MLK’s manifesto

# "Letter from Birmingham Jail" at 50

by Robert Westbrook in the April 17, 2013 issue


*Read "Letter from Birmingham Jail" as it appeared in the* Century. See *also Edward Gilbreath's review of Jonathan Rieder's book on King's letter.*

Fifty years ago, in June 1963, the *Christian Century* found itself near the center of American public debate when it was the first large-circulation magazine to publish the full text of Martin Luther King Jr.’s “Letter from Birmingham Jail.” The letter would shortly thereafter stand as the manifesto of those King led in pursuing African-American civil rights in the mid-1960s by means of nonviolent direct action. And it eventually assumed pride of place alongside Henry David Thoreau’s “Civil Disobedience” as a touchstone for the theory and practice of civil disobedience in American protest politics.

King composed the letter in a jail cell in the midst of the bitter struggle to desegregate public accommodations in Birmingham, Alabama—the dark heart of southern racism, the “Johannesburg of America.” He and other organizers in the Southern Christian Leadership Conference had arrived in Birmingham in March 1963 on the heels of a campaign in Albany, Georgia, that had failed to put much of a dent in segregation in that small city. There an astute sheriff, Laurie Pritchett, had deflected their efforts with a cool head, orderly arrests and an abundance of prearranged jail space. The SCLC and its local allies in Birmingham, led by Baptist minister Fred Shuttlesworth, hoped for better results, confident that they could

provoke Eugene “Bull” Connor, that city’s brutal commissioner of public safety, into the sort of spectacle of bigoted violence that Pritchett had carefully avoided—one that would shine a media spotlight on their struggle and win support from hesitant liberals. As King put it in the letter, “We would present our very bodies as a means of laying our case before the conscience of the local and the national community.”

But for weeks Connor failed to take the bait, and the movement had difficulty recruiting volunteers to violate segregationist statutes and suffer arrest and imprisonment. Criticism rained down on its head from the Kennedy administration and others, including many black leaders in Birmingham, who counseled patience and an avoidance of confrontation. With the protest faltering, King decided that he himself should get arrested to dramatize the cause.

On Good Friday, April 12, he led a march that violated an injunction that the city had won against such protests. Connor’s policemen roughly tossed him and his close friend and movement colleague Ralph Abernathy into a paddy wagon and carted them off to jail and solitary confinement.

Shortly after King was arrested, eight of Alabama’s prominent religious leaders—two Episcopal bishops, two Methodist bishops, the pastor of the leading white Baptist church in Birmingham, a leader of the Alabama Presbyterian churches, a Catholic bishop of the diocese that included Birmingham, and a prominent Reform rabbi—published a statement, a “Call for Unity,” in the *Birmingham News* attacking the civil rights campaign in the city as “unwise and untimely” and a provocation to hatred and violence. Citing the hope for a negotiated settlement circulating among moderates following Connor’s defeat in a recent mayoral election by the more genteel segregationist Albert Boutwell, the clergymen praised law enforcement officials for their restraint and appealed “to both our white and Negro citizenry to observe the principles of law and order and common sense.”

King read this statement in a copy of the newspaper smuggled into his cell by an associate. In controlled fury, he began to craft a letter of reply in its margins and then on paper smuggled into his cell.

Although the letter was ostensibly addressed to the Alabama clergymen, King’s target was a much wider audience of white moderates (including the president of the United States, John F. Kennedy) who counseled law-abiding fortitude and gradualism. (He never actually sent it to the eight religious leaders.) The letter was a

powerful indictment of the shortcomings of timid moderation in the face of injustice, a sermon of chastisement—a shrewd, tough-minded, even militant political document. It was the work, that is, not of King the “dreamer” of racial unity, whom we find at the center of posthumous commemoration, but of the King too often forgotten: the agitator, the prophet of potentially liberating confrontation and conflict.

As the remarkable work of historian David Chappell has demonstrated, southern white moderates such as the eight clergymen were pivotal to the political strategy of the civil rights movement. King and other leaders of the movement had carefully analyzed their opponents, and whereas the view from the north of southern race relations was often one of a monolithic structure of white supremacy, they knew otherwise. Jim Crow was rife with fissures, and they moved to drive wedges into these cracks that they hoped would make the seemingly solid walls of segregation quake and crumble. King, as Chappell says in *Inside Agitators* (1994), saw three types of southerners: “extreme segregationists who were willing to fight; middle-roaders who favored segregation but would sooner see it destroyed than take personal risks to defend it; and the tiny minority who would, with varying degrees of caution, support action to undermine segregation.”

