the U.S. space program. Elizabeth S. Carpenter, with the [Arkansas Gazette](#) in Little Rock, asked President Eisenhower if he felt that Central High School could have been peacefully integrated if Governor Faubus had not called out the Guard. Eisenhower replied that integration took place in other towns in Arkansas without any disturbance, and doesn't know of any reason why this town should have been any different.

———. [“The President's News Conference of October 30, 1957.”](#) *Public Papers of the Presidents of the United States: Dwight D. Eisenhower 1957*. Washington, D.C.: GPO, 1958. 774-787.

President Eisenhower fielded questions from reporters on a wide range of topics in this news conference, including the events in Little Rock. He stated that the situation seemed to be improving daily, and reminded everyone of his belief that the problem would not be solved without patience, tolerance, and consideration. He also briefly discussed the formation of a Civil Rights Commission, and his belief that “the appointment of this Commission could have a very ameliorating effect on those aroused feelings, prejudices, passions...”

Presidential Statements/ Press Releases/Radio and Television Addresses

Eisenhower, Dwight D. [Press Release, Executive Order 10730, Providing for the Removal of an Obstruction of Justice within the State of Arkansas, September 24, 1957](#). Eisenhower Library.

In Executive Order 10730, President Eisenhower addresses the situation at Little Rock Central High and commands that all persons involved in the obstruction of justice cease and desist. The second page includes the text of the sections of the US Code being cited by the proclamation.

———. [Press Release, Proclamation 3204, Obstruction of Justice in the State of Arkansas, by the President of the United States, September 23, 1957](#). Box 6, Civil Rights (2), Gerald D. Morgan Records. Eisenhower Library.

Citing Chapter 15, Title 10, sections 332, 333, and 334 of the United States Code, President Eisenhower issues a Presidential Proclamation citing the obstruction of justice in the State of Arkansas, commands all persons involved in the disruption of enrollment and attendance at Central High School to cease their activities and disperse from the area. The cited sections of the United States Code are attached to the proclamation.

———. [“Radio and Television Address to the American People on the Situation in Little Rock.”](#) *Public Papers of the Presidents of the United States: Dwight D. Eisenhower, 1957*. Washington, D.C.: GPO, 1958. 689-694.

In summarizing the action to date, Eisenhower explains the orders of the supervisory court regarding the desegregation of the Little Rock public schools. He also addresses the refusal of various people and organizations to recognize the authority of said court. He goes on to defend his decision to use federal troops as being an appropriate use of the powers of the Executive Branch under extraordinary circumstances. (A draft of this speech is available with his corrections on the Eisenhower Library site go back and use citation of speech from Papers of the President.)

———. [“Statement by the President Following a Meeting with the Governor of Arkansas.”](#) *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, Rhode Island, to discuss events in Little Rock, and released joint statements. President Eisenhower said that Governor Faubus had stated his intentions to respect the decisions of the U.S. District Court, and to give his full cooperation in carrying out his responsibilities in respect to these decisions. Eisenhower went on to say that he was gratified by the constructive and cooperative attitude of the meeting.

Faubus also stated his belief that they had had a friendly and constructive discussion of the issues, but said he felt that the change necessitated by the Supreme Court decision would not happen overnight.

———. [“Statement by the President on the Developments at Little Rock.”](#) *Public Papers of the Presidents of the United States: Dwight D. Eisenhower, 1957.* Washington, D.C.: GPO, 1958. 678-679.

Three important events occurred shortly before the release of this press statement by President Eisenhower, and he mentions each of them. Governor Faubus withdrew the Arkansas National Guard from the high school. The Little Rock School District announced their intention to proceed with their plans for integration. Local law enforcement agencies announced that they were prepared to maintain law and order. President Eisenhower ends his short statement by saying the sincere and conscientious efforts of the citizens of Little Rock show that they are people of good will who feel a responsibility to preserve and protect the law whether or not they agree with it. He finishes by saying that he is confident that the citizens of Little Rock and Arkansas will demonstrate that in their city and state proper orders of a United States court will be carried out promptly and without disorder.

———. [“Statement by the President Regarding Occurrences at Central High School in Little Rock.”](#) *Public Papers of the Presidents of the United States: Dwight D. Eisenhower, 1957.* Washington, D.C.: GPO, 1958. 689.

