

*The following is an excerpt from the original city ordinances for the city of Birmingham. The ordinances are posted in the Institute's Barriers Gallery.*

**Birmingham's Racial Segregation Ordinances**  
**Birmingham, AL**  
**May, 1951**

<http://web.archive.org/web/20110406165646/http://xroads.virginia.edu/~PUBLIC/civilrights/ordinances.html>

**SECTION 369. SEPARATION OF RACES.**

It shall be unlawful to conduct a restaurant or other place for the serving of food in the city, at which white and colored people are served in the same room, unless such white and colored persons are effectually separated by a solid partition extending from the floor upward to a distance of seven feet or higher, and unless a separate entrance from the street is provided for each compartment.

**SECTION 597. NEGROES AND WHITE PERSONS NOT TO PLAY TOGETHER.**

It shall be unlawful for a negro and a white person to play together or in company with each other in any game of cards or dice, dominoes or checkers.

Any person, who being the owner, proprietor or keeper or superintendent, of any tavern, inn, restaurant or other public house or public place, or the clerk, servant or employee or such owner, proprietor, keeper or superintendent, knowingly permits a negro and a white person to play together or in company with each other at any game with cards, dice, dominoes or checkers, in his house or on his premises shall, on conviction, be punished as provided in section 4.

**ORDINANCE 798-F**

An Ordinance To Amend Section 597 Of The General Code Of The City Of Birmingham Of 1944.

Be It Ordained by the Commission of the City of Birmingham that Section 597 of the General Code of the City of Birmingham of 1944 be, and said section is, amended so as to read as follows:

**S.E.C. 597 Negroes and White Persons Not To Play Together**

It shall be unlawful for a Negro and a white person to play together or in company with each other in any game of cards, dice, dominoes, checkers, baseball, softball, football, basketball or similar games.

Any person, who being the owner, proprietor or keeper or superintendent of any tavern, inn, restaurant, ballfield, stadium or other public house or public place, or the clerk, servant or employee of such owner, proprietor, keeper, or superintendent, knowingly permits a Negro and a white person to play together or in company with each other, at any game with a baseball, softball, basketball or other ball, in his house or on his premises or in a house or on premises under his charge, supervision or control, shall, on conviction, be punished as provided in Section 4.

Approved Sept. 19, 1950 A true copy,  
Eunice S. Hewes, City Clerk Post-Herald, Sept 21, 1950

**SECTION 359. SEPARATION OF RACES.**

(a) It shall be unlawful for any person in charge or control of any room, hall, theatre, picture house, auditorium, yard, court, ballpark, public park, or other indoor or outdoor place, to which both white persons and negroes are admitted, to cause, permit or allow therein or thereon any theatrical performance, picture exhibition, speech, or educational or entertainment program of any kind whatsoever, unless such room, hall, theatre, picture house, auditorium, yard, court, ball park, or other place, has entrances, exits and seating or standing sections set aside for and assigned to the use of white persons, and other entrances, exits and seating or standing sections set aside for and assigned to the use of negroes, unless the entrances, exits and seating or standing sections set aside for and assigned to the use of white persons are distinctly separated from those set aside for and assigned to the use of negroes, by well defined physical barriers, and unless the members of each race are effectively restricted and confined to the sections set aside for and assigned to the use of such race.

(b) It shall be unlawful for any member of one race to use or occupy any entrance, exit or seating or standing section set aside for and assigned to the use of members of the other race.

**SECTION 939. SEPARATION OF RACES.**

It shall be unlawful for a negro and a white person to play together or in company with each other at any game of pool or billiards.

Any person, who, being the owner, proprietor or in charge of any poolroom, pooltable, billiard room or billiard table, knowingly permits a negro and a white person to play together or in company with each other at any game of pool or billiards on his premises shall, upon conviction, be punished as provided in section 4.

**SECTION 1002. SEPARATION OF RACES.**

Every common carrier engaged in operation streetcars in the city for the carriage of passengers shall provide equal but separate accommodations for the white and colored races by providing separate cars or by clearly indicating or designating by physical visible marks the area to be occupied by each race in any streetcar in which the two races are permitted to be carried together and by confining each race to occupancy of the area of such streetcar so set apart for it.

Every common carrier engaged in operating streetcars in the city for the carrying of passengers shall provide for each car used for white and colored passengers, separate entrances and exits to and from such cars in such manner as to prevent intermingling of the white and colored passengers when entering or leaving such car, but this provision for separate entrances and exits shall not apply to the cars operated on the following lines: The South Highlands, Idlewild and Rugby Highland lines or routes.

It shall be unlawful for any such common carrier to operate or cause or allow to be operated, or for any servant, employee or agent of any such common carrier to aid in operating for the carriage of white or colored passengers, any streetcar not equipped as provided in this section. And it shall be unlawful for any person, contrary to the provisions of this section providing for equal and separate accommodations for the white and colored races on streetcars, to ride or attempt to ride in a car or a division of a car designated for the race to which such person does not belong.

Failure to comply with this section shall be deemed a misdemeanor.

**SECTION 1413. SEPARATION OF RACES.**

Every owner or operator of any jitney, bus or taxicab in the city shall provide equal but separate accommodations for the white and colored races by dividing separate vehicles or by clearly indicating or

designating by visible markers the area to be occupied by each race in any vehicle in which the two races are permitted to be carried together and by confining each race to occupancy of the area of such vehicle so set apart for it. It shall be unlawful for any person to operate or cause or allow to be operated or to aid in operating for the carriage of white and colored passengers any vehicle not equipped as provided in this section. And it shall be unlawful for any person, contrary to the provisions of this section providing for equal and separate accommodations for the white and colored races, to ride or attempt to ride in a vehicle or a division of a vehicle designated for the race to which such person does not belong. Failure to comply with this section shall be deemed a misdemeanor.

STATE OF ALABAMA )

JEFFERSON COUNTY )

I, Eunice S. Hewes, City Clerk of the City of Birmingham, do hereby certify that the above are true and correct copies of Sections 369, 597, 859, 939, 1002, 1413 of the 1944 Code of Birmingham. GIVEN UNDER MY HAND AND CORPORATE SEAL of the City of Birmingham, this the 25th day of May, 1951.

City Clerk

## Letter to Martin Luther King

<http://teachingamericanhistory.org/library/document/letter-to-martin-luther-king/>

April 12, 1963

We 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.

Since that time there has 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.

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.

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 experiences of the local situation. All of us need to face that responsibility and find proper channels for its accomplishment.

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.

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.

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.

