



Civil Society and Law

Introduction

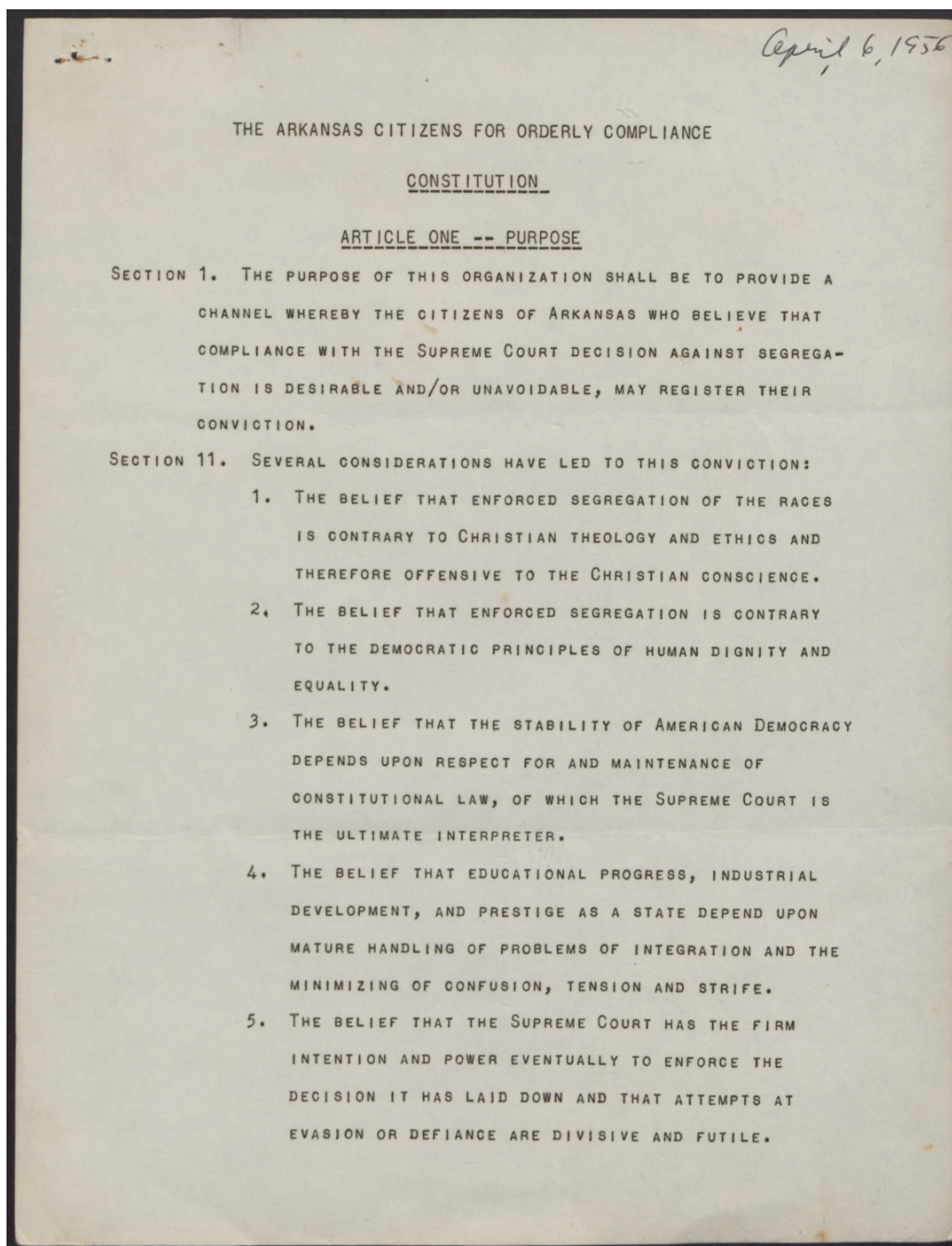
In 1954, nearly a century after the formal abolition of slavery in the United States, *Brown v. Board of Education of Topeka*, one of the most important Supreme Court decisions in US history, declared that segregation in public schools was unconstitutional. The decision partially overturned *Plessy v. Ferguson*, which in 1896 established the “separate but equal” doctrine. Under the doctrine, segregated facilities for black and white Americans were legal if they offered services of the same or comparable quality. In reality, *Plessy v. Ferguson* confirmed the long-standing practice of discrimination against black Americans. It argued that while the US Constitution protected equal political and civil rights for black and white Americans, it did not ensure equal “social rights.”

