

Tears of Love

A Letter from His Birmingham Jail Cell

by MARTIN LUTHER KING, JR.

During the recent crisis in Birmingham, eight of the leading clergymen of Alabama—Protestant, Catholic, and Jewish—issued a formal statement characterizing the Negro protest actions as “unwise and untimely” and urging “our own Negro community to withdraw support from these demonstrations, and to unite locally in working peacefully for a better Birmingham.” The Reverend Martin Luther King, Jr., wrote a remarkable reply in longhand from his jail cell in Birmingham. It is a memorable document which proclaims and explains many of the enduring principles of the current struggle. The Progressive is delighted to be able to make significant excerpts from Dr. King’s reply available to its readers.—THE EDITORS.

MY DEAR FELLOW CLERGYMEN:

While confined here in the Birmingham city jail, I came across your recent statement calling our present activities “unwise and untimely.” Since I feel that you are men of genuine good will and your criticisms are sincerely set forth, I would like to answer your statement in what I hope will be patient and reasonable terms.

I think I should give the reason for my being in Birmingham, since I have been influenced by the argument of “outsiders coming in.” I am here, along with several members of my staff, because we were invited here. I am here because I have basic organizational ties here. I am in Birmingham because injustice is here. Just as the Eighth Century prophets left their little villages and carried their “thus saith the Lord” far beyond the boundaries of their home towns, and just as the apostle Paul left his little village of Tarsus and carried the gospel of Jesus Christ to practically every hamlet and city of the Greco-Roman world, I, too, am compelled to carry the gospel of freedom beyond my particular home town. Like Paul, I must constantly

respond to the Macedonian call for aid . . .

You deplore the demonstrations that are presently taking place in Birmingham. But I am sorry that your statement did not express a similar concern for the conditions that brought the demonstrations into being. I would not hesitate to say that it is unfortunate that so-called demonstrations are taking place in Birmingham at this time, but I would say in more emphatic terms that it is even more unfortunate that the white power structure of this city left the Negro community with no other alternative.

In any non-violent campaign there are four basic steps:

Collection of the facts to determine whether injustices are alive.

Negotiation.

Self-purification.

Direct action.

We have gone through all of these steps in Birmingham. There can be no gainsaying of the fact that racial injustice engulfs this community. Birmingham is probably the most thoroughly segregated city in the United States. Its ugly record of po-

lice brutality is known in every section of this country. Its unjust treatment of Negroes in the courts is a notorious reality. There have been more unsolved bombings of Negro homes and churches in Birmingham than in any city in this nation. These are the hard, brutal, and unbelievable facts. On the basis of these conditions Negro leaders sought to negotiate with the city fathers. But the political leaders consistently refused to engage in good faith negotiation.

Then came the opportunity last September to talk with some of the leaders of the economic community. In these negotiating sessions certain promises were made by the merchants—such as the promise to remove the humiliating racial signs from the stores. On the basis of these promises, the Reverend Fred Shuttlesworth and the leaders of the Alabama Christian Movement for Human Rights agreed to call a moratorium on any type of demonstrations. As the weeks and months unfolded we realized that we were the victims of a broken promise. The signs remained.

Like so many experiences of the past we were confronted with blasted hopes, and the dark shadows of a deep disappointment settled upon us. So we had no alternative except that of preparing for direct action, whereby we would present our very bodies as a means of laying our case before the conscience of the local and national community. We were not unmindful of the difficulties involved. So we decided to go through a process of self-purification. We started having workshops on non-

violence and repeatedly asked ourselves the questions, "Are you able to accept blows without retaliating?" "Are you able to endure the ordeals of jail?"

We decided to set our direct action program around the Easter season, realizing that with the exception of Christmas this was the largest shopping period of the year. Knowing that a strong economic withdrawal program would be the by-product of direct action, we felt that this was the best time to bring pressure on the merchants for the needed changes. Then it occurred to us that the March election was ahead and so we speedily decided to postpone action until after election day. When we discovered that Mr. Connor was in the run-off we decided again to postpone action so that the demonstration could not be used to cloud the issues. At this time we agreed to begin our non-violent witness the day after the run-off.