*Signed by:*

C.C.J. CARPENTER, D.D., LL.D., *Bishop of Alabama.*

JOSEPH A. DURICK, D.D., *Auxiliary Bishop, Diocese of Mobile-Birmingham*

Rabbi MILTON L. GRAFMAN, *Temple Emanu-El, Birmingham, Alabama*

Bishop PAUL HARDIN, *Bishop of the Alabama-West Florida Conference of the Methodist Church*

Bishop NOLAN B. HARMON, *Bishop of the North Alabama Conference of the Methodist Church*

GEORGE M. MURRAY, D.D., LL.D., *Bishop Coadjutor, Episcopal Diocese of Alabama*

EDWARD V. RAMAGE, *Moderator, Synod of the Alabama Presbyterian Church in the United States*

EARL STALLINGS, *Pastors, First Baptist Church, Birmingham, Alabama*

## "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. If I sought to answer all the criticisms that cross my desk, my secretaries would have little time for anything other than such correspondence 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 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.

I think I should indicate why I am here in Birmingham, since you have been influenced by the view which argues against "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 affiliated organizations across the South, and one of them is the Alabama Christian Movement for Human Rights. Frequently we share staff, educational and financial resources with our affiliates. Several months ago the affiliate here in Birmingham asked 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 promise. So I, along with several members of my staff, am here because I was invited here. I am here because I have organizational ties here.

But more basically, I am in Birmingham because injustice is here. Just as the prophets of the eighth century B.C. left their villages and carried their "thus saith the Lord" far beyond the boundaries of their home towns, and just as the Apostle Paul left his village of Tarsus and carried the gospel of Jesus Christ to the far corners of the Greco Roman world, so am I compelled to carry the gospel of freedom beyond my own home town. Like Paul, I must constantly respond to the Macedonian call for aid.

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 within its bounds.

You deplore the demonstrations taking place in Birmingham. But your statement, I am sorry to say, fails to express a similar concern for the conditions that brought about the demonstrations. I am sure that none of you would want to rest content with the superficial kind of social analysis that deals merely with effects and does not grapple with underlying causes. It is unfortunate that demonstrations are taking place in Birmingham, but it is even more unfortunate that the city's white power structure left the Negro community with no alternative.

In any nonviolent campaign there are four basic steps: collection of the facts to determine whether injustices exist; negotiation; self purification; and 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. On the basis of these conditions, Negro leaders sought to negotiate with the city fathers. But the latter consistently refused to engage in good faith negotiation.

Then, last September, came the opportunity to talk with leaders of Birmingham's economic community. In the course of the negotiations, certain promises were made by the merchants--for example, to remove the stores' humiliating racial signs. On the basis of these promises, the Reverend Fred Shuttlesworth and the leaders of the Alabama Christian Movement for Human Rights agreed to a moratorium on all demonstrations. As the weeks and months went by, we realized that we were the victims of a broken promise. A few signs, briefly removed, returned; the others remained. 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.

Mindful of the difficulties involved, we decided to undertake a process of self purification. We began a series of workshops on nonviolence, and we repeatedly asked ourselves: "Are you able to accept blows without retaliating?" "Are you able to endure the ordeal of jail?" We decided to schedule our direct action program for the Easter season, realizing that except for Christmas, this is the main shopping period of the year. Knowing that a strong economic-withdrawal program would be the by product of direct action, we felt that this would be the best time to bring pressure to bear on the merchants for the needed change.

Then it occurred to us that Birmingham's mayoral election was coming up in March, and we speedily decided to postpone action until after election day. When we discovered that the Commissioner of Public Safety, Eugene "Bull" Connor, had piled up enough votes to be in the run off, we decided again to postpone action until the day after the run off so that the demonstrations could not be used to cloud the issues. Like many others, we waited to see Mr. Connor defeated, and to this end we endured postponement after postponement. Having aided in this community need, we felt that our direct action program could be delayed no longer.

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. Nonviolent 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. My citing the creation of tension as part of the work of the nonviolent resister may sound rather shocking. But I must confess that I am not afraid of the word "tension." I have earnestly opposed violent tension, but there is a type of constructive, nonviolent tension which 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, so must we see the need for 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. The purpose of our direct action program is to create a situation so crisis packed that it will inevitably open the door to negotiation. I therefore concur with you in your call for negotiation. Too long has our beloved Southland been bogged down in a tragic effort to live in monologue rather than dialogue.

One of the basic points in your statement is that the action that I and my associates have taken in Birmingham is 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 query is that the new Birmingham administration must be prodded about as much as the outgoing one, before it will act. We are sadly mistaken if we feel that the election of Albert Boutwell as mayor will bring the millennium to Birmingham. While Mr. Boutwell is a much more gentle person than Mr. Connor, they are both segregationists, dedicated to maintenance of the status quo. I have hope that Mr. Boutwell will be reasonable enough to see the futility of massive resistance to desegregation. But he will not see this without pressure from 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. Lamentably, it is an historical 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 tend to be more immoral than individuals.

We know through painful experience that freedom is never voluntarily given by the oppressor; it must be demanded by the oppressed. 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. The nations of Asia and Africa are moving with jetlike speed toward gaining political independence, but we still creep at horse and buggy pace toward gaining a cup of coffee at a lunch counter. Perhaps 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 and even kill your black brothers and sisters; when you see the vast majority of your twenty million Negro brothers smothering in an airtight 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 eyes when she is told that Funtown is closed to colored children, and see ominous clouds of inferiority beginning to form in her little mental sky, and see her beginning to distort her personality by developing an unconscious bitterness toward white people; when you have to concoct an answer for a five year old son who is asking: "Daddy, why do white people treat colored people so mean?"; when you take a cross county 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" and "colored"; when your first name becomes "nigger," your middle name becomes "boy" (however old you are) and your last name becomes "John," and 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 tiptoe stance, never quite knowing what to expect next, and are 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. There comes a time when the cup of endurance runs over, and men are no longer willing to be plunged into the abyss of despair. I hope, sirs, you can understand our legitimate and unavoidable impatience. 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, at first glance it may seem rather paradoxical for us consciously to break laws. One may well ask: "How can you advocate breaking some laws and obeying others?" The answer lies in the fact that 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, 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. To put it in the terms of St. Thomas Aquinas: An unjust law is a human law that is not rooted in eternal law 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. Segregation, to use the terminology of the Jewish philosopher Martin Buber, substitutes an "I it" relationship for an "I thou" relationship and ends up relegating persons to the status of things. Hence segregation is not only politically, economically and sociologically unsound, it is morally wrong and sinful. Paul Tillich has said that sin is separation. Is not segregation an existential expression of man's tragic separation, his awful estrangement, his terrible sinfulness? Thus it is that I can urge men to obey the 1954 decision of the Supreme Court, for it is morally right; and I can urge them to disobey segregation ordinances, for they are morally wrong.