Brown v. Board of Education was a momentous victory for civil rights activists and all black Americans. Simultaneously, many white Americans, particularly in the South, were outraged and ready to block integration efforts. The battle for equal and just access to education was far from over. It was now also additionally complicated by the Supreme Court’s choice not to provide any specific guidelines on when and how desegregation of public education should take place. In response, individuals who supported the Supreme Court decision engaged in a variety of strategies that promoted the cause of integration.

In this activity, you will examine the constitution of the Arkansas Citizens for Orderly Compliance, a civil society organization that consisted of black and white religious and secular leaders created to fight against segregation and push for timely and orderly integration in Arkansas. The Arkansas Citizens for Orderly Compliance raises the crucial question of why we need civil society organizations that fight for causes that are already protected by existing laws? In other words, why did some Arkansans believe that they needed to establish an anti-segregation organization if segregation had already been declared unconstitutional by the highest court of the land?



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“The Arkansas Citizens for Orderly Compliance – Constitution,” April 6, 1956. In “Speeches, excerpts, and bulletins by ministers and laypeople,” p. 1 (Bishop Robert R. Brown papers)



PAGE 2

ARTICLE ONE -- PURPOSE

SECTION 111. THIS CONVICTION DOES NOT IMPLY A DEMAND FOR IMMEDIATE INTEGRATION IN EVERY COMMUNITY. THE SUPREME COURT ITSELF HAS RECOGNIZED THAT FULL COMPLIANCE IS NOT IMMEDIATELY POSSIBLE IN ALL CASES.

ARTICLE TWO -- MEMBERSHIP

SECTION 1. MEMBERSHIP SHALL BE OPEN TO ALL CITIZENS OF ARKANSAS WHO SUBSCRIBE TO THE PURPOSE AS STATED IN ARTICLE ONE, SECTION 1, OF THIS CONSTITUTION, AND WHO PAY DUES AS DETERMINED BY THE ORGANIZATION.

ARTICLE THREE -- OFFICERS

SECTION 1. THE OFFICERS OF THIS COUNCIL SHALL BE:

A PRESIDENT; A VICE-PRESIDENT; A RECORDING SECRETARY; A CORRESPONDING SECRETARY; AND A TREASURER.

SECTION 11. THESE OFFICERS SHALL BE ELECTED ANNUALLY BY A MAJORITY OF THOSE MEMBERS PRESENT AND VOTING AT A DULY CALLED MEETING.

ARTICLE FOUR -- ORGANIZATION

SECTION 1. THERE SHALL BE AN EXECUTIVE COMMITTEE CONSISTING OF THE OFFICERS OF THE COUNCIL TOGETHER WITH SUCH OTHER PERSONS AS SHALL BE NAMED BY THE ORGANIZATION, THE TOTAL MEMBERSHIP NOT TO EXCEED TEN PERSONS.