President Eisenhower issued four points in response to “the disgraceful occurrences” at Central High School on that day. He stated that he would not allow federal law and orders of the US District Court to be ignored and that he would use all powers issued to him to prevent further obstruction of the law. He also expressed confidence that the people of Arkansas and the United States would respect the laws and allow children to safely attend school without armed guards.

———. [“Statement by the President Regarding Continued Surveillance at Little Rock, October 1, 1957.”](#) *Public Papers of the Presidents of the United States: Dwight D. Eisenhower, 1957.* Washington, D.C.: GPO, 1958. 701-2.

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 attached note indicates which Southern governors he had met with regarding the situation in Little Rock and the comments of Faubus that had been presented to them.

1958

Acts of Arkansas

Acts of the Sixty-Second General Assembly of the State of Arkansas Including Extraordinary Session August 26, 1958. (2nd Ex. Sess.) Nos. 1-17.

Acts 1 – 17 of the Second Extraordinary Session of the Sixty First Arkansas General Assembly, 1958, approved and signed by Governor Orville Faubus, September 12, 1958.

Governor Faubus, in response to the U.S. Supreme Court announcement of an emergency session that would surely result in an order to integrate Little Rock Central High, called for an extraordinary session of the Arkansas General Assembly to begin August 26, 1958. Claiming that violence would occur with the integration of Little Rock schools, Faubus, in his opening message to the General Assembly, espoused the need to preserve the peace and retain states' rights of Arkansans to control their own affairs. Of the 17 bills proposed and passed he offered six to postpone integration. Attorney General, Bruce Bennett proposed several others that were meant to intimidate civil rights protestors and weaken the NAACP. In four days the General Assembly passed 17 bills. All Acts were approved September 12.

Act 4, called the "School Closing Act," allowed the closure of any school threatened with racial integration and called for a special election to choose between opening totally integrated schools or keeping the schools closed. Act 4 provided for the immediate dismissal of any school board member or school supervisory personnel who refused to carry out the closing order, the vacancy to be filled by an appointment by the governor.

Acts 5 and 6 allowed the transfer of students and state funds from closed schools to segregated, private schools.

Act 7 allowed segregated classes in integrated schools to enable white students to refuse to attend integrated classes. In the bill it is stated that the U.S. Supreme Court "ignored the psychological impact of integrated schools upon certain white children."

Acts 8 and 15 appropriated monies for the governor and attorney general to carry out the anti-integration laws.

Act 9 authorized the recall of school board members who did not agree with actions to stall integration.

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

Act 11, amending Act 182 of 1929, prohibited the practice of law and removed tax exempt status from certain organizations.

Act 12 required certain organizations “designed to hinder, harass and interfere ... with public schools” to register and report information on request of the county judge.

Act 13 gave the Attorney General access to organizations’ files.

Acts 14 and 16 prohibited individuals and corporations from litigating in relation to Arkansas schools.

Act 17 prohibited anyone from creating a disturbance on any public school property or any other public place of business.

Court Cases

Cooper v. Aaron, 358 U.S. 1 (1958)

The U.S. Supreme Court announced their decision in this historic case on September 29, 1958, and noted the good faith efforts of the local school board and that most of the problems came from the official opposition of the state government. They went on to state that maintaining law and order by denying the equal rights of the students was not permissible, and that the Little Rock schools must proceed with integration.

The Supreme Court decision upheld federal constitutional law in their decision. Article VI of the U.S. Constitution says that the U.S. Constitution is the supreme law of the land. The 1803 case of *Marbury v. Madison* held that the Supreme Court’s interpretation of the law took precedence over the interpretation of any lower court. Since the Supreme Court’s determination in *Brown v. Board of Education* was the law of the land, state officials acting in defiance of that decision could be considered as having broken their oaths of office, since their oaths including swearing to uphold the Constitution.