Let us consider a more concrete example of just and unjust laws. An unjust law is a code that a numerical or power majority group compels a minority group to obey but does not make binding on itself. This is difference made legal. By the same token, a just law is a code that a majority compels a minority to follow and that it is willing to follow itself. This is sameness made legal. 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 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.

I hope you are able to see the distinction I am trying to point out. In no sense do I advocate evading or defying the law, as would the rabid segregationist. That would lead to anarchy. 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.

Of course, there is nothing new about this kind of civil disobedience. It was evidenced sublimely in the refusal of Shadrach, Meshach and Abednego to obey the laws of Nebuchadnezzar, on the ground that a higher moral law was at stake. It was practiced superbly by the early Christians, who were willing to face hungry lions and the excruciating pain of chopping blocks rather than submit to certain unjust laws of the Roman Empire. To a degree, academic freedom is a reality today because Socrates practiced civil disobedience. In our own nation, the Boston Tea Party represented a massive act of civil disobedience.

We should never forget that everything Adolf Hitler did in Germany 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. Even so, I am sure that, had I lived in Germany at the time, I would have aided and comforted my Jewish brothers. If today I lived in a Communist country where certain principles dear to the Christian faith are suppressed, I would openly advocate disobeying that country's antireligious laws.

I must make two honest confessions to you, my Christian and Jewish brothers. First, I must confess that over the past 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 his 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 cannot agree with your methods of direct action"; who paternalistically believes he can set the timetable for another man's freedom; who lives by a mythical concept of time and who constantly advises the Negro to wait for 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 law and order exist for the purpose of establishing justice and that when they fail in this purpose they become the 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 a necessary phase of the transition from an obnoxious negative peace, in which the Negro passively accepted his unjust plight, to a substantive and positive peace, in which 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 so long as it is covered up but must be opened with all its ugliness to the natural medicines of air and light, injustice must be exposed, with all the tension its exposure creates, to the light of human conscience and the air of national opinion before it can be cured.

In your statement you assert that our actions, even though peaceful, must be condemned because they precipitate violence. But is this a logical assertion? Isn't this like condemning a 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 inquiries precipitated the act by the misguided populace in which they made him drink hemlock? Isn't this like condemning Jesus because his unique God consciousness and never ceasing devotion to God's will precipitated the evil act of crucifixion? We must come to see that, as the federal courts have consistently affirmed, it is wrong to urge an individual to cease his efforts to gain his basic constitutional rights because the quest may precipitate violence. Society must protect the robbed and punish the robber. I had also hoped that the white moderate would reject the myth concerning time in relation to the struggle for freedom. I have just received a letter from a white brother in Texas. He writes: "All Christians know that the colored people will receive equal rights eventually, but it is possible that you are in too great a religious hurry. It has taken Christianity almost two thousand years to accomplish what it has. The teachings of Christ take time to come to earth." Such an attitude stems from a tragic misconception of time, from the strangely irrational notion that there is something in the very flow of time that will inevitably cure all ills. Actually, time itself is neutral; it can be used either destructively or constructively. More and more I feel that the people of ill will have used time much more effectively than have the people of good will. We will have to repent in this generation not merely for the hateful words and actions of the bad people but for the appalling silence of the good people. Human progress never rolls in on wheels of inevitability; it comes through the tireless efforts 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. We must use time creatively, in the knowledge 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 speak of our activity in Birmingham as extreme. At first I was rather disappointed that fellow clergymen would see my nonviolent efforts as those of an extremist. I began 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 in part of Negroes who, as a result of long years of oppression, are so drained of self respect and a sense of "somebodiness" that they have adjusted to segregation; and in part of a few middle-class Negroes who, because of a degree of academic and economic security and because in some ways they profit by segregation, have become insensitive to the problems of the masses. The other force is one of bitterness and hatred, and it comes perilously close to advocating violence. It is expressed in the various black nationalist groups that are springing up across the nation, the largest and best known being Elijah Muhammad's Muslim movement. Nourished by the Negro's frustration over the continued existence of

racial discrimination, this movement 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 incorrigible "devil."

I have tried to stand between these two forces, saying that we need emulate neither the "do nothingism" of the complacent nor the hatred and despair of the black nationalist. For there is the more excellent way of love and nonviolent protest. I am grateful to God that, through the influence of the Negro church, the way of nonviolence became an integral part of our struggle. If this philosophy had not emerged, by now many streets of the South would, I am convinced, be flowing with blood. And I am further convinced that if our white brothers dismiss as "rabble rousers" and "outside agitators" those of us who employ nonviolent direct action, and if they refuse to support our nonviolent efforts, millions of Negroes will, out of frustration and despair, seek solace and security in black nationalist ideologies--a development that would inevitably lead to a frightening racial nightmare.

Oppressed people cannot remain oppressed forever. The yearning for freedom eventually manifests itself, and that is what has happened to the American Negro. Something within has reminded him of his birthright of freedom, and something without has reminded him that it can be gained. Consciously or unconsciously, he has been caught up by the Zeitgeist, and with his black brothers of Africa and his brown and yellow brothers of Asia, South America and the Caribbean, the United States Negro is moving with a sense of great urgency toward the promised land of racial justice. If one recognizes this vital urge that has engulfed the Negro community, one should readily understand why public demonstrations are taking place. The Negro has many pent up resentments and latent frustrations, and he must release them. So let him march; let him make prayer pilgrimages to the city hall; let him go on freedom rides -and try to understand why he must do so. If his repressed emotions are not released in nonviolent ways, they will seek expression through violence; this is not a threat but a fact of history. So I have not said to my people: "Get rid of your discontent." Rather, I have tried to say that this normal and healthy discontent can be channeled into the creative outlet of nonviolent direct action. And now this approach is being termed extremist. But though I was initially disappointed at being categorized as an extremist, as I continued to think about the matter I gradually gained a measure of satisfaction from the label. Was not Jesus an extremist for love: "Love your enemies, bless them that curse you, do good to them that hate you, and pray for them which spitefully use you, and persecute you." Was not Amos an extremist for justice: "Let justice roll down like waters and righteousness like an ever flowing stream." Was not Paul an extremist for the Christian gospel: "I bear in my body the marks of the Lord Jesus." Was not Martin Luther an extremist: "Here I stand; I cannot do otherwise, so help me God." And John Bunyan: "I will stay in jail to the end of my days before I make a butchery of my conscience." And Abraham Lincoln: "This nation cannot survive half slave and half free." And Thomas Jefferson: "We hold these truths to be self evident, that all men are created equal . . ." So the question is not whether we will be extremists, but what kind of extremists we will be. Will we be extremists for hate or for love? Will we be extremists for the preservation of injustice or for the extension of justice? In that dramatic scene on Calvary's hill three men were crucified. We must never forget that all three were crucified for the same crime--the crime of extremism. Two were extremists for immorality, and thus fell below their environment. The other, Jesus Christ, was an extremist for love, truth and goodness, and thereby rose above his environment. Perhaps the South, the nation and the world are in dire need of creative extremists.

