A Letter From a Birmingham City Jail
A Brief History of the Civil Rights Movement

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- 1947: Jackie Robinson makes his Major League Baseball debute.
- 1948: President Truman bans racial discrimination in the U. S. Military.
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- 1947: Jackie Robinson makes his Major League Baseball debut.
- 1948: President Truman bans racial discrimination in the U.S. Military.
- 1954: Supreme courts hears Brown vs. Board of Education and unanimously rules that "separate but equal" is unconstitutional.
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- 1954: Supreme courts hears Brown vs. Board of Education and unanimously rules that "separate but equal" is unconstitutional.
- 1955: Rosa Parks refuses to give up her seat on a Montgomery, Alabama city bus. Parks, along with Martin Luther King Jr. and others, lead a boycott over one year long of the city bus system.
- 1957: Arkansas governor prevents nine blacks for entering a Little Rock High School. The National Guard on orders from President Eisenhower intercedes.
- 1962: James Merideth, University of Mississippi's first black student arrives; riots ensue. President Kennedy sends 5,000 national guard to end the riots.
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- 1964: Civil Rights Act of 1964 illegalizes racial and religious discrimination.
- 1964: It has been a decade since Brown vs. Board of Education. Segregation is still a major issue in the South. King and others are still organizing protests; violence against civil rights workers.
- 1965: Barriers to voting, such as literacy tests and poll taxes, are banned by congressional act.
- 1968: Martin Luther King Jr. is assassinated by James Earl Ray.
King's 1963 Letter

To Whom is King's letter addressed?
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"My dear Fellow Clergymen"

What charges of theirs is he answering?
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That his actions are "unwise and untimely."
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He was arrested for protesting segregation; he had agreed to be there to assist civil rights workers in Birmingham.

Furthermore, he is there to combat injustice. He says that "injustice anywhere is a threat to justice anywhere."
King's Program of Direct Action

King and others in the civil rights movement advocated non-violent "direct action".

What's non-violent direct action?

What are alternatives to non-violent direct action?
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What's non-violent direct action?

What are alternatives to non-violent direct action? Why did they advocate it instead of alternatives?
King's Program of Direct Action

Alternatives to non-violent direct action:
- "Negotiation"
- Violence
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1. Fact gathering
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4. Direct Action
Objections to King's Program

Still, isn't negotiation best?

Yes, says King:
"Nonviolent direct action seeks to create such a crisis and establish such a creative tension that a community that has constantly refused to negotiate is forced to confront the issue."
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Still, isn't negotiation best?

Yes, says King:
"Nonviolent direct action seeks to create such a crisis and establish such a creative tension that a community that has constantly refused to negotiate is forced to confront the issue." Notice a specter of Locke on revolution: it is not the revolutionaries but the government that is guilty of the first blow in the war. Likewise, it is the establishment that King protests that refuses negotiation.
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"I have never yet engaged in a direct action movement that was 'well-timed,' according to the time-table of those who have not suffered unduly from the disease of segregation."
"We have waited more than 340 years for our constitutional and God-given rights."
"I hope, sirs, you can understand our legitimate and unavoidable impatience."
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What's his basic response?

He encourages breaking *unjust* laws, and "an unjust law is no law at all." (St. Augustine.)
Objections to King's Program

Objection to the "unjust laws are no law at all" response: who's to judge when a law is unjust?

This objection is really important. We can't simply allow whomever to decide which laws they will and won't follow.

King gives three criteria for justice of laws.
First Criterion of Just Law

The "natural law" criterion:

A just law is a man-made code that squares with the moral law or law of God. An unjust law is a code that is out of harmony with the moral law.
Second Criterion of Justice

The "equal protection" criterion:

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.
Third Criterion of Justice

The "democratic" criterion:

An unjust law is a code inflicted upon a minority which that minority had no part of enacting or creating because they did not have the unhampered right to vote.
The Law King broke was also unjust

Some laws are unjust on their face, some in their application:

Now there is nothing wrong with an ordinance which 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.
Law does not make something right

- Everything Hitler did was "legal."
Law does not make something right

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- the purpose of law is the promotion of justice. Those who place law and order above justice make a mistake.