

**The White Ministers' Law and Order Statement:  
An Appeal for Law and order and Common Sense (1/16/1963)**

1 In these times of tremendous tensions, and changes in cherished patterns of life in our beloved Southland, it is essential that men who occupy places of responsibility and leadership shall speak concerning their honest convictions.

2 We the undersigned clergymen have been chosen to carry heavy responsibility in our religious groups. We speak in a spirit of humility, and only for ourselves. We do not pretend to know all the answers, for the issues are not simple. Nevertheless, we believe our people expect and deserve leadership from us, and we speak with firm conviction for we do know the ultimate spirit in which all problems of human relations must be solved.

3 It is clear that a series of court decisions will soon bring about desegregation of certain schools and colleges in Alabama. Many sincere people oppose this change and are deeply troubled by it. As southerners, we understand this. We nevertheless feel that defiance is neither the right answer nor the solution. And we feel that inflammatory and rebellious statements can lead only to violence, discord, confusion and disgrace for our beloved state.

**Comment: 1)** This is an understood source of tension.

**Comment: 2)** Pay close attention to what the how the group identifies itself in the previous two sentences.

We therefore affirm and commend to our people:

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- 1) That hatred and violence have no sanction in our religious and political traditions.
  - 2) That there may be disagreement concerning laws and social change without advocating defiance, anarchy, and subversion.
  - 3) That laws may be tested in courts or changed in legislatures, but not ignored by whims of individuals.
  - 4) That constitutions may be amended or judges impeached by proper action, but our American way of life depends upon obedience to the decisions of courts of competent jurisdiction in the meantime.
  - 5) That no person's freedom is safe unless every person's freedom is equally protected.
  - 6) That freedom of speech must at all costs be preserved and exercised without fear of recrimination or harassment.
  - 7) That every human being is created in the image of God and is entitled to respect as a fellow human being with all basic rights, privileges, and responsibilities which belong to humanity.

5 We respectfully urge those who strongly oppose desegregation to pursue their convictions in the courts, and in the meantime peacefully to abide by the decisions of those same courts.

6 We recognize that our problems cannot be solved in our strength nor on the basis of human wisdom alone. The situation which confronts us calls for earnest prayer, for clear thought, for understanding love, and for courageous action. Thus we call on all people of goodwill to join us in seeking divine guidance as we make our appeal for law and order and common sense.

Signed by: Bishop Nolan B. Harmon, Bishop of North Alabama Conference of the Methodist Church; Bishop Paul Hardin, Bishop of the Alabama-West Florida Conference of the Methodist Church; C.C.J. Carpenter, D.D., LL, Bishop of Alabama; Joseph A. Durick, D.D., Auxiliary Bishop, Diocese of Mobile-Birmingham; Earl Stallings, Pastor, First Baptist Church, Birmingham, Alabama; George M. Murray, D.D., LL.D., Bishop Coadjutor, Episcopal Diocese of Alabama; Rabbi Milton Grafman, Temple Emanu-El, Birmingham, Alabama; Edward V. Ramage, D.D., Moderator, Synod of the Alabama Presbyterian Church in the United States; Rev. Soterios D. Gouvellis, Priest, Holy Trinity-Holy Cross Greek Orthodox Church; Rabbi Eugene Blackschieger, Temple Beth-Or, Montgomery, Alabama; J. T. Beale, Secretary-Director, Christian Churches of Alabama

**Statement by Alabama Clergymen ( 4/12/1963)**

1 We the undersigned clergymen are among those who, in January, issued "an appeal for law and order and common sense," in dealing with racial problems in Alabama. We expressed understanding that honest convictions in racial matters could properly be pursued in the courts, but urged that decisions of those courts should in the meantime be peacefully obeyed.

2 Since that time there had been some evidence of increased forbearance and a willingness to face facts. Responsible citizens have undertaken to work on various problems which cause racial friction and unrest. In Birmingham, recent public events have given indication that we all have opportunity for a new constructive and realistic approach to racial problems.

3 However, we are now confronted by a series of demonstrations by some of our Negro citizens, directed and led in part by outsiders. We recognize the natural impatience of people who feel that their hopes are slow in being realized. But we are convinced that these demonstrations are unwise and untimely.

4 We agree rather with certain local Negro leadership which has called for honest and open negotiation of racial issues in our area. And we believe this kind of facing of issues can best be accomplished by citizens of our own metropolitan area, white and Negro, meeting with their knowledge and experience of the local situation. All of us need to face that responsibility and find proper channels for its accomplishment.

5 Just as we formerly pointed out that "hatred and violence have no sanction in our religious and political traditions," we also point out that such actions as incite to hatred and violence, however technically peaceful those actions may be, have not contributed to the resolution of our local problems. We do not believe that these days of new hope are days when extreme measures are justified in Birmingham.

6 We commend the community as a whole, and the local news media and law enforcement officials in particular, on the calm manner in which these demonstrations have been handled. We urge the public to continue to show restraint should the demonstrations continue, and the law enforcement officials to remain calm and continue to protect our city from violence.