This reveals that we did not move irresponsibly into direct action. We, too, wanted to see Mr. Connor defeated; so we went through postponement after postponement to aid in this community need. After this we felt that direct action could be delayed no longer.

You may well ask, "Why direct action? Why sit-ins, marches, etc.? Isn't negotiation a better path?" You are exactly right in your call for negotiation. Indeed, this is the purpose of direct action. Non-violent direct action seeks to create such a crisis and establish such creative tension that a community that has constantly refused to negotiate is forced to confront the issue. It seeks so to dramatize the issue that it can no longer be ignored. We must see the need of having non-violent gadflies to create the kind of tension in society that will help men to rise from the dark depths of prejudice and racism to the majestic heights of understanding and brotherhood. So the purpose of the direct action is to create a situation so crisis-packed that it will inevitably open the door to negotiation. We, therefore, concur with you in your call for negotiation. Too

long has our beloved Southland been bogged down in the tragic attempt to live in monologue, rather than dialogue.

One of the basic points in your statement is that our acts are untimely. Some have asked, "Why didn't you give the new [city] administration time to act?" The only answer that I can give to this inquiry is that the new administration must be prodded about as much as the outgoing one before it acts. We will be sadly mistaken if we feel that the election of Mr. Boutwell will bring the millennium to Birmingham. While Mr. Boutwell is more articulate and gentle than Mr. Connor, they are both segregationists dedicated to the task of maintaining the status quo. My friends, I must say to you that we have not made a single gain in civil rights without determined legal and non-violent pressure.

We know through painful experience that freedom is never voluntarily given by the oppressor; it must be demanded by the oppressed. Frankly, I have never yet engaged in a direct action movement that was "well-timed," according to the timetable of those who have not suffered unduly from the disease of segregation.

For years now I have heard the word "Wait!" It rings in the ear of

every Negro with a piercing familiarity. This "Wait" has always meant "Never." It has been a tranquilizing thalidomide, relieving the emotional stress for a moment, only to give birth to an ill-formed infant of frustration. We must come to see with the distinguished jurist of yesterday that "justice too long delayed is justice denied."

We have waited for more than three hundred and forty years for our Constitutional and God-given rights. The nations of Asia and Africa are moving with jet-like speed toward the goal of political independence, and we still creep at horse and buggy pace toward the gaining of a cup of coffee at a lunch counter. I guess it is easy for those who have never felt the stinging darts of segregation to say "Wait."

But when you have seen vicious mobs lynch your mothers and fathers at will and drown your sisters and brothers at whim; when you have seen hate-filled policemen curse, kick, brutalize, and even kill your black brothers and sisters with impunity; when you see the vast majority of your 20,000,000 Negro brothers smothering in an air-tight cage of poverty in the midst of an affluent society; when you suddenly find your tongue twisted and your speech stammering as you seek to explain to your six-year-old daughter why she can't go to the public amusement park that has just been advertised on television, and see tears welling up in her little eyes when she is told that Fun-town is closed to colored children, and see the depressing clouds of inferiority begin to form in her little mental sky, and see her begin to distort her little personality by unconsciously developing a bitterness toward white people; when you have to concoct an answer for a five-year-old son asking in agonizing pathos: "Daddy, why do white people treat colored people so mean?"; when you take a cross-country drive and find it necessary to sleep night after night in the uncomfortable corners of your automobile because no motel will accept you; when you are humiliated day in and day out by nagging signs reading "white" men and "colored"; when your first name becomes "nigger" and your middle name becomes



Mauldin in The Chicago Sun-Times

"What Do You Mean, 'Not So Fast'?"

"boy" (however old you are) and your last name becomes "John," and when your wife and mother are never given the respected title, "Mrs.;" when you are harried by day and haunted by night by the fact that you are a Negro, living constantly at tip-toe stance never quite knowing what to expect next, and plagued with inner fears and outer resentments; when you are forever fighting a degenerating sense of "nobodiness"—then you will understand why we find it difficult to wait.