I had hoped that the white moderate would see this need. Perhaps I was too optimistic; perhaps I expected too much. I suppose I should have realized that few members of the oppressor race can understand the deep groans and passionate yearnings of the oppressed race, and still fewer have the vision to see that injustice must be rooted out by strong, persistent and determined action. I am thankful, however, that some of our white brothers in the South have grasped the meaning of this social revolution and committed themselves to it. They are still all too few in quantity, but they are big in quality. Some -such as Ralph McGill, Lillian Smith, Harry Golden, James McBride Dabbs, Ann Braden and Sarah Patton Boyle--have written about our struggle in eloquent and prophetic terms. Others have marched with us down nameless streets of the South. They have languished in filthy, roach infested jails, suffering the abuse and brutality of policemen who view them as "dirty nigger-lovers." Unlike so many of their moderate brothers and sisters, they have recognized the urgency of the moment and sensed the need for powerful "action" antidotes to combat the disease of segregation. Let me take note of my other major 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 nonsegregated basis. I commend the Catholic leaders of this state for integrating Spring Hill 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 this as one of those negative critics who can always find something wrong with the church. I say this as a minister of the gospel, who

loves the church; who was 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.

When I was suddenly catapulted into the leadership of the bus protest in Montgomery, Alabama, a few years ago, I felt we would be supported by the white church. I felt that the white ministers, priests and rabbis of the South would be among our strongest allies. Instead, some have been outright opponents, refusing to understand the freedom movement and misrepresenting its leaders; all too many others have been more cautious than courageous and have remained silent behind the anesthetizing security of stained glass windows.

In spite of my shattered dreams, I came to Birmingham with the hope that the white religious leadership of this community would see the justice of our cause and, with deep moral concern, would serve as the channel through which our just grievances could reach the power structure. I had hoped that each of you would understand. But again I have been disappointed.

I have heard numerous southern religious leaders admonish their worshipers to comply with a desegregation decision because it is the law, but I have longed to hear white ministers declare: "Follow this decree because integration is morally right and because the Negro is your brother." In the midst of blatant injustices inflicted upon the Negro, I have watched white churchmen stand on the sideline and mouth pious irrelevancies and sanctimonious trivialities. In the midst of a mighty struggle to rid our nation of racial and economic injustice, I have heard many ministers say: "Those are social issues, with which the gospel has no real concern." And I have watched many churches commit themselves to a completely other worldly religion which makes a strange, un-Biblical distinction between body and soul, between the sacred and the secular.

I have traveled the length and breadth of Alabama, Mississippi and all the other southern states. On sweltering summer days and crisp autumn mornings I have looked at the South's beautiful churches with their lofty spires pointing heavenward. I have beheld the impressive outlines of her massive religious education buildings. Over and over 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 a clarion call for defiance and hatred? Where were their voices of support when bruised and weary Negro men and women decided to rise from the dark dungeons of complacency to the bright hills of creative protest?"

Yes, these questions are still in my mind. 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. 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 that body through social neglect and through fear of being nonconformists.

There was a time when the church was very powerful--in the time when the early Christians rejoiced at being deemed worthy to suffer for what they believed. In those days the church was not merely a thermometer that recorded the ideas and principles of popular opinion; it was a thermostat that transformed the mores of society. Whenever the early Christians entered a town, the people in power became disturbed and immediately sought to convict the Christians for being "disturbers of the peace" and "outside agitators." But the Christians pressed on, in the conviction that they were "a colony of heaven," called to obey God rather than man. Small in number, they were big in commitment. They were too God-intoxicated to be "astronomically intimidated." By their effort and example they brought an end to such ancient evils as infanticide and gladiatorial contests. Things are different now. So often the contemporary church is a weak, ineffectual voice with an uncertain sound. So often it is an archdefender of the status quo. Far from being disturbed by the presence of the church, the power structure of the average community is consoled by the church's silent--and often even vocal--sanction of things as they are.

But the judgment of God is upon the church as never before. If today's church does not recapture the sacrificial spirit of the early church, it will lose its authenticity, forfeit the loyalty of millions, and be dismissed as an irrelevant social club with no meaning for the twentieth century. Every day I meet young people whose disappointment with the church has turned into outright disgust.

Perhaps I have once again been too optimistic. Is organized religion too inextricably bound to the status quo to save our nation and the world? Perhaps I must turn my faith to the inner spiritual church, the church within the church, as the true ekklesia 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 down the highways of the South on tortuous rides for freedom. Yes, they have gone to jail with us. Some have been dismissed from their churches, have lost the support of their bishops and fellow ministers. But they have acted in the faith that right defeated is stronger than evil triumphant. Their witness has been the spiritual salt that has preserved the true meaning of the gospel in these troubled times. They have carved a tunnel of hope through the dark mountain of disappointment. 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 at present misunderstood. We will reach the goal of freedom in Birmingham and all over the nation, because the goal of America is freedom. Abused and scorned though we may be, our destiny is tied up with America's destiny. Before the pilgrims landed at Plymouth, we were here. Before the pen of Jefferson etched the majestic words of the Declaration of Independence across the pages of history, we were here. For more than two centuries our forebears labored in this country without wages; they made cotton king; they built the homes of their masters while suffering gross injustice and shameful humiliation -and yet out of a bottomless vitality they continued to thrive and develop. If the inexpressible cruelties of slavery could not stop us, the opposition we now face will surely fail. We will win our freedom because the sacred heritage of our nation and the eternal will of God are embodied in our echoing demands. 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, nonviolent 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 "nonviolently" in public. But for what purpose? To preserve the evil system of segregation. Over the past few years I have consistently preached that nonviolence demands that the means we use must be as pure as the ends we seek. I have tried to make clear that it is wrong to use immoral means to attain moral ends. But now I must affirm that it is just as wrong, or perhaps even more so, to use moral means to preserve immoral ends. Perhaps Mr. Connor and his policemen have been rather nonviolent in public, as was Chief Pritchett in Albany, Georgia, but they have used the moral means of nonviolence to maintain the immoral end of racial injustice. As T. S. Eliot has said: "The last temptation is the greatest treason: To do the right deed for the wrong reason."

