

## EISENHOWER AND THE LITTLE ROCK CRISIS

### Segregation and the Courts

Since Reconstruction, many aspects of American life were segregated. In Southern states, as well as some Northern ones, laws known as Jim Crow laws permitted and often required segregated bathrooms, drinking fountains, parks, restaurants, and other public spaces. The Supreme Court upheld this legal practice in the case of *Plessy v. Ferguson* (1896).

A half century later, the Court ruled that “separate but equal” had no validity in public schools. *Brown v. Board of Education* (1954) declared segregation in public schools “inherently unequal” and unconstitutional. In a related case known as *Brown II* (1955), the Court ordered schools to desegregate “with all deliberate speed.”

### Responses to *Brown*

The *Brown* decision was hailed as a victory for equal treatment under law. It recognized the color-blind nature of the Constitution, and that government cannot treat people differently based on their race. But the decision was also criticized by some for not relying on strict constitutional principles and depending too heavily on social science. Southern resistance to the *Brown II* order was widespread. Many saw the decision as an infringement on powers reserved to the states under the Constitution.

President Dwight D. Eisenhower was among those who had reservations about the decision. He believed that schools were the wrong place to begin desegregating American society. He thought it would be more prudent to begin with places like parks and restaurants. Finally, Eisenhower believed that changes to traditional social practices could not be imposed by law, but had to come from the people themselves.

Despite his personal beliefs, Eisenhower performed his duty to ensure the laws were faithfully executed by enforcing desegregation in schools and other public facilities in the District of Columbia.

### The Little Rock Crisis

The Little Rock school board had developed a plan to start integration in the 1957-58 school year and the federal district court ordered it to begin. Nine African American students enrolled at Central High School. Segregationists threatened to protest. Arkansas Governor Orval Faubus ordered the state’s National Guard to the school to “keep order.” But in fact, the Guard members blocked the African American students from entering the school. The federal district court ordered Governor Faubus to withdraw the Guard, which he did.

The nine students tried again three weeks later, this time escorted by city police.

They went in a rear door to avoid the angry mob that had once again gathered. African American journalists who had come to cover the event were attacked. Protesters soon forced their way into the building. Police escorted the students out for their own safety.

The Mayor of Little Rock sent President Eisenhower a telegram describing the events and concluding with a suggestion: “If the Justice Department desires to enforce the orders of the federal court in regard to integration in this city, the city police will be available to lend such support as you may require.”

Less than twenty-four hours later came a second telegram from the Mayor, telling of a violent mob larger than the day before and now begging for help: “I am pleading to you

... in the interest of humanity, law, and order ... to provide the necessary federal troops within several hours.”

Eisenhower hated the idea of using federal troops against Americans. However, he believed that his constitutional duty to enforce the law was, in his words, “inescapable.” His decision was the result of reflection and discussion with advisors. His handwritten notes show that he was concerned with protecting the image of the US as a nation committed to the rule of law.

The troops would be there “NOT to enforce integration, but to prevent opposition by violence to orders of a court.” He and his Attorney General discussed similar events from American history, including George Washington’s response to the Whiskey Rebellion. Finally, he reasoned that federalizing the Arkansas National Guard and sending the Army to Little Rock to enforce the court order would prevent pitting “brother against brother.”

### **Executive Order 10730**

Eisenhower issued a proclamation ordering the mob around the school to “disperse.” But again the mob returned. The next day, Eisenhower issued Executive Order 10730.

This Order authorized military force “for the removal of obstruction of justice ... with respect to matters relating to enrollment and attendance at public schools in the Little Rock School District, Little Rock, Arkansas.”

A thousand members from the 101st Airborne Division arrived to keep the peace. Exercising his constitutional power, the President also placed all 10,000 men of the Arkansas National Guard under federal control, removing them from the command of Governor Faubus. The soldiers kept the crowd under control, in some cases escorting protesters away at gunpoint.

The students were able to attend class almost a month into the school year. But images of US soldiers pointing rifles and other weapons at Americans shocked the nation. Governor Faubus protested Eisenhower’s actions, saying, “My fellow citizens, we are now an occupied territory ... What is happening in America?” During the summer of 1958, a state law called for all four of Little Rock’s public high schools to be shut down for the 1958-59 school year. One US Senator from Georgia compared the US troops to Adolf Hitler’s storm troopers. Eisenhower did not make the decision lightly, and the debate over the wisdom of his response continues.

### **Critical Thinking Questions**

1. Describe the significance of *Plessy v. Ferguson* (1896), *Brown v. Board of Education* (1954), and *Brown II* (1955) in one brief sentence each.
2. What was the “Little Rock Crisis”?
3. How did Eisenhower respond to the situation in Little Rock?
4. What was the constitutional support for his action?
5. Are there constitutional arguments against Eisenhower’s action? Explain.