Faced with this landscape, the movement pursued a strategy that inextricably mixed moral suasion and coercive politics. It sought out the conscience of the tiny third group and targeted the practical concerns of the much larger second group—those “who, without any moral commitment, found themselves compelled to break with the segregationists in order to restore social peace, a good business climate, or the good name of their city in the national headlines.” Again and again, in Birmingham and elsewhere, battles turned on “the ability of the segregationist leadership to hold the white community’s allegiance throughout a long siege” and on the ability of the movement successfully to conduct a long siege that would disrupt white unity.

Resolute southern segregationists were plagued therefore not only by black demonstrators in the streets, but by unreliable moderate allies sitting on stools in whites-only lunch counters and in pews in whites-only churches. As Chappell demonstrates in *A Stone of Hope* (2004), segregationists came up short in winning the firm allegiance of this constituency. And this rift in white solidarity “is a key to understanding how black protestors beat them. Segregationists outspent, outvoted, and outgunned the black protestors. But the black protestors found the segregationists’ weak points.”

The southern churches were a particularly important stronghold of white moderation, and hence a particularly important weak point for segregationist mobilization. To a considerable degree, the fight for civil rights in the South rested on the relative success that white segregationists and their opponents had in mobilizing for their side the emotional resources of southern evangelical Protestantism. The mass meetings and demonstrations of the black movement were, for many, conversion experiences, reflections of a religious fervor that the segregationists could not match. Even worse for the white supremacist cause, the extremists found themselves unable to count on much support from southern religious leaders.

Movement spokesmen and northern critics such as the editors of the *Christian Century* condemned white southern Christians for sitting on their hands, but so too did extreme segregationists. The eight clergymen to whom King addressed the letter had been among the Alabama clergy who in January 1963 had issued a statement (published in the *Century*) criticizing Governor George Wallace for threatening to refuse to abide by court decisions desegregating the state's schools. In good moderate fashion, they made it clear that it was the governor's means and not necessarily his ends that they opposed. "It is understood," they carefully stated, "that those who strongly oppose desegregation may frankly and fairly pursue their convictions in the courts, and in the meantime should peacefully abide by the decisions of those same courts." Such circumspect positions earned the clergymen the ire not only of the civil rights movement but of firm segregationists. And the latter were not above death threats.

In a *Century* article on the silence of the southern churches, a quotation from one Alabama Baptist minister acutely summed up the moderates' dilemma: "The problem is how to lead without being appropriated by one or the other extremes which immediately destroys the effectiveness of your leadership. When thus appropriated, you are effective only with the one faction. Neither the opposite one nor the moderate group will listen to you any longer." This politics of appropriation was a pivotal feature of the racial politics of the early 1960s. Death threats were not the métier of Martin Luther King Jr. But he did set out to convert or, failing that, to pressure or to neutralize white moderates by demolishing their arguments, shaming their consciences and, not least, threatening their interests.

The letter undertook the task of demolishing the arguments of the moderates. Often praised for its moral philosophy, it is also a masterful work of strategic thinking.

As sociologist Jonathan Rieder observes in his new book on the letter, *Gospel of Freedom*, King strikes a number of poses in it, swinging between “diplomatic” and “prophetic” modes of address. But his overriding posture might, I think, be termed one of mock moderation, that is, a stance that put pay to the thinking of moderates by arguing against them in the very “patient and reasonable terms” that they fetishized. Here and there ironic barbs and flashes of overt indignation suggest the difficulties that King had in maintaining this stance. Yet it was one well chosen for the audience he imagined, hoisting them with their own petard.

King began by addressing the clergymen’s charge that he and the SCLC were “outside agitators.” First, he met the charge on its face and noted that the SCLC had an affiliation with Shuttlesworth’s local civil rights organization and that they had been invited to Birmingham by this organization. But then King pointedly called into question the very conception of insiders and outsiders in the face of injustice. “I am in Birmingham because injustice exists here,” he said. “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.”

King noted the clergymen’s recoil at the demonstrations in Birmingham, but then observed that they had little to say about the conditions that occasioned them. With more than a hint of sarcasm, he alluded solicitously to their intellectual well-being: “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.”