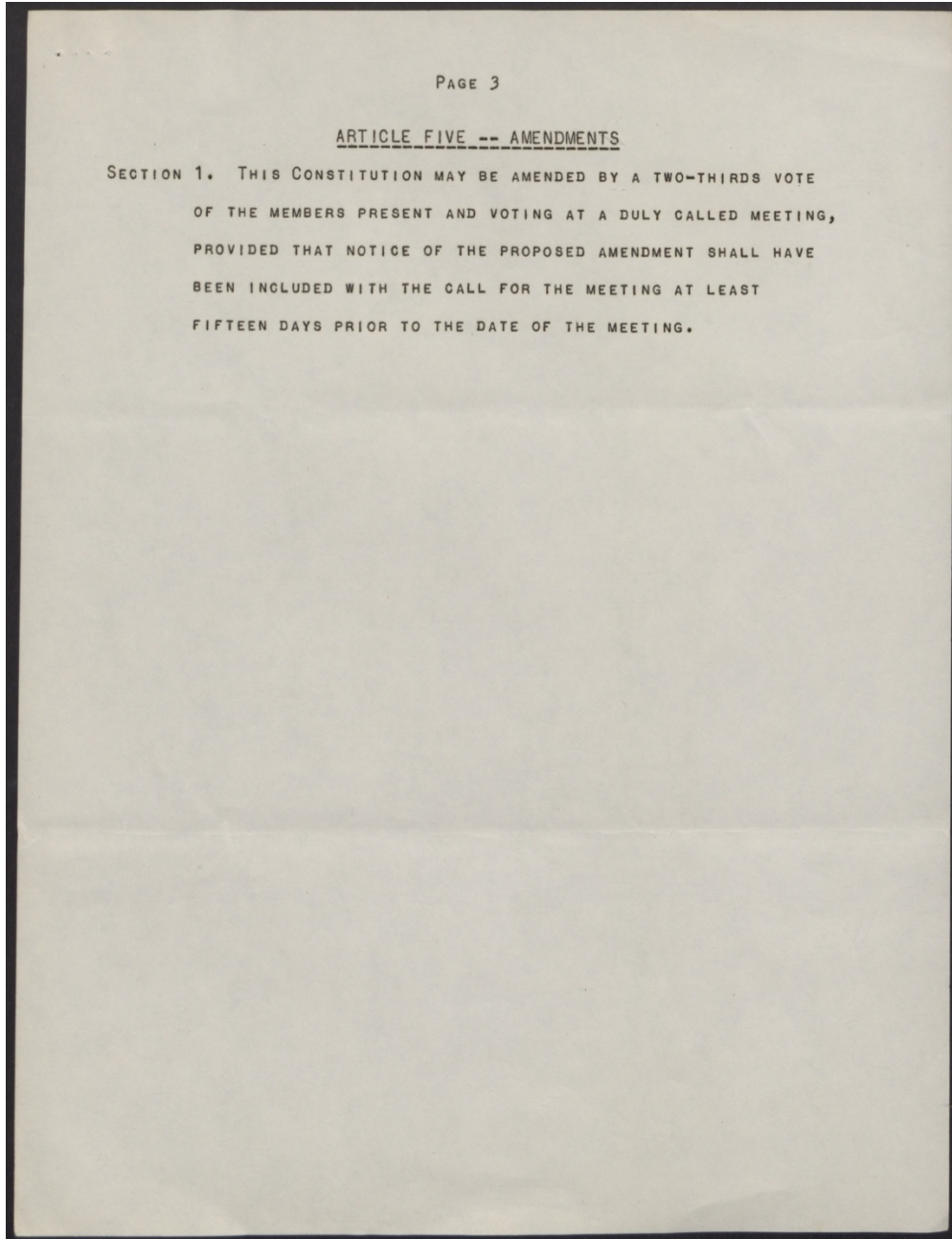
SECTION 11. THE EXECUTIVE COMMITTEE SHALL INVITE PERSONS WIDELY REPRESENTATIVE OF THE SECTIONS AND INTERESTS OF THE STATE TO MEET WITH IT FROM TIME TO TIME AND TO CONSTITUTE A STANDING ADVISORY COMMITTEE.

SECTION 111. THE COUNCIL SHALL ENCOURAGE THE FORMATION OF LOCAL COUNCILS TO CARRY OUT THE PURPOSE AS STATED IN ARTICLE ONE, SECTION 1, OF THIS CONSTITUTION.

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Questions:

1. What is this document and what organization issued it?
2. What is the purpose of the organization that issued this document? Explain in your own words.
3. What principles (beliefs) do the authors of this document cite to oppose segregation?
4. Do the authors of this document demand immediate integration?
5. Who can become a member of this organization?
6. How would you characterize the approach of the Arkansas Citizens for Orderly Compliance to integration? What does the organization's name tell us about their approach? What do you think about their decision not to demand immediate integration?
7. Why do you think the Arkansas Citizens for Orderly Compliance was created in 1956, two years after the *Brown v. Board of Education* decision? Why would it be important to have this kind of organization if the Supreme Court had already decided that segregation was unconstitutional in the United States?
8. The existence of organizations like the Arkansas Citizens for Orderly Compliance shows that the law itself is not sufficient to change deeply rooted practices and beliefs. Although segregation had already been declared unconstitutional, some Arkansas activists recognized that they had to organize to promote and enforce the cause of integration. What are some of the causes that face similar challenges today? What activities or practices that are illegal today are also very common and, like segregation in the past, undermining the notions of equality and social justice?
9. Do you know of any civil society organizations that advocate enforcing the existing laws in order to promote social justice?