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 great provocation. One day the South will recognize its real heroes. They will be the James Merediths, with the noble sense of purpose that enables them to face jeering and hostile mobs, and with the agonizing loneliness that characterizes the life of the pioneer. They will be old, oppressed, battered Negro women, symbolized in a seventy two year old woman in Montgomery, Alabama, who rose up with a sense of dignity and with her people decided not to ride segregated buses, and who responded with ungrammatical profundity to one who inquired about her weariness: "My feet is tired, but my soul is at rest." They will be the young high school and college students, the young ministers of the gospel and a host of their elders, courageously and nonviolently sitting in at lunch counters and willingly going to jail for conscience' sake. One day the South will know that when these disinherited children of God sat down at lunch counters, they were in reality standing up for what is best in the American dream and for the most sacred values in our Judeo Christian heritage, thereby bringing our nation back to those great wells of democracy which were dug deep by the founding fathers in their formulation of the Constitution and the Declaration of Independence.

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?

If I have said anything in this letter that overstates the truth and indicates an unreasonable impatience, I beg you to forgive me. If I have said anything that understates the truth and indicates my having a patience that allows me to settle for anything less than

brotherhood, I beg God to forgive me.

I hope this letter finds you strong in the faith. I also hope that circumstances will soon make it possible for me to meet each of you, not as an integrationist or a civil-rights leader but as a fellow clergyman and a Christian brother. 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.  
Published in:  
King, Martin Luther Jr.

[http://www.africa.upenn.edu/Articles\\_Gen/Letter\\_Birmingham.html](http://www.africa.upenn.edu/Articles_Gen/Letter_Birmingham.html)

## President John F. Kennedy Press Conference- May 8, 1963

At a May 1963 press conference, President John F. Kennedy makes a statement and answers questions about the [violence in Birmingham](#).

**THE PRESIDENT:** Good afternoon. I am gratified to note the progress in the efforts by white and Negro citizens to end an ugly situation in Birmingham, Alabama. I have made it clear since assuming the Presidency that I would use all available means to protect human rights, and uphold the law of the land. Through mediation and persuasion and, where that effort has failed, through lawsuits and court actions, we have attempted to meet our responsibilities in this most difficult field where Federal court orders have been circumvented, ignored, or violated. We have committed all of the power of the Federal Government to insure respect and obedience of court decisions, and the law of the land.

In the City of Birmingham, the Department of Justice some time ago instituted an investigation into voting discrimination. It supported in the Supreme Court an attack on the city's segregation ordinances. We have, in addition, been watching the present controversy, to detect any violation of the Federal civil rights or other statutes. In the absence of such violation or any other Federal jurisdiction, our efforts have been focused on getting both sides together to settle in a peaceful fashion the very real abuses too long inflicted on the Negro citizens of that community.

Assistant Attorney General Burke Marshall, representing the Attorney General and myself on the scene, has made every possible effort to halt a spectacle which was seriously damaging the reputation of both Birmingham and the country.

Today, as the result of responsible efforts on the part of both white and Negro leaders over the last 72 hours, the business community of Birmingham has responded in a constructive and commendable fashion and pledged that substantial steps would begin to meet the justifiable needs of the Negro community.

Negro leaders have announced suspension of their demonstrations, and when the newly elected Mayor who has indicated his desire to resolve these problems takes office, the City of Birmingham has committed itself wholeheartedly to continuing progress in this area.

While much remains to be settled before the situation can be termed satisfactory, we can hope that tensions will ease and that this case history which has so far only narrowly avoided widespread violence and fatalities will remind every State, every community, and every citizen how urgent it is that all bars to equal opportunity and treatment be removed as promptly as possible.

I urge the local leaders of Birmingham, both white and Negro, to continue their constructive and cooperative efforts.

**QUESTION:** Mr. President, against the background or possibility of similar trouble developing in other Southern towns, I wonder if you could tell us how you regard the techniques that were used over the last few days in Birmingham by either side, dogs and fire hoses used by one side, and the use of school children and protest marchers by the other side?

**THE PRESIDENT:** I think what we are interested in now is seeing the situation peacefully settled in the next 12, 24 hours. I think all of our statements should be devoted to that end. Quite obviously, as my remarks indicated, the situation in Birmingham was damaging the reputation of Birmingham and the United States. It seems to me that the best way to prevent that kind of damage, which is very serious, is to, in time, take steps to provide equal treatment to all of our citizens. That is the best remedy in this case and other cases.

**QUESTION:** Mr. President, do you see any hope of Birmingham serving as a model for a solution in other communities facing similar problems?

**THE PRESIDENT:** We will have to see what happens in Birmingham over the next few days...

**QUESTION:** Mr. President, in the Alabama crisis at Birmingham, according to your interpretation of the powers of the Presidency, was there power that you possessed either by statute or the Constitution that you chose not to invoke or did you use your powers in your view to the fullest in this controversy?

**THE PRESIDENT:** There isn't any Federal statute that was involved in the last few days in Birmingham, Alabama. I indicated the areas where the Federal Government had intervened in Birmingham, the matter of voting, the matter of dealing with education, and other matters. On the specific question of the parades, that did not involve a Federal statute...

...**THE PRESIDENT:** As I indicated in my answer, and that is the reason why Mr. Marshall is proceeding the way he has, we have not had, for example, a legal suit as we have had in some other cases where there was a Federal statute involved...

**QUESTION:** On the matter of improving race relations in the United States, do you think that a fireside chat on civil rights would serve a constructive purpose?

**THE PRESIDENT:** Well, it might. If I thought it would, I would give one. We have attempted to use all -- what happens is we move situation by situation. Quite obviously all these situations carry with them dangers. We have not got a settlement yet in Birmingham. I attempted to make clear my strong view that there is an important moral issue involved of equality for all of our citizens. And until you give it to them you are going to have difficulties as we have had this week in Birmingham. The time to give it to them is before the disasters come and not afterwards. But I made a speech the night of Mississippi at Oxford to the citizens of Mississippi and others that did not seem to do much good. But this doesn't mean we should not keep on trying.

**QUESTION:** May I ask you a question on your statement on Birmingham? I believe you said that the results of the efforts by Mr. Marshall have been that the business community has pledged that substantial steps will begin to meet the needs of the Negro community. Could you expand that? What kind of substantial steps?