King then turned to the clergymen’s pleas for negotiations rather than demonstrations, arguing forcefully that this dichotomy, like that between insiders and outsiders, was in this case a false one. Shuttlesworth, he noted, had pursued desegregation negotiations with Birmingham’s businessmen in the fall of 1962 and won an agreement promising an end to Jim Crow in department store dressing rooms. But the merchants had reneged on these promises. Direct action was thus not an alternative to negotiations but an effort to force new, good faith negotiations.

Here King articulated a crucial point about nonviolent direct action. Sit-ins, marches and boycotts were not merely gestures of moral suasion but also exercises of coercive force, a matter of “creating tension,” as King put it. “The purpose of our direct action program is to create a situation so crisis-packed that it will inevitably

open the door to negotiation." Power and privilege are rarely freely granted to others by those who possess them; they must be taken by means of "pressure." "Freedom is never voluntarily given by the oppressor; it must be demanded by the oppressed."

As for the "untimeliness" of the protests, King simply noted that African-American patience was not inexhaustible. "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." Too often counsels of patience from white people had been ill-disguised perpetual holding actions. "This 'Wait' has almost always meant 'Never.'"

But why break the law? The clergymen had indicted Wallace for proposing to do so, and now they were registering the same indictment against King. What was the difference between Wallace and King in this respect? How could King consistently demand that southerners obey the ruling in *Brown v. Board of Education* while he was violating the local injunction against demonstrations?

These questions occasioned King's defense of civil disobedience. There are, he said, just and unjust laws. He urged obedience to the first and violation of the second. But how then does one discern the difference?

Here King's strategic genius was on full display. Rather than making a singular argument for a distinction between just and unjust laws, he offered his readers a host of grounds, both sacred and secular, for the distinction. Thereby he afforded them the opportunity to choose the argument that most appealed to them, while implying that he had covered all the conceivable bases.

An unjust law, he began, was at odd with God's law, or natural law. Or, if one preferred a kind of normative psychological approach, "Any law that uplifts the human personality is just. Any law that degrades the human personality is unjust." Segregation damaged the personality of both parties to oppression. "It gives the segregator a false sense of superiority and the segregated a false sense of inferiority." It substituted an "I-it" relationship for an "I-thou" relationship. Or one might lean on the Christian existentialism of Paul Tillich: segregation was separation, and hence sin—an expression of humanity's "awful estrangement."

One might also look for signs of injustice in the procedures by which laws were enacted or enforced. "A law is unjust, for example, if a majority group compels a

minority group to obey the statute but does not make it binding on itself.” A law is unjust if it is imposed on a minority that itself had no part in enacting the law by electing the representatives who promulgated it. Lawmaking in a state such as Alabama, in which in some counties African Americans constituted a majority of the population but none of the registered voters, was inherently suspect. Finally, some laws were just on their face but unjust in their application. For a city to require a permit for holding a parade was not inherently unjust, but an injunction that forbid parading as a means of denying the right to peaceable assembly and free speech was unjust.

Civil disobedience, King insisted, was *civil* disobedience, that is, it did not evade the law as rabid segregationists advocated, but faced the full consequences of breaking a law in order to make the case for changing that law. “One who breaks an unjust law must do so *openly, lovingly*, and with a willingness to accept the penalty,” he averred. “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 the law.”

King devoted much of the remainder of the letter to his “disappointments” with white moderates, which were legion. He charged that they put order and peace above justice; that they blamed protesters for precipitating violence perpetrated by those who were violating their rights; and that they subscribed to a myth that time, of itself, heals wounds. He reserved a special expression of regret for the caution of those who “have remained silent and secure behind stained-glass windows.” He took particular umbrage at the kind words the eight clergymen had for the Birmingham police who had thus far contained the protests in an orderly fashion. “I doubt,” he suggested, “that you would have so warmly commended the police force if you had seen its angry dogs sinking their teeth into six unarmed, nonviolent Negroes.”

Saying he was taken aback by the clergymen’s characterization of him and his movement as “extreme,” King noted that he had seen his nonviolent protest as an alternative to the truly extreme flirtation with violence by black nationalists, and the Nation of Islam in particular. But on second thought, under the circumstances he took satisfaction in embracing the “extremist” label. Maybe, he said, “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?” Extremism, in short, was at times well justified.