You express a great deal of anxiety over our willingness to break laws. This is certainly a legitimate concern. Since we so diligently urge people to obey the Supreme Court's decision of 1954 outlawing segregation in the public schools, it is rather strange and paradoxical to find us consciously breaking laws. One may well ask, "How can you advocate breaking some laws and obeying others?" The answer is found in the fact that there are two types of laws: There are *just* laws and there are *unjust* laws. I would agree with Saint Augustine that "an unjust law is no law at all."

Any law that uplifts human personality is just. Any law that degrades human personality is unjust. All segregation statutes are unjust because segregation distorts the soul and damages the personality. . . . So I can urge men to obey the 1954 decision of the Supreme Court because it is morally right, and I can urge them to disobey segregation ordinances because they are morally wrong.

Let us turn to a more concrete example of just and unjust laws. An unjust law is a code that a majority inflicts on a minority that is not binding on itself. This is *difference* made legal. On the other hand, a just law is a code that a majority compels a minority to follow that it is willing to follow itself. This is *sameness* made legal.

Let me give another explanation. An unjust law is a code inflicted upon a minority which that minority had no part in enacting or creating because they did not have the unhampered right to vote. Who can say that the legislature of Alabama which set up the segregation laws was democratically elected?



“. . . with Liberty and Justice for All”

These are just a few examples of unjust and just laws. These are some instances when a law is just on its face and unjust in its application. For instance, I was arrested Friday on a charge of parading without a permit. Now there is nothing wrong with an ordinance that requires a permit for a parade, but when the ordinance is used to preserve segregation and to deny citizens the First Amendment privilege of peaceful assembly and peaceful protest, then it becomes unjust.



I hope you can see the distinction I am trying to point out. In no sense do I advocate evading or defying the law as the rabid segregationist would do. This would lead to anarchy. One who breaks an unjust law must do it *openly, lovingly* (not hatefully as the white mothers did in New Orleans when they were seen on television screaming "nigger, nigger, nigger"), and with a willingness to accept the penalty. I submit that an individual who breaks a law that conscience tells him is unjust, and willingly accepts the penalty by staying in jail to arouse the conscience of the community over his injustice, is in reality expressing the very highest respect for law.

We can never forget that every-

thing Hitler did was "legal" and everything the Hungarian freedom fighters did in Hungary was "illegal." It was "illegal" to aid and comfort a Jew in Hitler's Germany. But I am sure that if I had lived in Germany during that time, I would have aided and comforted my Jewish brothers even though it was illegal. If I lived in a Communist country today where certain principles dear to the Christian faith are suppressed, I believe I would openly advocate disobeying these anti-religious laws.

I must make two honest confessions to you, my Christian and Jewish brothers. First, I must confess that over the last few years I have been gravely disappointed with the white moderate. I have almost reached the regrettable conclusion that the Negro's great stumbling block in the stride toward freedom is not the White Citizens Council-er or the Ku Klux Klanner, but the white moderate who is more devoted to "order" than to justice; who prefers a negative peace which is the absence of tension to a positive peace which is the presence of justice; who constantly says "I agree with you in the goal you seek, but I can't agree with your methods of direct action"; who paternalistically feels that he can set the timetable for another man's freedom; who lives by the myth of time and who constantly advises the Negro to wait until a "more convenient season." Shallow understanding from people of good will is more frustrating than absolute misunderstanding from people of ill will. Lukewarm acceptance is much more bewildering than outright rejection. I had hoped that the white moderate would understand that the present tension in the South is merely a necessary phase of the transition from an obnoxious negative peace, where the Negro passively accepted his unjust plight, to a substance-filled positive peace, where all men will respect the dignity and worth of human personality. Actually, we who engage in nonviolent action are not the creators of tension. We merely bring to the surface the hidden tension that is already alive. We bring it out in the open where it can be seen and dealt with.

In your statement you asserted that

our actions, even though peaceful, must be condemned because they precipitate violence. But can this assertion be logically made? Isn't this like condemning the robbed man because his possession of money precipitated the evil act of robbery? Isn't this like condemning Socrates because his unswerving commitment to truth and his philosophical delvings precipitated the misguided popular mind to make him drink the hemlock?

