**Letter From Birmingham Jail (April 3, 1963) Compared to Declaration of Independence/ Constitution**

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| **Letter From Birmingham Jail** | **Declaration of Independence/ Const.** | **Comparison** | **Letter From Birmingham Jail** |
| 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. | The history of the present King of Great Britain is a history of **repeated injuries and usurpations**, all having in direct object the establishment of an absolute Tyranny over these States. (He refers to King George III)  *For Quartering large bodies of armed troops among us*  *For imposing Taxes on us without our Consent:*  *For depriving us in many cases, of the benefits of Trial by Jury*  ***In every stage of these Oppressions We have Petitioned for Redress in the most humble terms: Our repeated Petitions have been answered only by repeated injury.***  Olive Branch Petition | List of Grievances; changes demanded  Reasons for declaring independence. | Reasons for a Social Movement for Policy changes  Jim Crow, Black Codes  Poll taxes, Literacy tests  City has consistently refused to negotiate with our goal of ending segregation peacefully.  Rosa Parks, Montgomery Bus Boycott (Dec. 1, 1955)  March on Washington (August 28, 1963), March on Selma (March 7, 1965) |
| We know through painful experience that freedom is never voluntarily given by the oppressor; it must be demanded by the oppressed. Frankly, I have never yet engaged in a direct-action movement that was “well timed,” according to the timetable of those who have not suffered unduly from the disease of segregation. For years now I have heard the word “Wait!” It rings in the ear of every Negro with a piercing familiarity. This “wait” has almost always meant “never.” | All men are created equal…  We the People of the United States, in Order to form a more perfect Union, establish Justice, insure domestic Tranquility, provide for the common defense, promote the general Welfare, and secure the Blessings of Liberty to ourselves and our Posterity, do ordain and establish this Constitution for the United States of America.  14th amendment Equal Protection Clause… | That to secure these rights, Governments are instituted among Men, deriving their just powers from the consent of the governed, --That whenever any Form of Government becomes destructive of these ends, it is the Right of the People to alter or to abolish it, and to institute new Government, laying its foundation on such principles and organizing its powers in such form, as to them shall seem most likely to affect their Safety and Happiness. | Demands the fulfillment of the lofty goals of the D of I & Const.  Governments created by men to secure our liberties—**SOCIAL CONTRACT** theory  Allow Black Americans to be part of this FREEDOM. Protect our rights/freedoms. |
| 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?" |  |  | Civil Disobedience. It may seem hypocritical urging the obedience of 1954 Brown decision while we conduct civil disobedience and break the law, but segregation laws are unjust laws and we have a moral obligation to disobey unjust laws. |
| 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."  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 negotiations. 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. | Olive Branch Petition- ignored by UK | Any law that treats people unequally to promote the inferiority of one group over another-UNJUST law. A person has a right and a moral obligation to disobey these types of laws  Civil disobedience; non-violent tactics  civil disobedience is not protected under the 1st amendment.  In order to negotiate, civil disobedience is meant to garner attention to our situation and to force the other side to negotiate and not be ignored. | (1965) March on Selma-televised nation-wide. Brought negative attention to Alabama segregation law. **1965 Voting Rights passed ending literacy test.** |
| We have waited for more than 340 years for our constitutional and God-given rights. | We hold these truths to be self-evident, that **all men are created** **equal**, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty, and the pursuit of Happiness | Natural Rights-God given rights- life, liberty and the pursuit of happiness.  Appeals to moral law, Natural Law, Law of God |  |
| 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 distort 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 awful… | all men are created equal  Natural Law-God’s Law  …they are endowed by their Creator with certain unalienable Rights… |  | Any law that treats people unequally to promote the inferiority of one group over another-UNJUST law. A person has a right and a moral obligation to disobey these types of laws  Injustice anywhere is a threat to justice everywhere  When the laws of men go against the laws of God, we have a moral duty to disobey those laws.  Segregation de-humanizes the segregated group. |

***I Have a Dream….. Speech, the part you were never taught***

“In a sense, we have come to our nation's capital to cash a check. When the architects of our republic wrote the magnificent words of the Constitution and the Declaration of Independence, they were signing a promissory note to which every American was to fall heir.

This note was a promise that all men, yes, black men as well as white men, would be guaranteed the inalienable rights of life, liberty, and the pursuit of happiness.

It is obvious today that America has defaulted on this promissory note insofar as her citizens of color are concerned. Instead of honoring this sacred obligation, America has given the Negro people a bad check, a check which has come back marked "insufficient funds." But we refuse to believe that the bank of justice is bankrupt. We refuse to believe that there are insufficient funds in the great vaults of opportunity of this nation. So, we have come to cash this check — a check that will give us upon demand the riches of freedom and the security of justice.” **I Have a Dream Speech, MLK, 1963**

**All work MUST BE HANDWRITTEN BY YOU. For some of the questions, you are going to have to do a doc word search in Letter From Birmingham Jail I posted on my site** [**https://www.arodconnection.com/summer-assignments**](https://www.arodconnection.com/summer-assignments)

1. King offers a description of what constitutes a just law several times. How does King distinguish a just law from an unjust law?
2. According to King, what responsibilities do citizens have in relation to the system of law and to unjust laws.
3. What is the concept of civil disobedience?
4. What did King mean when he states, “Sometimes a law is just on its face and unjust in its application.”?
5. How did the Letter from Birmingham Jail influence the creation of the Civil Rights Act of 1964?
6. **Explain** how "letter from a **Birmingham Jail,"** written almost 200 years after the nation was **created,** can serve as a foundational document?
7. Of the other foundational **documents, identify** one that **is** most like ''Letter frorn a **Birmingham** Jail." CITE EVIDENCE for your choice