**THE PRESIDENT:** No, I said as the result of responsible efforts on the part of both white and Negro leaders over the last 72 hours, the business community of Birmingham, and so on. So it is their efforts, and not the Federal Government's efforts. I would think it would be much better to permit the community of Birmingham to proceed now in the next 24 hours to see if we can get some -- and not from here....

Source: President Kennedy's press conference #55, May 8, 1963. John F. Kennedy Presidential Library and Museum, Boston, Massachusetts.

[http://www.pbs.org/wgbh/amex/eyesontheprize/sources/ps\\_c.html](http://www.pbs.org/wgbh/amex/eyesontheprize/sources/ps_c.html)

## Telegram From George Wallace to Kennedy, May 13, 1963

*In reply, [Wallace](#) invokes states' rights and the Constitution to demand the federal government stay out of Alabama.*

### **Telegram from Governor George Wallace of Alabama to President Kennedy**

May 13, 1963

The statute you site as authority for sending troops to the city of Birmingham even though invoked previously by you is in direct conflict with Art. 4, Section 4 of the Constitution of the United States which states that the U.S. shall guarantee to every state of the Union a republican form of government and which also provides that the U.S. can use its National Military forces to quell domestic violence only when requested to do so by the Legislature of that State or the Governor if the Legislature cannot be convened. Neither the Legislature or I, as Governor, has requested you to send troops into the state to quell domestic violence.

The constituted authorities of the State of Alabama, City and Country are able and have not failed or refused to suppress domestic violence which has occurred in the City of Birmingham. I refer you to Title 10, Section 333.

Our founding fathers in drafting Article 4, Section 4 of the Constitution expressly limited the central government in matters of domestic violence within a state. Neither the Congress of the United States nor you as the Chief Executive of the United States can violate this most basic constitutional guarantee.

You imply in your telegram that you will use federal troops to implement an alleged agreement worked out by "Community Leaders."

We have heard and read much about the agreements entered into by this group of so-called negotiators but their activities have been clothed in secrecy. With the exception of the Chairman, one Sydney Smyer, they have even refused to identify themselves. Apparently, from the actions you have taken, you know the identity of the members of this committee. I urge you to make public the names of the members of this committee, whom they represent and by what constitutional authority they have presumed to act.

Each of the lawfully constituted officials of the City of Birmingham, Jefferson County, and State of Alabama has publicly denied having any knowledge of any so-called agreement and has equivocally denied the authority of any group of white citizens to negotiate with the lawless mobsters who had been leading the Negroes of Birmingham in weeks of violence and law breaking until this violence was put down by local and state law enforcement officers.

There is no precedent for the use of federal National Military troops to enforce an alleged agreement by unauthorized, anonymous individuals working in the secrecy without authority of any duly constituted officials.

In my judgment your duty is to guarantee the right of this State and the City of Birmingham to handle their own domestic affairs, and any intervention into the affairs of this State or the City of Birmingham, whether by the use of National Military troops or otherwise, is in direct violation of your constitutional obligation.

George C. Wallace

Governor of Alabama

## **Civil Rights Announcement- President John F. Kennedy**

June 11, 1963

This afternoon, following a series of threats and defiant statements, the presence of Alabama National Guardsmen was required on the University of Alabama to carry out the final and unequivocal order of the United States District Court of the Northern District of Alabama. This order called for the admission of two clearly qualified young Alabama residents who happen to have been born Negro.

That they were admitted peacefully on the campus is due in good measure to the conduct of the students of the University of Alabama, who met their responsibilities in a constructive way.

I hope that every American, regardless of where he lives, will stop and examine his conscience about this and other related incidents. This nation was founded by men of many nations and backgrounds. It was founded on the principle that all men are created equal, and that the rights of every man are diminished when the rights of one man are threatened.

Today we are committed to a worldwide struggle to promote and protect the rights of all who wish to be free. When Americans are sent to Vietnam or West Berlin, we do not ask for whites only. It ought to be possible, therefore, for American students of any color to attend any public institution they select without having to be backed up by troops.

It ought to be possible for American consumers of any color to receive equal service in places of public accommodation, such as hotels and restaurants and theaters and retail stores, without being forced to resort to demonstration in the street. It ought to be possible for American citizens of any color to register and to vote in a free election without interference or fear of reprisal.

It ought to be possible, in short, for every American to enjoy the privileges of being American without regard to his race or his color. In short, every American ought to have the right to be treated as he would wish to be treated, as one would wish his children to be treated. But this is not the case today.

The Negro baby born in America today, regardless of the section of the nation in which he is born, has about one half as much chance of completing high school as a white baby born in the same place on the same day, one third as much chance of completing college, one third as much chance of becoming a professional man, twice as much chance of becoming unemployed, about one seventh as much chance of earning \$10,000 a year or more, a life expectancy which is seven years shorter, and the prospects of earning only half as much.

This is not a sectional issue. Difficulties over segregation and discrimination exist in every city, in every state of the Union, producing in many cities a rising tide of discontent that threatens the public safety. Nor is this a partisan issue. In a time of domestic crisis men of goodwill and generosity should be able to unite regardless of party or politics. This is not even a legal or legislative issue alone. It is better to settle these methods in the courts than on the streets, and new laws are needed at every level, but law alone cannot make men see right.

We are confronted primarily with a moral issue. It is as old as the Scriptures and is as clear as the American Constitution.

The heart of the question is whether all Americans are to be afforded equal rights and equal opportunities, whether we are going to treat our fellow Americans as we want to be treated. If an American, because his skin is dark, cannot eat lunch in a restaurant open to the public, if he can not send his children to the best public school available, if he cannot vote for the public officials who represent him, if, in short, he cannot enjoy the full and free life which all of us want, then who among us would be content to have the color of his skin changed and stand in his place? Who among us would be content with the counsels of patience and delay?

One hundred years have passed since President Lincoln freed the slaves, yet their heirs, their grandsons, are not fully free. They are not yet freed from the bonds of injustice. They are not yet freed from social and economic oppression. And this nation, for all its hopes and all its boasts, will not be fully free until all its citizens are free.

We preach freedom around the world, and we mean it, and we cherish our freedom here at home; but are we to say to the world,

and, much more importantly, for each other, that this is a land of the free except for the Negroes; that we have no second-class citizens except Negroes; that we have no class or caste system, no ghettos, no master race, except with respect to Negroes?

Now the time has come for this nation to fulfill its promise. The events in Birmingham and elsewhere have so increased the cries for equality that no city or state or legislative body can prudently choose to ignore them.

