

"Letter from a Birmingham Jail [King, Jr.]" 16 April 1963

My Dear Fellow Clergymen: While confined here in the Birmingham city jail, I came across your recent statement calling my present activities "unwise and untimely." Seldom do I pause to answer criticism of my work and ideas. But since I feel that you are men of genuine good will and that your criticisms are sincerely set forth, I want to try to answer your statement in what I hope will be patient and reasonable terms.

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

1. Collection of the facts to determine whether injustices exist;
2. Negotiation;
3. Self purification – explained as a series of workshops on non-violence. Asking ourselves: "Are you able to accept blows without retaliating?" "Are you able to endure the ordeal of jail?"
4. Direct action.



We have gone through all these steps in Birmingham. There can be no gainsaying the fact that racial injustice engulfs this community. Birmingham is probably the most thoroughly segregated city in the United States. Its ugly record of brutality is widely known. Negroes have experienced grossly unjust treatment in the courts. There have been more unsolved bombings of Negro homes and churches in Birmingham than in any other city in the nation. These are the hard, brutal facts of the case. Negro leaders sought to negotiate with the city fathers....In the course of the negotiations; certain promises were made by the merchants. As the weeks and months went by, we realized that we were the victims of a broken promise. As in so many past experiences, our hopes had been blasted, and the shadow of deep disappointment settled upon us.

We had no alternative except to prepare for direct action, whereby we would present our very bodies as a means of laying our case before the conscience of the local and the national community.

You may well ask: "Why direct action? Why sit ins, marches and so forth? Isn't negotiation a better path?" You are quite right in calling for negotiation. Indeed, this is the very purpose of direct action. Non-violent direct action seeks to create such a crisis and foster such a tension that a community which 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. It will help men rise from the dark depths of prejudice and racism to the majestic heights of understanding and brotherhood. The purpose of our direct action program is to create a situation so crisis packed that it will inevitably open the door to negotiation.

Frankly, I have yet to engage in a direct action campaign that was "well timed" in the view 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 piercing familiarity. This "Wait" has almost always meant "Never." We must come to see, with one of our distinguished jurists, that "justice too long delayed is justice denied." We have waited for more than 340 years for our constitutional and God given rights.

When you are harried by day and haunted by night, living constantly at tiptoe stance, never quite knowing what to expect next, and are plagued with inner fears and outer resentments; when you are forever fighting a sense of "nobodiness"--then you will understand why we find it difficult to wait. There are two types of laws: just and unjust.

I would be the first to advocate obeying just laws. One has not only a legal but a moral responsibility to obey just laws. Conversely (On the other hand), one has a moral responsibility to disobey unjust laws. I would agree with St. Augustine that "an unjust law is no law at all." Now, what is the difference between the two? How does one determine whether a law is just or unjust?

A just law is a man made code that squares with the moral law or the law of God. An unjust law is a code that is out of harmony with the moral law. Any law that uplifts human personality is just. Any law that degrades human personality is unjust. An unjust law is a code that a power majority group makes a minority group obey but does not make binding on itself. A just law is a code that a majority compels a minority to follow and that it is willing to follow itself.

Let me give another explanation. A law is unjust if it is inflicted on a minority that, as a result of being denied the right to vote, had no part in enacting or devising the law. Who can say that the legislature of Alabama which set up that state's segregation laws was democratically elected? Throughout Alabama all sorts of devious methods are used to prevent Negroes from becoming registered voters, and there are some counties

in which, even though Negroes constitute a majority of the population, not a single Negro is registered. Can any law enacted under such circumstances be considered democratically structured? Sometimes a law is just on its face and unjust in its application. For instance, I have been arrested on a charge of parading without a permit. Now, there is nothing wrong in having an ordinance (law) which requires a permit for a parade. But such an ordinance becomes unjust when it is used to maintain segregation and to deny citizens the First-Amendment privilege of peaceful assembly and protest.

One who breaks an unjust law must do so openly, lovingly, and with a willingness to accept the penalty. I submit that an individual who breaks a law that conscience tells him is unjust, and who willingly accepts the penalty of imprisonment in order to arouse the conscience of the community over its injustice, is in reality expressing the highest respect for law.

Actually, we who engage in non-violent direct 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. Like a boil that can never be cured so long as it is covered up but must be opened with all its ugliness, injustice must be exposed, with all the tension its exposure creates. Now is the time to lift our national policy from the quicksand of racial injustice to the solid rock of human dignity.

So let us march; let us make prayer pilgrimages to the city hall; let us go on freedom rides -and try to understand why we must do so. If his repressed emotions are not released in non-violent ways, they will seek expression through violence; this is not a threat but a fact of history.

Before closing I feel impelled to mention one other point in your statement that has troubled me profoundly. You warmly commended the Birmingham police force for keeping "order" and "preventing violence." I doubt that you would have so warmly commended the police force if you had seen its dogs sinking their teeth into unarmed, non-violent Negroes. I doubt that you would so quickly commend the policemen if you were to observe their ugly and inhumane treatment of Negroes here in the city jail; if you were to watch them push and curse old Negro women and young Negro girls; if you were to see them slap and kick old Negro men and young boys; if you were to observe them, as they did on two occasions, refuse to give us food because we wanted to sing our grace together. I cannot join you in your praise of the Birmingham police department. It is true that the police have exercised a degree of discipline in handling the demonstrators. In this sense they have conducted themselves rather "non-violently" in public. But for what purpose? To preserve the evil system of segregation.

Never before have I written so long a letter. I'm afraid 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 can one do when he is alone in a narrow jail cell, other than write long letters, think long thoughts and pray long prayers? Let us all hope that the dark clouds of racial prejudice will soon pass away and the deep fog of misunderstanding will be lifted from our fear drenched communities, and in some not too distant tomorrow the radiant stars of love and brotherhood will shine over our great nation with all their scintillating beauty.

Yours for the cause of Peace and Brotherhood, Martin Luther King, Jr.