

The Little Rock Crisis and the U.S. Supreme Court - *Cooper v. Aaron* (1957)

In 1957, the desegregation of Little Rock Central High School caused a constitutional crisis that reached the U.S. Supreme Court. Governor Orval Faubus, claiming public disturbances would result from desegregation, ordered the Arkansas National Guard to prevent the entrance of nine African American students into the school. For three weeks, Governor Faubus and President Dwight D. Eisenhower, the Little Rock School Board, the African American community, the NAACP, segregationists, and the federal court were embroiled in the confrontation. The federal court in Little Rock found the governor's assertions for disorder baseless and Faubus withdrew the guard. However, when the nine students entered the school on September 23, a mob gathered outside and threatened to storm the school. The Little Rock police removed the nine for their safety. President Eisenhower dispatched combat-ready soldiers from the U.S. Army's 101st Airborne Division at Fort Campbell, Kentucky, to enforce the federal court's original desegregation order. By September 25, the nine students were attending Central High School under federal troop protection.

At the end of the school year, Little Rock School District officials requested and received from the federal court a two-and-a-half-year delay in implementing the desegregation plan. The NAACP appealed the case, *Cooper v. Aaron*, to the U.S. Supreme Court in 1958. *Cooper* was the first significant legal test of the *Brown* decision. The issues at hand in the lawsuit were as follows: 1) was good faith desegregation a violation of the rights of African- Americans students? 2) were the governor and legislature of Arkansas bound by decisions of the U.S. Supreme Court?

In an unprecedented action, all nine justices of the U.S. Supreme Court signed the opinion. They maintained that the nine students would have their rights violated if desegregation were postponed in the interest of public safety and such action would violate the Equal Protection Clause. No delay would be allowed.

Secondly, state legislatures and governors were bound by the Supremacy Clause of the U.S. Constitution and bound to uphold the decisions of the Supreme Court. The court ruled that no governor has the right to annul judgments of the federal courts.

Not until the administrations of President John F. Kennedy and President Lyndon B. Johnson supported desegregation, as well as the success of nonviolent protests by civil rights activists like Dr. Martin Luther King, Jr., did the Civil Rights Act pass in 1964.

Afterwards, plaintiffs filed more lawsuits against school districts demanding immediate desegregation.