

Daisy Bates vs. Little Rock

Procedural History:

- Brown v Board of Education (1954) - overturned Plessy v Ferguson. Desegregated schools.
- Plessy v Ferguson (1896) - Upheld that you can have segregated facilities. If you're going to separate races then they'll do it on their own if the government does it it causes tension. Overturning would cause turmoil for everyone.
- 10 years to desegregate schools (racial tension)

Facts:

- Daisy Bates arrested in violation of the Bennett Ordinance, as she refused to turn over the membership list. She did this so that the people on the list were not retaliated against as there was a lot of racial tension.
- Bates is president of the NAACP
- She argued that by turning over the membership list there would be a chilling effect on freedom of assembly, and speech.
- Chilling Effect: people are less likely to join a group or associate with a group due to backlash.
- Fourteenth Amendment Due Process; Supremacy clause in the Fourteenth amendment.
- An Ordinance Requiring Certain Organizations Functioning or Operating Within the City of Little Rock, Arkansas to List Certain Information With the City Clerk, and for Other Purposes
- Equal Protection under the law (Brown v Board of Ed case of equal protection).
- Southern Manifesto 1956, pact of all the states in the confederacy to do everything they could to uphold segregation.

Issue:

- Did the Bennett Ordinance violate Daisy Bates/NAACP right's freedom of speech and freedom of assembly? (First Amendment)

Holding:

-

Conclusion:

- the Court ruled that Arkansas city officials could not use an occupational tax ordinance to force local leaders of the National Association for the Advancement of Colored People (NAACP) to turn over membership lists.

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JA Banks



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