The fires of frustration and discord are burning in every city, North and South, where legal remedies are not at hand. Redress is sought in the streets, in demonstrations, parades, and protests which create tensions and threaten violence and threaten lives.

We face, therefore, a moral crisis as a country and as a people. It cannot be met by repressive police action. It cannot be left to increased demonstrations in the streets. It cannot be quieted by token moves or talk. It is a time to act in the Congress, in your state and local legislative bodies and, above all, in all of our daily lives.

It is not enough to pin the blame on others, to say this is a problem of one section of the country or another, or deplore the facts that we face. A great change is at hand, and our task, our obligation, is to make that revolution, that change, peaceful and constructive for all.

Those who do nothing are inviting shame as well as violence. Those who act boldly are recognizing right as well as reality.

Next week I shall ask the Congress of the United States to act, to make a commitment it has not fully made in this century to the proposition that race has no place in American life or law. The federal judiciary has upheld that proposition in the conduct of its affairs, including the employment of federal personnel, the use of federal facilities, and the sale of federally financed housing.

But there are other necessary measures which only the Congress can provide, and they must be provided at this session. The old code of equity law under which we live commands for every wrong a remedy, but in too many communities, in too many parts of the country, wrongs are inflicted on Negro citizens and there are no remedies at law. Unless the Congress acts, their only remedy is in the streets.

I am, therefore, asking the Congress to enact legislation giving all Americans the right to be served in facilities which are open to the public -- hotels, restaurants, theaters, retail stores, and similar establishments.

This seems to me to be an elementary right. Its denial is an arbitrary indignity that no American in 1963 should have to endure. But many do.

I have recently met with scores of business leaders urging them to take voluntary action to end this discrimination, and I have been encouraged by their response. In the last two weeks over seventy-five cities have seen progress made in desegregating these kinds of facilities. But many are unwilling to act alone, and for this reason, nationwide legislation is needed if we are to move this problem from the streets to the courts.

I am also asking Congress to authorize the federal government to participate more fully in lawsuits designed to end segregation in public education. We have succeeded in persuading many districts to desegregate voluntarily. Dozens have admitted Negroes without violence. Today, a negro is attending a state-supported institution in every one of our fifty states. But the pace is very slow.

Too many Negro children entering segregated grade schools at the time of the Supreme Court's decision nine years ago will enter segregated high schools this fall, having suffered a loss which can never be restored. The lack of an adequate education denied the Negro a chance to get a decent job.

The orderly implementation of the Supreme Court decision, therefore, cannot be left solely to those who may not have the economic resources to carry the legal action or who may be subject to harassment.

Other features will also be requested, including greater protection for the right to vote. But legislation, I repeat, cannot solve this

problem alone. It must be solved in the homes of every American in every community across our country.

In this respect, I want to pay tribute to those citizens, North and South, who have been working in their communities to make life better for all. They are acting not out of a sense of legal duty but out of a sense of human decency. Like our soldiers and sailors in all parts of the world, they are meeting freedom's challenge on the firing line, and I salute them for their honor and courage.

My fellow Americans, this is a problem which faces us all -- in every city of the North as well as the South. Today there are Negroes, unemployed -- two or three times as many compared to whites -- with inadequate education, moving into the large cities, unable to find work, young people particularly out of work and without hope, denied equal rights, denied the opportunity to eat at a restaurant or lunch counter or go to a movie theater, denied the right to a decent education... It seems to me that these are matters which concern us all, not merely Presidents or congressmen or governors, but every citizen of the United States.

This is one country. It has become one country because all the people who came here had an equal chance to develop their talents...

We have a right to expect that the Negro community will be responsible and will uphold the law; but they have a right to expect that the law will be fair, that the constitution will be color blind, as Justice Harlan said at the turn of the century.

This is what we are talking about. This is a matter which concerns this country and what it stands for, and in meeting it I ask the support of all our citizens.

<http://www.pbs.org/wgbh/americanexperience/features/primary-resources/jfk-civilrights/>

## Eulogy for the Martyred Children

18 September 1963  
Birmingham, Ala.

[Delivered at funeral service for three of the children—Addie Mae Collins, Carol Denise McNair, and Cynthia Diane Wesley—killed in the bombing. A separate service was held for the fourth victim, Carole Robertson.]

This afternoon we gather in the quiet of this sanctuary to pay our last tribute of respect to these beautiful children of God. They entered the stage of history just a few years ago, and in the brief years that they were privileged to act on this mortal stage, they played their parts exceedingly well. Now the curtain falls; they move through the exit; the drama of their earthly life comes to a close. They are now committed back to that eternity from which they came.

These children—unoffending, innocent, and beautiful—were the victims of one of the most vicious and tragic crimes ever perpetrated against humanity.

And yet they died nobly. They are the martyred heroines of a holy crusade for freedom and human dignity. And so this afternoon in a real sense they have something to say to each of us in their death. They have something to say to every minister of the gospel who has remained silent behind the safe security of stained-glass windows. They have something to say to every politician [Audience:] (Yeah) who has fed his constituents with the stale bread of hatred and the spoiled meat of racism. They have something to say to a federal government that has compromised with the undemocratic practices of southern Dixiecrats (Yeah) and the blatant hypocrisy of right-wing northern Republicans. (Speak) They have something to say to every Negro (Yeah) who has passively accepted the evil system of segregation and who has stood on the sidelines in a mighty struggle for justice. They say to each of us, black and white alike, that we must substitute courage for caution. They say to us that we must be concerned not merely about who murdered them, but about the system, the way of life, the philosophy which produced the murderers. Their death says to us that we must work passionately and unrelentingly for the realization of the American dream.

And so my friends, they did not die in vain. (Yeah) God still has a way of wringing good out of evil. (Oh yes) And history has proven over and over again that unmerited suffering is redemptive. The innocent blood of these little girls may well serve as a redemptive force (Yeah) that will bring new light to this dark city. (Yeah) The holy Scripture says, "A little child shall lead them." (Oh yeah) The death of these little children may lead our whole Southland (Yeah) from the low road of man's inhumanity to man to the high road of peace and brotherhood. (Yeah, Yes) These tragic deaths may lead our nation to substitute an aristocracy of character for an aristocracy of color. The spilled blood of these innocent girls may cause the whole citizenry of Birmingham (Yeah) to transform the negative extremes of a dark past into the positive extremes of a bright future. Indeed this tragic event may cause the white South to come to terms with its conscience. (Yeah)

And so I stand here to say this afternoon to all assembled here, that in spite of the darkness of this hour (Yeah Well), we must not despair. (Yeah, Well) We must not become bitter (Yeah, That's right), nor must we harbor the desire to retaliate with violence. No, we must not lose faith in our white brothers. (Yeah, Yes) Somehow we must believe that the most misguided among them can learn to respect the dignity and the worth of all human personality.

