

Martin Luther King Jr. on Just and Unjust Laws

Topic: Civil Rights

Grade Level: Grades 7-8

Subject Area: US History; US Government

Time required: 1 hour

Goals/ Rationale

Martin Luther King Jr., head of the Southern Christian Leadership Conference, called Birmingham, Alabama “the worst big city in race relations in the United States.” In the spring of 1963, the Birmingham Campaign, also known as Project C, attempted to overturn the city’s segregation laws and practices through sit-ins, boycotts, and marches. This activity explores the question: How did Dr. King define an unjust law?

Connections to Curricula (Standards)

National History Standards

US History, Era 9. Standard 4A: The student understands the "Second Reconstruction" and its advancement of civil rights.

National Standards for Civics and Government

Grades 5-8 Content Standards

V. What are the Roles of Citizens in American democracy?

Massachusetts History and Social Science Framework

8.T4 – Rights and responsibilities of citizens

USII.T4 - Defending democracy: the Cold War and civil rights at home

Objectives

Students will be able to:

- discuss events surrounding the 1963 Birmingham Campaign.
- analyze Dr. King’s discussion of when laws are unjust from his “Letter from Birmingham Jail.”

Prior Knowledge and Skills

Students should have a working knowledge of the civil rights movement.

Historical Background and Context

In the spring of 1963, Martin Luther King Jr. and Reverend Fred Shuttlesworth launched a campaign of mass protests in Birmingham, Alabama, which Dr. King called the most segregated city in America. Initially, the demonstrations had little impact. Then, on Good Friday, Dr. King was arrested and spent a week behind bars, where he wrote one of his most famous meditations on racial injustice and civil disobedience, "Letter from Birmingham Jail." Meanwhile, James Bevel, one of Dr. King's young lieutenants, summoned black youths to march in the streets at the beginning of May. Birmingham City Commissioner Eugene "Bull" Connor used police dogs and high-pressure fire hoses to put down the demonstrations. Nearly a thousand young people were arrested. The violence was broadcast on television to the nation and the world.

Materials

- [Introductory Essay about “Project C” \(The Birmingham Campaign\)](#)
- *Martin Luther King Jr. on Just and Unjust Laws – excerpts from a letter written in the Birmingham City Jail* (available in this PDF)

Procedure

1. For background information about the Birmingham Campaign, have students read the [introductory essay](#) (written in the present tense) from the Project C chapter of the microsite [1963: The Struggle for Civil Rights](#).
2. Ask students to summarize what they learned about Project C from the reading.
3. Have students read and analyze [Martin Luther King Jr. on Just and Unjust Laws – excerpts from a letter written in the Birmingham City Jail](#) (available in this PDF).
 - a) The introductory essay stated that Martin Luther King Jr. and others were arrested on April 12, 1963 and that he spent more than a week in jail. Make it clear to students that Dr. King deliberately violated a court-ordered injunction against further demonstrations. Submit this question to students: How could Dr. King justify breaking the law? Explain that Dr. King gave his reasons in the long letter written while he was imprisoned. Provide the page of excerpts from his letter.
 - b) Have students take turns reading the excerpts aloud and discuss Dr. King’s argument along the following lines:

Questions:

- How does Dr. King explain why he urges people to obey the Supreme Court’s decision outlawing segregated public schools and then breaks laws that he disagrees with?
 - Any law that degrades a person is unjust, according to Dr. King. What does “degrade” mean? In what way does he think segregation is degrading to the individual?
 - What is the connection that Dr. King sees between unjust laws and racial discrimination in voting?
 - When he says that a law can be “just on its face but unjust in its application,” what example does he give?
 - What attitude does Dr. King say one should adopt if breaking an unjust law?
- c) Note that Dr. King does not use the term “civil disobedience.” Present this word to students along with a dictionary definition. Ask students whether Dr. King’s actions meet the definition.
 - d) Ask students if they are aware of any current public law that they believe is unjust, based on Dr. King’s description. Discuss.

Martin Luther King Jr. on Just and Unjust Laws

Excerpts from a letter to fellow clergymen written from Birmingham City Jail, April 16, 1963

You express a great deal of anxiety over our willingness to break law. This is certainly a legitimate concern. Since we so diligently urge people to obey the Supreme Court's decision of 1954 outlawing segregation in the public schools, it is rather strange and paradoxical to find us consciously breaking laws. One may well ask, "How can you advocate breaking some laws and obeying others?" The answer is found in the fact that there are two types of laws: There are just laws and there are unjust laws. I would be the first to advocate obeying just laws. One has not only a legal but a moral responsibility to obey just laws. Conversely, one has a moral responsibility to disobey unjust laws.

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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 segregated a false sense of inferiority.

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Let us turn to a more concrete example of just and unjust laws. An unjust law is a code that a majority inflicts on a minority that is not binding on itself. This is difference made legal. On the other hand a just law is a code that a majority compels a minority to follow that it is willing to follow itself. This is sameness made legal. Let me give another explanation. An unjust law is a code inflicted upon a minority which that minority had no part in enacting or creating because they did not have the unhampered right to vote. Who can say the legislature of Alabama which set up the segregation laws was democratically elected? Throughout the state of Alabama all types of convenient methods are used to prevent Negroes from becoming registered voters and there are some counties without a single Negro registered to vote despite the fact that the Negro constitutes a majority of the population. Can any law set up in such a state be considered democratically structured?

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There are some instances when a law is just on its face but unjust in its application. For instance, I was arrested Friday on a charge of parading without a permit. Now there is nothing wrong with an ordinance which requires a permit for a parade, but when the ordinance is used to preserve segregation and to deny citizens the first amendment privilege of peaceful assembly and peaceful protest, then it becomes unjust. I hope you can see the distinction I am trying to point out. In no sense do I advocate evading or defying the law as the rabid segregationist would do. This would lead to anarchy. One who breaks an unjust law must do it 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 willingly accepts the penalty by staying in jail to arouse the conscience of the community over its injustice, is in reality expressing the very highest respect for the law.