You spoke of our activity in Birmingham as extreme. At first I was rather disappointed that fellow clergymen would see my non-violent efforts as those of the extremist. I started thinking about the fact that I stand in the middle of two opposing forces in the Negro community. One is a force of complacency made up of Negroes who, as a result of long years of oppression, have been so completely drained of self-respect and a sense of "somebodiness" that they have adjusted to segregation, and, on the other hand, of a few Negroes in the middle class who, because of a degree of academic and economic security, and because at points they profit by segregation, have unconsciously become insensitive to the problems of the masses. The other force is one of bitterness and hatred, and comes perilously close to advocating violence. It is expressed in various black nationalist groups that are springing up over the nation, the largest and best known being Elijah Muhammad's Muslim movement.

This movement is nourished by the contemporary frustration over the continued existence of racial discrimination. It is made up of people who have lost faith in America, who have absolutely repudiated Christianity, and who have concluded that the white man is an incurable "devil."

I have tried to stand between these two forces saying that we need not follow the "do-nothingism" of the complacent or the hatred and despair of the black nationalist. There is a more excellent way of love and non-violent protest. I'm grateful to God that, through the Negro church, the dimension of non-violence entered our struggle. If this philosophy had not emerged I am convinced that by now many streets

of the South would be flowing with floods of blood. And I am further convinced that if our white brothers dismiss as "rabble rousers" and "outside agitators" those of us who are working through the channels of non-violent direct action, and refuse to support our non-violent efforts, millions of Negroes, out of frustration and despair, will seek solace and security in black nationalist ideologies, a development that will lead inevitably to a frightening racial nightmare.



Let me rush on to mention my other disappointment. I have been so greatly disappointed with the white church and its leadership. Of course, there are some notable exceptions. I am not unmindful of the fact that each of you has taken some significant stands on this issue. I commend you, Reverend Stallings, for your Christian stand on this past Sunday, in welcoming Negroes to your worship service on a non-segregated basis. I commend the Catholic leaders of this state for integrating Springhill College several years ago.

But despite these notable exceptions, I must honestly reiterate that I have been disappointed with the church. I do not say that as one of those negative critics who can always find something wrong with the church. I say it as a minister of the gospel, who loves the church, who has been nurtured in its bosom, who has been sustained by its spiritual blessings and who will remain true to it as long as the cord of life shall lengthen.

I have heard numerous religious leaders of the South call upon their worshipers to comply with a desegregation decision because it is the law, but I have longed to hear white ministers say, "Follow this decree because integration is morally right and the Negro is your brother." In the midst of blatant injustices inflicted upon the Negro, I have watched white churches stand on the sideline and merely mouth pious irrelevancies and sanctimonious trivialities. Over and over again I have found myself asking: "What kind of people worship here? Who is their God? Where were their voices when the lips of

Governor Barnett dripped with words of interposition and nullification? Where were they when Governor Wallace gave the clarion call for defiance and hatred? Where were their voices of support when tired, bruised and weary Negro men and women decided to rise from the dark dungeons of complacency to the bright hills of creative protest?"

In deep disappointment, I have wept over the laxity of the church. But be assured that my tears have been tears of love. There can be no deep disappointment where there is not deep love. Yes, I love the church; I love her sacred walls. How could I do otherwise? I am in the rather unique position of being the son, the grandson, and the great grandson of preachers. Yes, I see the church as the body of Christ. But, oh, how we have blemished and scarred the body through social neglect and fear of being nonconformists.

The judgment of God is upon the church as never before. If the church of today does not recapture the sacrificial spirit of the early church, it will lose its authentic ring, forfeit the loyalty of millions, and be dismissed as an irrelevant social club with no meaning for the Twentieth Century. I am meeting young people every day whose disappointment with the church has risen to outright disgust.

Maybe again I have been too optimistic. Is organized religion too inextricably bound to the status quo to save our nation and the world? Maybe I must turn my faith to the inner spiritual church, the church within the church, as the true *ecclesia* and the hope of the world.