“Perhaps the south, the nation and the world are in dire need of creative extremists.”

King could not resist closing with a final barbed paragraph of mock politesse. “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.”

The letter had little immediate impact on the battle in Birmingham. It would not earn a wide audience for weeks. Events there turned rather on the enactment of its principles and strategies in the city’s streets in early May. This enactment was led not by King himself but by a battle-hardened activist from Nashville, James Bevel.

Bevel turned the focus of the movement’s recruitment effort in Birmingham from adults to children. Beginning on May 2, black children, some as young as six, from the city’s schools surmounted the efforts of school officials to keep them in class and marched illegally into the city’s streets over a period of several days. There they confronted Connor’s canine police and firemen armed with powerful water hoses. This time, Connor snapped and ordered an assault. Dogs fiercely attacked the demonstrators, and the fire hoses, capable of stripping the bark off trees, pinned the children to the sides of buildings, shredding their clothes. Birmingham jails filled to capacity, and cameras captured the brutality for Americans around the country.

These demonstrations forced Birmingham’s business leaders to the bargaining table for negotiations that began to hammer out a settlement that would meet most of the demands of the movement. They also moved the heretofore restrained Ku Klux Klan to bitterly attack what Alabama Imperial Wizard Robert Shelton termed “the meddlesome, conniving, manipulating moves of these *professional businessmen*.” On Friday night, May 10, the Klan bombed the home of King’s brother, A. D. King, and almost simultaneously blew up the Gaston Hotel, which King and the SCLC had made their headquarters. Though no one was hurt, the explosions set off a rampage of rioting by enraged blacks. Wallace sent in state troopers, renowned thugs who dealt out violence with their billy clubs and rifle butts more than equal to the dogs and fire hoses of the city police.

The settlement with the downtown moderates survived this fresh round of violence, thanks in part to the mediation of Burke Marshall, the Justice Department official

whom the Kennedy brothers sent to Birmingham to aid in the negotiations. Sickened by the images of terror from the demonstrations and alert to their adverse effect on the nation's image abroad, John Kennedy finally moved to lay the groundwork for federal intervention in the conflict.

In a dramatic speech on June 11, Kennedy set aside his own stubborn moderation—at least rhetorically—and echoed King's arguments in the letter. "The events in Birmingham and elsewhere," he said, "have so increased the cries for equality that no city or state or legislative body can prudently choose to ignore them. . . . Who among us would then be content with counsels of patience and delay? . . . Those who do nothing are inviting shame as well as violence. Those who act boldly are recognizing right as well as reality." Practically speaking, Kennedy announced his intention to introduce new federal civil rights legislation, setting in motion the train of events that would eventually result in the Civil Rights Act of 1964.

June 1963 also brought new life to the letter, which now found a sympathetic national audience in the wake of the brutal, well-publicized attacks on the demonstrators in Birmingham. Not surprisingly, it was the *Christian Century* that served its initial transmission to an expansive readership. The magazine had followed King's work closely and sympathetically since the Montgomery bus boycott in 1956 and had published several of his articles in its pages. In October 1958, he was named one of four new editors-at-large, and at the time the letter was published, he was a contributing editor.

The *Century* had itself counseled moderation in the late 1950s, although not without an acute awareness that "to plead for time for white Americans' education and conversion is at the same time to ask Negro Americans for more patience with the insufferable, more making-do with the present possibilities of action. It is to risk misinterpretation to knuckling under to white bitter-enders."

By 1963, the magazine had run out of patience. "Why not now?" the editors asked in March on the eve of the Birmingham demonstrations. "The Negro is tired of 'by and by,' contemptuous of 'after a while.'" Moderation had come to mean "big talk, little action and continuous, cunning postponements of the day when the Negro will come into his full rights in American society. How long, O Lord, how long!"

The *Century* reported and commented fully on racial politics in Birmingham and elsewhere, publishing more articles on race relations in 1963 than on any other subject. Like King, its editors and reporters directed much of their fire at “genteel, moderate Christians.” Instead of advising King to “put the brakes on a little bit,” they advised white ministers to save their exhortations for moderation for King’s enemies. “Through centuries of indifference and deliberate inhumanity the white man piles up great deposits of racial and sociological dynamite. Then, when the outraged Negro begins to exercise his constitutional rights, the guilty white conscience pleads for moderation in fear that the explosives may be ignited.”