7 We further strongly urge our own Negro community to withdraw support from these demonstrations, and to unite locally in working peacefully for a better Birmingham. When rights are consistently denied, a cause should be pressed in the courts and in negotiations among local leaders, and not in the streets. We appeal to both our white and Negro citizenry to observe the principles of law and order and common sense.

Bishop C.C.J. Carpenter, D.D., LL.D., Episcopalian Bishop of Alabama  
Bishop Joseph A. Durick, D.D., Auxiliary Bishop, Roman Catholic Diocese of Mobile, Birmingham  
Rabbi Milton L. Grafman, Temple Emanu-El, Birmingham, Alabama  
Bishop Paul Hardin, Methodist Bishop of the Alabama-West Florida Conference  
Bishop Nolan B. Harmon, Bishop of the North Alabama Conference of the Methodist Church  
Rev. George M. Murray, D.D., LL.D, Bishop Coadjutor, Episcopal Diocese of Alabama  
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Rev. Earl Stallings, Pastor, First Baptist Church, Birmingham, Alabama

**Dr. Martin Luther King Jr. *Birmingham City (4/16/63)***

My dear Fellow Clergymen,

1 While confined here in the Birmingham City Jail, I came across your recent statement calling our present activities "unwise and untimely." Seldom, if ever, do I pause to answer criticism of my work and ideas. If I sought to answer all the criticisms that cross my desk, my secretaries would be engaged in little else in the course of the day and I would have no time for constructive work. But since I feel that you are men of genuine goodwill and your criticisms are sincerely set forth, I would like to answer your statement in what I hope will be patient and reasonable terms.

**Comment: 3** )If this is true, we must ask: Why is King responding this time?

2 I think I should give the reason for my being in Birmingham, since you have been influenced by the argument of "outsiders coming in." I have the honor of serving as president of the Southern Christian Leadership Conference, an organization operating in every Southern state with headquarters in Atlanta, Georgia. We have some eighty-five affiliate organizations all across the South -- one being the Alabama Christian Movement for Human Rights. Whenever necessary and possible we share staff, educational, and financial resources with our affiliates. Several months ago our local affiliate here in Birmingham invited us to be on call to engage in a nonviolent direct action program if such were deemed necessary. We readily consented and when the hour came we lived up to our promises. So 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. Beyond this, 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 town, 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 Graeco-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.

**Comment: 4** ) Pay close attention to how King addresses this argument in the next two paragraphs. How does he?

Moreover, I am cognizant of the interrelatedness of all communities and states. I cannot sit idly by in Atlanta and not be concerned about what happens in Birmingham. Injustice anywhere is a threat to justice everywhere. We are caught in an inescapable network of mutuality tied in a single garment of destiny. Whatever affects one directly affects all indirectly. Never again can we afford to live with the narrow, provincial "outside agitator" idea. Anyone who lives inside the United States can never be considered an outsider anywhere in this country.

3 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 am sure that each of you would want to go beyond the superficial social analyst who looks merely at effects, and does not grapple with underlying causes. 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.

**Comment: 5** ) What are the subtle criticisms that King offers in this paragraph?

4 In any nonviolent campaign there are four basic steps: (1) Collection of the facts to determine whether injustices are alive; (2) Negotiation; (3) Self-purification; and (4) Direct action. We have gone through all of these steps in Birmingham. There can be no gainsaying of the fact that

4 racial injustice engulfs this community. Birmingham is probably the most thoroughly segregated city in the United States. Its ugly record of police 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 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.

5 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 Rev. 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. As in so many experiences of the past we were confronted with blasted hopes, and the dark shadow 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 nonviolence and repeatedly asked ourselves the questions, "Are you able to accept blows without retaliating?" "Are you able to endure the ordeals of jail?"

6 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 demonstrations could not be used to cloud the issues. At this time we agreed to begin our nonviolent witness the day after the run-off.

7 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.

8 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. Nonviolent 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. I just referred to the creation of tension as a part of the work of the nonviolent resister. This may sound rather shocking. But I must confess that I am not afraid of the word tension. I have earnestly worked and preached against violent tension, but there is a type of constructive nonviolent tension that is necessary for growth. Just as Socrates felt that it was necessary to create a tension in the mind so that individuals could rise from the bondage of myths and half-truths to the unfettered realm of creative analysis and objective appraisal, we must see the need of having nonviolent gadflies to create the kind of tension in society that will help men 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

**Comment:** 6) What factors in the last two paragraphs does King identify as important in the decision to act in Birmingham?

**Comment:** 7) Who was this?

**Comment:** 8) What does King mean here within the context of his work?

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.

9 One of the basic points in your statement is that our acts are untimely. Some have asked, "Why didn't you give the new 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 much more articulate and gentle than Mr. Connor, they are both segregationists dedicated to the task of maintaining the status quo. The hope I see in Mr. Boutwell is that he will be reasonable enough to see the futility of massive resistance to desegregation. But he will not see this without pressure from the devotees of civil rights. My friends, I must say to you that we have not made a single gain in civil rights without determined legal and nonviolent pressure. History is the long and tragic story of the fact that privileged groups seldom give up their privileges voluntarily. Individuals may see the moral light and voluntarily give up their unjust posture; but as Reinhold Niebuhr has reminded us, groups are more immoral than individuals.