Faubus v. United States, 254 F.2d 797 (U.S. App. 1958)

Governor Faubus, along with General Sherman T. Clinger, Adjutant General of the State of Arkansas, and Lt. Col. Marion E. Johnson, Unit Commander of the Arkansas National Guard, had previously been made additional defendants in the action of *Aaron v. Cooper*. That order enjoined them from using the Arkansas National Guard to prevent eligible black children from attending Little Rock Central High, and otherwise obstructing or interfering with the constitutional right of such children to attend the school. The court found that none of the arguments presented by the appellants justified the reversal of their original order of September 21, 1957.

Military Situation Reports

Situation Reports were daily reports filed by the Arkansas National Guard, listing the troops on duty at Central High during school hours, the troops on duty on Camp Robinson (a near-by military installation) during school hours, and the troops on duty during other hours of the day. A daily report also describes items of significant interest that occurred during school hours, or immediately before or after. Such events include student suspensions, locker damage, or other harassing activities.

Office of the Deputy Chief of State for Military Operations. [Situation Report No. 211, by the Office of the Deputy Chief of Staff for Military Operations, February 6, 1958.](#) Office of the Staff Secretary, Subject Series, Alphabetical Subseries. Eisenhower Library.

A description is provided on the altercations between Minnie Brown and Frankie Gregg, Minnie Brown and Lester Judkins, Charletta Walls and Herbert Blount and Dennis Mylong; Minnie Brown's subsequent suspension; and two bomb threats.

Office of the Deputy Chief of State for Military Operations. [Situation Report No. 217, by the Office of the Deputy Chief of Staff for Military Operations, February 14 1958.](#) Office of the Staff Secretary, Subject Series, Alphabetical Subseries. Eisenhower Library.

Ernest Green, one of the Little Rock Nine, reported initially that his locker had been damaged, and later that his locker was damaged beyond use and that all his books had been stolen. Minnie Jean Brown's suspension for an earlier incident was increased to two weeks, and three white boys suspended for an earlier incident had been allowed to return to school. Raymond Robinson, a white student who was reported as having spit on two colored students the previous day, was not disciplined further. A snowball throwing developed among the students at the close of the school day. Several students were observed throwing rocks and gravel at the cars of the parents of the Little Rock Nine. School officials had no injuries reported.

Office of the Deputy Chief of State for Military Operations. [Situation Report No. 218, by the Office of the Deputy Chief of Staff for Military Operations, February 17 1958.](#) Office of the Staff Secretary, Subject Series, Alphabetical Subseries. Eisenhower Library.

In an effort to prevent further incidents like the snowball throwing of the previous day, the nine black students would be permitted to enter school after class was started on snowy days. Several white students were observed passing out small cards reading "One down and eight to go." Billy Ferguson, a white student was suspended for three days for pushing Gloria Ray down a flight of stairs. She was able to maintain her footing and was uninjured. Howard Cooper was suspended for three days for wearing a slip of paper pinned to his clothing reading "One down and eight to go." Sammie Dean Parker, also

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. An attack by Dean, on Assistant Principal Huckaby, and Dean's subsequent suspension are noted.

Office of the Deputy Chief of State for Military Operations. [Situation Report No. 233, by the Office of the Deputy Chief of Staff for Military Operations, March 10, 1958.](#) Office of the Staff Secretary, Subject Series, Alphabetical Subseries. Eisenhower Library.

Elizabeth Eckford reported eggs being thrown at her. Superintendent Blossom's wife reported a death threat in a phone call received at home. Both of these reports were on March 7. Superintendent Blossom reported that he heard a shot fired near his house and found evidence of bullet damage to his car. The local police were investigating the incident.

Presidential Communications – Sent and Received

Eisenhower, Dwight D. [Letter, President Eisenhower to Jackie Robinson, June 4, 1958.](#) Official File 142-A (6), DDE's Records as President. Eisenhower Library.

In response to J. Robinson's letter on May 13, 1958, President Eisenhower reiterates his stance on civil rights as indicated in the Constitution. He explains his belief that society is moving closer to equal rights without regard to race and color.

Robinson, Jackie. [Letter, Jackie Robinson to President Eisenhower, May 13, 1958.](#) Official File 142-A (6), DDE's Records as President. Eisenhower Library.

After hearing the President speak at the Summit of Negro Leaders, Jackie Robinson writes to Eisenhower to object to the request that Negroes have patience. He states that his people should enjoy their rights as Americans then. He suggests that President Eisenhower crushes the spirit of Negroes by not taking a stronger action against Governor Faubus.