In August, the magazine reported that it had received over 50 responses to the letter from readers, all of them favorable. “In all my years of reading your periodical,” one declared, “I have never been more moved by a single issue. What a shaking experience! If the canon of Holy Scriptures were not closed, I would nominate Martin Luther King’s statement either as a continuation of the Acts of the Apostles or as an addition to the Epistles in the best tradition of the Pauline prison letters.” A minister from suburban Pennsylvania confessed that “I stand condemned, along with my people, on every count of this masterful indictment. . . . My conscience will not rest until my voice and energy are aroused from silence and lethargy on this poignant issue.”

The hard-won victory in Birmingham was of less consequence for its immediate effects on segregation, which were modest, than for the fresh momentum, additional resources and valuable allies it won for a flagging civil rights movement. A long and fierce struggle nonetheless remained. On the night of Kennedy’s speech, Mississippi NAACP leader Medgar Evers was gunned down in his driveway. Three months later, in Birmingham, the Klan bombed the Sixteenth Street Baptist Church from which the May demonstrations had been launched, killing four little girls.

With passage of the Civil Rights Act, resistance to southern racism took a new turn, focusing heavily on campaigns for voter registration. The editors of the *Century*, evidencing perhaps a bit of persistent moderation, warmly greeted this turn. “Demonstrations may still have their place in states where physical and financial terrorism provide no other recourse,” they wrote. “But the historic and finally most reliable recourse of the citizens of a democracy who seek redress of grievances is in the ballot.”

Already in 1963, as it lambasted white moderates and threw its weight behind King, the *Century* observed ominously that King was often himself unfairly tarred with the brush of moderation by black critics who regarded nonviolent direct action as a painfully slow, timidly accommodationist strategy for racial justice. The magazine attacked Malcolm X as a “charismatic demagogue,” and James Baldwin, in particular, seemed to get under its skin (“Gray Flannel Muslim?”).

Yet, in defending King from such critics, *Century* editors sometimes defanged him. In a July 31, 1963, editorial titled “Tom Paines and Uncle Toms,” they attempted to situate King between these two extremes, ignoring King’s own embrace of “creative extremism” in the letter. Describing “Tom Paines” as those who “break cherished images, defy immoral legalities, slash the red tape of genteel parliaments, alarm and embarrass their friends and sometimes in ways which to other men appear absurd demand for Negroes elemental human and civil rights,” the editors acknowledged that such figures were essential to the black freedom struggle. But, they said, the movement also needed “Washingtons and Jeffersons” (an unfortunate choice of slaveholding founders) “who with sound judgment and the long view put a nation together.” Placing King in the latter category, the *Century* reinforced the black nationalist portrait of him as a timid, unduly compromising trimmer, if not an Uncle Tom, and denied him the mantle of Paine that was his due.

King was a dreamer, to be sure, and racial reconciliation was his dream. But he was also a skillful politician and just warrior, unafraid to acknowledge that nonviolent direct action was coercive force, as Reinhold Niebuhr no less than Mahatma Gandhi, had taught him. King’s tough-minded, realistic politics were right out of the *Moral Man and Immoral Society* playbook. “Nonviolence,” he said, “is a powerful as well as a just weapon.”

Unhappily, as the chorus of King’s critics among black nationalists grew louder in the years after Birmingham, estimates of King’s audacity, courage and political savvy unfairly diminished—as did an appreciation of the rich possibilities of just political warfare armed with the weapons of nonviolent direct action (and prophetic religion). As one guardian of King’s legacy, historian and editor Clayborne Carson, has said, “Black power advocates of the late 1960s were too willing to abandon the nonviolent tactics that had enabled southern blacks to transform their discontent into effective political action. By rejecting nonviolence as unmanly and ineffective against white racist power structures, they deprived their followers of a set of tactics that had enabled discontented black people to achieve historic civil rights gains.”

In February 1968, shortly before his assassination, King returned home to Montgomery, Alabama, where his career in the black freedom struggle had begun. Addressing a mass meeting, he fell into reverie and memories of Birmingham and the battle with Bull Connor: “And then ol’ Bull would say as we kept moving, ‘Turn on the fire hoses,’ and they did turn ’em on. But what they didn’t know was that we had a fire that no water could put out.” Amen.