May I now say a word to you, the members of the bereaved families? It is almost impossible to say anything that can console you at this difficult hour and remove the deep clouds of disappointment which are floating in your mental skies. But I hope you can find a little consolation from the universality of this experience. Death comes to every individual. There is an amazing democracy about death. It is not aristocracy for some of the people, but a democracy for all of the people. Kings die and beggars die; rich men and poor men die; old people die and young people die. Death comes to the innocent and it comes to the guilty. Death is the irreducible common denominator of all men.

I hope you can find some consolation from Christianity's affirmation that death is not the end. Death is not a period that ends the great sentence of life, but a comma that punctuates it to more lofty significance. Death is not a blind alley that leads the human race into a state of nothingness, but an open door which leads man into life eternal. Let this daring faith, this great invincible surmise, be your sustaining power during these trying days.

Now I say to you in conclusion, life is hard, at times as hard as crucible steel. It has its bleak and difficult moments. Like the ever-flowing waters of the river, life has its moments of drought and its moments of flood. (Yeah, Yes) Like the ever-changing cycle of the seasons, life has the soothing warmth of its summers and the piercing chill of its winters. (Yeah) And if one will hold on, he will discover that God walks with him (Yeah, Well), and that God is able (Yeah, Yes) to lift you from the fatigue of despair to the buoyancy of hope, and transform dark and desolate valleys into sunlit paths of inner peace.

And so today, you do not walk alone. You gave to this world wonderful children. [moans] They didn't live long lives, but they lived meaningful lives. (Well) Their lives were distressingly small in quantity, but glowingly large in quality. (Yeah) And no greater tribute can be paid to you as parents, and no greater epitaph can come to them as children, than where they died and what they were doing when they died. (Yeah) They did not die in the dives and dens of Birmingham (Yeah, Well), nor did they die discussing and listening to filthy jokes. (Yeah) They died between the sacred walls of the church of God (Yeah, Yes), and they were discussing the eternal meaning (Yes) of love. This stands out as a beautiful, beautiful thing for all generations. (Yes) Shakespeare had Horatio to say some beautiful words as he stood over the dead body of Hamlet. And today, as I stand over the remains of these beautiful, darling girls, I paraphrase the words of Shakespeare: (Yeah, Well): Good night, sweet princesses. Good night, those who symbolize a new day. (Yeah, Yes) And may the flight of angels (That's right) take thee to thy eternal rest. God bless you.

<https://kinginstitute.stanford.edu/eulogy-martyred-children>

## Press

*The Washington Post*, April 5, 1963

### Connor and King Head to Birmingham Clash

Segregationist Eugene (Bull) Connor and Negro leader Martin Luther King Jr. appeared headed today for a collision over segregation in Birmingham.

Connor, whose duties as City Commissioner include jurisdiction over the Police Department, threatened to "fill the jails full" if city segregation statutes are violated.

King, of Atlanta, offered a list of minimum desegregation requirements for the city. He said he would remain until the barriers were eliminated...

...King laid down a list of four requirements to "make just a beginning in the Negro peoples' problem." They were:

- Desegregation of lunch counters and other public facilities.
- Establishment of fair hiring policies.
- A promise from merchants to request that charges be dropped against demonstrators under arrest.
- Establishment of a biracial commission with power to institute plans for peaceful desegregation in the schools...

*The Birmingham Post-Herald*, April 18, 1963

### Letter to the Editor: Negroes Shouldn't Aid King's Cause

...This current effort of King and his co-conspirators really plunged the knife into the back of many a white person who was waiting for just the right time to make friendship for the local Negro's cause and dollars.

The local Negro leaders should refuse to cooperate with King and his boot-lickers who are only in the way of success. Can't the local Negroes understand that all they have to do is wait a little longer? Then certain white businessmen, politicians and clergymen with the help of our daily local newspapers, will hand them, on a silver platter, more than could ever be gained by marches, sit-ins and kneel-ins.

And there would be no need for going to jail or paying fines.

Thomas T. Coley  
Ensley, AL

*The Birmingham Post-Herald*, April 26, 1963

## **Letter to the Editor: Negroes Here Are Exploited**

Stronger laws are necessary to deal effectively with the professional rabble-rousers who are exploiting Birmingham Negroes, bleeding them of their hard earned dollars not only in "dues" in an ever-increasing assortment of organizations but now fines paid to the city for breaking local laws...

...It is a duty of our officials and our police force to protect our Negroes from being robbed by smooth-talking gyp artists...

...the Negroes of this section are not yet ready for what they are seeking: first class citizenship...

Hy Spy  
Fairfield, AL

*The New York Times*, May 11, 1963

## **Editorial: Sanity in Birmingham**

A precarious peace prevails in Birmingham, thanks to a unique experiment in collective bargaining between men of enlightenment in the white and Negro community...

...The pledge of the city's businessmen to desegregate lunch counters and other store facilities and to abolish discriminatory employment practices represents a significant breakthrough. The foundation has been laid for amicable race relations based on mutual respect and cooperation. It would be delusive, however, to pretend that this cooperation can be made secure without much more display of patience and goodwill on both sides.

The business leaders who negotiated the accord spoke only for themselves... The city's lame-duck Mayor denounced them as "a bunch of quisling, gutless traitors..." Most shocking of all was the declaration of Safety Commissioner Eugene (Bull) Conner that he was sorry an associate of the Rev. Dr. Martin Luther King Jr., hospitalized after being hit by a jet from a high-pressure fire hose, had not been carried off in a hearse, instead of an ambulance.

The Negro leaders have now succeeded in focusing national attention on the abuses to which Negroes have been subjected in this citadel of repression. The President has put the prestige of his office behind the satisfaction of their "justifiable needs." To spread more marches through Alabama at this juncture, as some Negroes have suggested, could only renew the danger of heavy casualties and irrepressible violence. The presence of hundreds of children among the marchers made all these marches especially perilous ventures in brinkmanship. The nation will hope that the good beginning made in the present peace pact will ripen into a full recognition in Birmingham and the rest of Alabama of the need for equal treatment and equal opportunity, as guaranteed to all citizens by the Constitution.

[http://www.pbs.org/wgbh/amex/eyesonthepize/story/07\\_c.html](http://www.pbs.org/wgbh/amex/eyesonthepize/story/07_c.html)