Presidential News Conferences

Eisenhower, Dwight D. ["The President's News Conference of January 15, 1958."](#) *Public Papers of the Presidents of the United States: Dwight D. Eisenhower 1958.* Washington, D.C: GPO, 1959. 90-100.

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 city level and that he was not looking to the State of Arkansas, specifically Governor Faubus to make the decision.

———. [“The President's News Conference of March 26, 1958.”](#) *Public Papers of the Presidents of the United States: Dwight D. Eisenhower 1958*. Washington, D.C: GPO, 1959. 232-242.

The query from Edward P. Morgan of American Broadcasting Company, questioned the role of the federal government in the Crisis. Was it going to take a stance, or stand back and let other levels of government take the lead? Citing the need to keep federal actions within legal guidelines, the President reminded everyone that the National Guard was there to support a federal court decision, not to action on his stance on segregation or desegregation.

———. [“The President's News Conference of May 14, 1958.”](#) *Public Papers of the Presidents of the United States: Dwight D. Eisenhower 1958*. Washington, D.C: GPO, 1959. 394-405.

Upon being asked if he would follow the “Little Rock pattern” in other states, the President explained that if those states refused to follow court orders, then yes, he would send in troops to enforce the court decision. He went on to explain that his actions with the National Guard were not based on the question of desegregation in schools, but the inability of American citizens to follow the decisions of their judicial system.

———. [“The President's News Conference of August 27, 1958.”](#) *Public Papers of the Presidents of the United States: Dwight D. Eisenhower 1958*. Washington, D.C: GPO, 1959. 639-650.

Eisenhower explains the role of the Attorney General in relation to the Supreme Court and the expectation that a brief will be filed in the case. He goes on to state that he does not think there will be any great difference between his opinion and that of the Attorney General. A later question requires him to explain that the brief is regarding one case and it cannot be assumed that the Justice Department’s position will apply to other cities or state.

———. [“The President's News Conference of October 1, 1958.”](#) *Public Papers of the Presidents of the United States: Dwight D. Eisenhower 1958*. Washington, D.C: GPO, 1959. 712-274.

President Eisenhower held a press conference on October 1, shortly the Supreme Court issued its landmark decisions on *Aron v. Cooper* on September 12 & 29, and the closing of the four high schools in Little Rock (Central High, Hall High, Little Rock Technical High, and Horace Mann), an event commonly referred to in Little Rock as the “Lost

Year.” Merriman Smith, United Press International, asked the president about his position on the cities in Virginia and Arkansas where the schools were closed. President Eisenhower stated that his opinions were already on record, that he would not going to give any details about how those states should proceed to bring their states into compliance with federal law, and then read a brief statement regarding the Supreme Court’s opinions. President Eisenhower went on to say that similar cases were still before the courts, and that he would not have anything further to say about those cases.

Presidential Statements/ Press Releases/Radio and Television Addresses

Eisenhower, Dwight D. “Statement by the President Concerning the Removal of the Soldiers Stationed at Little Rock.” *Public Papers of the Presidents of the United States: Dwight D. Eisenhower 1958*. Washington, D.C: GPO, 1959. 387.

Eisenhower directed that the National Guard troops be released from duty at Little Rock Central High on May 29, 1958 because classes would end on May 28th. He expressed hope that by star the next school year, the local officials would have assumed responsibility for following the orders of the Federal Court making it unnecessary to return the troops in the fall.

———. **“Statement by the President on Compliance With Final Orders of the Courts.” *Public Papers of the Presidents of the United States: Dwight D. Eisenhower 1958*. Washington, D.C: GPO, 1959. 631-632.**

He began by refusing to comment on the actual legal case of desegregating Little Rock’s Central High because it was still pending in the courts. The President reiterated that his belief had not changed in a year. The issue he had been addressing all along was the refusal of the people of Little Rock to follow court orders and allow the Negro students into the school.