**Comment:** 9) Paraphrase the claims King makes here.

10 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 almost 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.

**Comment:** 10) This is one of the most regularly quoted paragraphs from this letter? Why do you think this is so?

11 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 twenty million 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 Funtown 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 middle name becomes "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

11 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. There comes a time when the cup of endurance runs over, and men are no longer willing to be plunged into an abyss of injustice where they experience the bleakness of corroding despair. I hope, sirs, you can understand our legitimate and unavoidable impatience.

12 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 be the first to advocate obeying just laws. One has not only a legal but moral responsibility to obey just laws. Conversely, one has a moral responsibility to disobey unjust laws. I would agree with Saint Augustine that "An unjust law is no law at all."

13 Now what is the difference between the two? How does one determine when 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. To put it in the terms of Saint Thomas Aquinas, an unjust law is a human law that is not rooted in eternal and natural law. 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. It gives the segregator a false sense of superiority and the segregated a false sense of inferiority. To use the words of Martin Buber, the great Jewish philosopher, segregation substitutes an "I-it" relationship for an "I-thou" relationship, and ends up relegating persons to the status of things. So segregation is not only politically, economically, and sociologically unsound, but it is morally wrong and sinful. Paul Tillich has said that sin is separation. Isn't segregation an existential expression of man's tragic separation, an expression of his awful estrangement, his terrible sinfulness? 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.

14 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.

15 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? Throughout the state of Alabama all types of conniving methods are used to prevent Negroes from becoming registered voters and there are some counties without a single Negro registered to vote despite the fact that the Negro constitutes a majority of the population. Can any law set up in such a state be considered democratically structured?

16 These are just a few examples of unjust and just laws. There are some instances when a law is just on its face but 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 which requires a permit for a parade, but when the ordinance is used to preserve segregation and to deny

**Comment:** 11) What is the purpose of this paragraph within the context of the letter as a whole? What is King trying to say here? Why?

**Comment:** 12) King's definition of this will be important within his larger argument, pay close attention to how the next paragraph develops.

**Comment:** 13) How does King distinguish between the just and unjust law? Also consider how he addresses this question in the next two paragraphs.

16 citizens the First Amendment privilege of peaceful assembly and peaceful protest, then it becomes unjust...

17 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 Negroes' great stumbling block in the stride toward freedom is not the White Citizen's "Counciler" 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.

18 I had hoped that the white moderate would understand that law and order exist for the purpose of establishing justice, and that when they fail to do this they become dangerously structured dams that block the flow of social progress. 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 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 as long as it is covered up but must be opened with all its pus-flowing ugliness to the natural medicines of air and light, injustice must likewise be exposed, with all of the tension its exposing creates, to the light of human conscience and the air of national opinion before it can be cured....

19 I had also hoped that the white moderate would reject the myth of time. I received a letter this morning from a white brother in Texas which said: "All Christians know that the colored people will receive equal rights eventually, but is it possible that you are in too great of a religious hurry? It has taken Christianity almost 2,000 years to accomplish what it has. The teachings of Christ take time to come to earth." All that is said here grows out of a tragic misconception of time. It is the strangely irrational notion that there is something in the very flow of time that will inevitably cure all ills. Actually time is neutral. It can be used either destructively or constructively. I am coming to feel that the people of ill will have used time much more effectively than the people of good will. We will have to repent in this generation not merely for the vitriolic words and actions of the bad people, but for the appalling silence of the good people. We must come to see that human progress never rolls in on wheels of inevitability. It comes through the tireless efforts and persistent work of men willing to be co-workers with God, and without this hard work time itself becomes an ally of the forces of social stagnation.

20 We must use time creatively, and forever realize that the time is always ripe to do right. Now is the time to make real the promise of democracy, and transform our pending national elegy into a creative psalm of brotherhood. Now is the time to lift our national policy from the quicksand of racial injustice to the solid rock of human dignity.

You spoke of our activity in Birmingham as extreme. At first I was rather disappointed that

**Comment:** 14) Why is King's discussion of the "white moderate" a dangerous one for his cause? Do you think it a well calculated measure?

**Comment:** 15) Is this a fair assessment of what was done in Birmingham?

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| 21 | <p>fellow clergymen would see my nonviolent 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 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 the 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 the more excellent way of love and nonviolent protest. I'm grateful to God that, through the Negro church, the dimension of nonviolence 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 us as "rabble rousers" and "outside agitators" -- those of us who are working through the channels of nonviolent direct action -- and refuse to support our nonviolent 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.</p> |
| 22 | <p>Oppressed people cannot remain oppressed forever. The urge for freedom will eventually come. This is what has happened to the American Negro. Something within has reminded him of his birthright of freedom...</p>   |