

September 23, 1957

James C. Hagerty, Press Secretary to the President

THE WHITE HOUSE

U. S. NAVAL BASE  
NEWPORT, RHODE ISLAND

OBSTRUCTION OF JUSTICE IN THE STATE OF ARKANSAS  
BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

3204



WHEREAS, certain persons in the State of Arkansas, individually and in unlawful assemblages, combinations, and conspiracies, have wilfully obstructed the enforcement of orders of the United States District Court for the Eastern District of Arkansas with respect to matters relating to enrollment and attendance at public schools, particularly at Central High School, located in Little Rock School District, Little Rock, Arkansas; and

WHEREAS, such wilful obstruction of justice hinders the execution of the laws of that State and of the United States, and makes it impracticable to enforce such laws by the ordinary course of judicial proceedings; and

WHEREAS, such obstruction of justice constitutes a denial of the equal protection of the laws secured by the Constitution of the United States and impedes the course of justice under those laws:

NOW, THEREFORE, I, Dwight D. Eisenhower, President of the United States, under and by virtue of the authority vested in me by the Constitution and Statutes of the United States, including Chapter 15 of Title 10 of the United States Code, particularly Sections 332, 333 and 334 thereof, do command all persons engaged in such obstruction of justice to cease and desist therefrom, and to disperse forthwith.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the City of Newport, Rhode Island this twenty-third day of September in the year of our Lord nineteen hundred and fifty-seven, and of the Independence of the United States of America the one hundred and eighty-second.

(SEAL)

DWIGHT D. EISENHOWER

By the President:

JOHN FOSTER DULLES

Secretary of State

(OVER)

Chapter 15, Title 10, United States Code

Section 332

Whenever the President considers that unlawful obstructions, combinations, or assemblages, or rebellion against the authority of the United States, make it impracticable to enforce the laws of the United States in any State or Territory by the ordinary course of judicial proceedings, he may call into Federal service such of the militia of any State, and use such of the Armed Forces, as he considers necessary to enforce those laws or to suppress the rebellion.

Section 333

The President, by using the militia or the Armed Forces, or both, or by any other means, shall take such measures as he considers necessary to suppress, in a State, any insurrection, domestic violence, unlawful combination, or conspiracy, if it

(1) So hinders the execution of the laws of that State, and of the United States within the State, that any part or class of its people are deprived of a right, privilege, immunity, or protection named in the Constitution and secured by law, and the constituted authorities of that State are unable, fail or refuse to protect that right, privilege or immunity, or to give that protection; or

(2) Opposes or obstructs the execution of the laws of the United States or impedes the course of justice under those laws. In any situation covered by Clause (1), the State shall be considered to have denied the equal protection of the laws secured by the Constitution.

Section 334

Whenever the President considers it necessary to use the militia or the Armed Forces under this Chapter, he shall, by Proclamation, immediately order the insurgents to disperse and retire peaceably to their abodes within a limited time.