———. **“Statement by the President Concerning the Supreme Court Order in the Little Rock School Case.” *Public Papers of the Presidents of the United States: Dwight D. Eisenhower 1958*. Washington, D.C: GPO, 1959. 701.**

The case of Aaron v. Cooper went through several appeal levels, before being heard by the U.S. Supreme Court in special session on August 28 and September 11, 1958. Thurgood Marshall argued the case for the school children and Richard C. Butler represented the school board. The Supreme Court issued a unanimous decision under the name of Cooper v. Aaron on September 12, 1958, that the constitutional rights of the African American students could not be sacrificed for the sake of order and peace in public high schools. Eisenhower’s statement, released on September 12, affirmed his belief in the law of the land/ruling of the Supreme Court, and called on the citizens of the United States to rely on their sense of civic responsibility to avoid defiance of the Court’s order. He went on to say that states and localities have a constitutional responsibility to maintain peace and order, and that by their fulfilling this responsibility prevents any lawless elements from depriving other groups of their rights.

_____. [“Statement by the President on Duty of Compliance With Supreme Court Decisions.”](#) *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 to students who transferred from integrated to segregated public or private schools removing the State’s constitutional obligations to maintain free public schools. Proposed as HB 126, it was referred to as stop-gap law. This act would allow schools to go ahead with the student aid plan until the 1960 vote on constitutional amendment. The amendment was defeated by 3 to 1 in the 1960 general election, thanks in large part to the Women’s Emergency Committee who led the opposition. This Act was repealed in 1989 by Act 950.

Act 115 – “An Act to Make Unlawful The Employment By The State, School District or Any County or Municipality Thereof of Any Member of the National Association For the Advancement of Colored People, and to Provide Penalties For Violators.” Approved February 24, 1959. Act 10 of 1958, proposed by Attorney General, Bruce Bennett, designed to expose NAACP members on state payrolls, required teachers and other state employees to sign affidavits listing their contributions to all organizations within the last five years. Act 115 of 1959, also proposed by Bennett, went a step further declaring that the NAACP disturbed the “peace and tranquility which has long existed between the White and Negro races.” “Act 115 outlawed state employment of NAACP members. (The NAACP filed suits against Act 10 of 1958 and Act 115 of 1959. Both lost in lower courts but were appealed to a Federal District Court in June of 1959. Act 10 was upheld, but Act 115 was overturned.)

Act 151 – “An Act to Amend Section 2 and 3 of Act 5 of the Acts of the 2nd Extraordinary Session of the 61st General Assembly, Approved September 12, 1958; and for Other Purposes. Approved March 3, 1959. This amendment to Act 5 of 1958 allowed a student's share of state aid to follow the student to another school if he transferred out of an integrated school. Act 5 of 1958 had referred to students enrolled in closed schools. Act 151 of 1959 added “. . .or . . . any racially integrated school . . .” In the Act it is stated that the Supreme Court considered the psychological impact of segregation on the Negro school children, while this act would extend those rights of individuals to white school

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. Guidance was provided on how to pursue legal action against Arkansas's governor for his activities in Little Rock.

Rodino, Peter Wallace, Jr. *Civil Rights Act of 1963.* 88th Cong., 1st sess., H. rep. 914, 1963 serial 12544.

President Kennedy initially proposed civil rights legislation in a nationally televised speech on June 11, 1963. He proposed that Congress consider a civil rights act dealing with voting rights, public accommodations, desegregation of public schools, establishment of a Community Relations Service, continuation of the Civil Rights Commission, nondiscrimination in federally assisted programs, and formation of an Equal Employment Opportunity Commission. The Justice Department was tasked with writing the proposed legislation which was sent to Congress on June 19, 1963. After lengthy political maneuverings in both the House and Senate, HR 7152 went to the House Judiciary Committee. Although the more aggressive bill initially proposed received a favorable report by the committee, they were urged to write a more moderate version. Republican and Democratic House leaders on the Judiciary Committee worked to produce such a version, and they formally reported H.R. 7152 on November 20, 1963, in H.R. 914. It was finally cleared for floor consideration on January 30, 1964.

This committee replaced the bill initially introduced by President Kennedy and a much stronger and more controversial one prepared by a House Judiciary subcommittee. Despite strong bipartisan support, including support from the late President Kennedy and Republican congressional leaders, and the strong endorsement of President Johnson, it received no further attention until January 1964.