But again I am thankful to God that some noble souls from the ranks of organized religion have broken loose from the paralyzing chains of conformity and joined us as active partners in the struggle for freedom. They have left their secure congregations and walked the streets of Albany, Georgia, with us. They have gone through the highways of the South on torturous rides of freedom. Yes, they have gone to jail with us. Some have been kicked out of their churches, and lost the support of their bishops and fellow ministers. But they have gone with the faith

that right defeated is stronger than evil triumphant.

I hope the church as a whole will meet the challenge of this decisive hour. But even if the church does not come to the aid of justice, I have no despair about the future. I have no fear about the outcome of our struggle in Birmingham, even if our motives are presently misunderstood. We will reach the goal of freedom in Birmingham and all over the nation, because the goal of America is freedom.

I must close now. But before closing I am impelled to mention one other point in your statement that troubled me profoundly. You warmly commended the Birmingham police force for keeping "order" and "preventing violence." I don't believe you would have so warmly commended the police force if you had seen its angry, violent dogs literally biting six unarmed, non-violent Negroes. I don't believe you would so quickly commend the policemen if you would observe their ugly and inhuman treatment of Negroes here in the city jail; if you would watch them push and curse old Negro women and young Negro girls; if you would see them slap and kick old Negro men and young boys; if you will observe them, as they did on two occasions, refuse to give us food because we wanted to sing our grace together. I'm sorry that I can't join you in your praise for the police department.

I wish you had commended the Negro sit-inners and demonstrators of Birmingham for their sublime courage, their willingness to suffer, and their amazing discipline in the midst of the most inhuman provocation. One day the South will recognize its real heroes.

Never before have I written a letter this long. I'm afraid that it is much too long to take your precious time. I can assure you that it would have been much shorter if I had been writing from a comfortable desk, but what else is there to do when you are alone for days in the dull monotony of a narrow jail cell other than write long letters, think strange thoughts, and pray long prayers?

If I have said anything in this letter that is an understatement of the

truth and is indicative of an unreasonable impatience, I beg you to forgive me. If I have said anything in this letter that is an overstatement of the truth and is indicative of my having a patience that makes me pa-

tient with anything less than brotherhood, I beg God to forgive me.

Yours for the cause of peace and brotherhood,

MARTIN LUTHER KING, JR.

A Shield for the Shopper

by SENATOR PHILIP A. HART

As I passed by the television set a few nights ago, my eye was caught by the picture of a running antelope trying to escape a pursuing helicopter. "The antelope is a naturally suspicious and wary animal," the narrator was saying smoothly, "and there was a time when he was extremely difficult to capture."

Then the helicopter swooped low, someone shot a dart full of a tranquilizer into the animal's flank, and before long it toppled over on its side to await the net. The show was intended as a tribute to modern efficiency but somehow my sympathies were with the antelope.

I left the room then because I was busy studying the high degree of modern efficiency directed at capturing the dollars of the American consumer. The deadline for this article had crept up on me and I was rereading some testimony that told of the many scientific innovations used by the modern merchandiser. I was as impressed by them as I was by the dart guns used by big game hunters.

The American shopper has grown as wary and suspicious as any antelope and she has the additional advantage of being generally as intelligent as her pursuers. But slick, new marketing methods are being spawned daily and most of us find ourselves increasingly

vulnerable to an army of motivational researchers and promotion specialists who are quite prepared to swoop down and tranquilize us with misleading information and clever deceptions. Spurred by fierce competition, merchandisers devote weeks and months to polishing their techniques while the average consumer can devote only an occasional hour, often in vain, to digging out the factual information which is her only defense.

The Truth in Packaging bill that I have introduced in the Senate (a companion bill has been presented in the House) is one attempt to put the consumer on a more equal footing with the manufacturer. The bill has only one basic purpose: to allow the shopper the opportunity to make a rational buying choice.

The increasing difficulty of making a rational choice is perhaps best illustrated by the series of exhibits introduced during the lengthy hearings on packaging which I conducted as chairman of a subcommittee of the Senate Commerce Committee. Here on my desk, for example, is a bottle of salad oil—a newly-designed bottle with a streamlined figure. Not long ago, this same brand came in a quart container of traditional design—a thick-waisted bottle of the type commonly used for dozens of liquids: beer, cleansers, and soda pop.

Why the change? It seemed that motivational researchers reported to the

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