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.

Congressional gold medals are awarded by the United States Congress, and are one of the two highest civilian awards in the United States. The medal is given to an individual who performs an outstanding deed or act of service to the security, prosperity, or national interest of the United States. S.1283 was introduced by Senators Dale Bumpers and Tim Hutchinson of Arkansas and Senator Carol Moseley-Braun. This bill had two purposes: first, to authorize the President, on behalf of Congress to present the medals to each of the Little Rock Nine; and second, it authorizes the Secretary of the Treasury to strike and sell bronze duplicates of the gold medals to recoup the production costs of the nine gold medals. It was referred to the Senate Committee on Banking, Housing, & Urban Affairs, and Senate Report 105-245 is the report of that committee. President Bill Clinton presented the Congressional Gold Medal to the Little Rock Nine – Minnijean Brown Trickey, Carlotta Walls LaNier, Melba Patillo Beals, Terrence Roberts, Gloria Ray Karlmark, Thelma Mothershed Wair, Ernest Green, Elizabeth Eckford, and Jefferson Thomas – in the East Room of the White House on November 9, 1999.

U.S. Congress. Senate. Committee on Energy and Natural Resources. 1998. *Little Rock Central High School National Historic Site*. 105th Cong., 2d sess., 1998. S. Rep. 105-307.

Senate Bill 2232, introduced in Congress by Senators Bumpers and Hutchinson on June 25, 1998, was referred to the Senate Committee on Energy and Natural Resources. The purpose of the bill was to establish the Little Rock Central High School National Historic Site. They returned a favorable report to Congress with an amendment which clarified that the designation of Central High School as a unit of the National Park Service would not result in the administration or the operation of the school by the National Park Service, or affect the authority of the Little Rock School District's authority to administer Central High.

The Committee found that:

- The 1954 Supreme Court decision of *Brown v. Board of Education* was one of the most significant Court decisions in the history of the United States;
- The admission of the Little Rock Nine to Central High as a result of that decision was the most prominent example of the implementation of that decisions, and served as a catalyst for the integration of other segregated schools in the United States;

- 1997 was the 70th anniversary of the construction of Central High, which has been named by the American Institute of Architects as the most beautiful high school buildings in America;
- Central High was included in the National Register of Historic Places in 1977, and designated a National Historic Landmark in 1982;
- The designation of Central High School as a unit of the National Park System will recognize the significant role the school played in the desegregation of public schools in the South.

The Committee went on to say that the purpose of this Act is to preserve, protect, and interpret for the benefit, education, and inspiration of present and future generations, Central High School in Little Rock, Arkansas, and its role in the integration of public schools and the development of the Civil Rights movement in the United States.

U.S. Congress. Senate. Committee on Energy and Natural Resources. 1998. *Land and Water Conservation, Hawaii Volcanoes National Park, Little Rock Central High School, and Arches National Park: Hearing before the Subcommittee on National Parks, Historic Preservation, and Recreation of the Committee on Energy and Natural Resources. 105th Cong., 2nd sess., July 9, 1998.*

As one of several proposals for additions and changes to National Parks and their operations, Senate bill 2232 was referred to the Senate Subcommittee on National Parks, Historic Preservation and Recreation for discussion. Testimony from Ernest Green, and member of the Little Rock Nine, and Everett Tucker III, the President of the Central High Museum in Little Rock, is included in the hearing.

2005

Congressional Documents/Hearings/Reports

U.S. Congress. House. Committee on Financial Services. *Little Rock Central High School Desegregation 50th Anniversary Commemorative Coin Act. 109th Cong., 1st sess., 2005. H. Rep. 109-134.*

The 109th Congress, 1st Session, passed HR 358, Little Rock Central High School Desegregation 50th Anniversary Commemorative Coin Act, which directed the Secretary of the Treasury to mint a coin in honor of the 50th Anniversary of the integration of Little Rock Central High by the Little Rock Nine. In the Committee Report, Report 109-134, part 1, details such as the weight and denomination of the coin, how long the U.S. Mint can produce the coins, and how much they can charge for their sale are described. The report of the Committee on Financial Services was referred to Congress on June 15, 2005.

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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.

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