

## Activity #1: Understanding the Primary Sources: What Do They Tell You?

Student Name \_\_\_\_\_ Date \_\_\_\_\_

Racial Segregation Ordinances, Birmingham, Alabama, May, 1951:

<http://xroads.virginia.edu/~PUBLIC/civilrights/ordinances.html>

*The following is an excerpt from the original city ordinances for the city of Birmingham.*

### **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.

### **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:

### **SEC. 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 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

## Activity #1: Understanding the Primary Sources: What Do They Tell You?

Student Name \_\_\_\_\_ Date \_\_\_\_\_

Letter to Martin Luther King from a Group of Clergymen, April 12, 1963:

<http://www.teachingamericanhistory.org/library/index.asp?document=533>

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

## Activity #1: Understanding the Primary Sources: What Do They Tell You?

Student Name \_\_\_\_\_ Date \_\_\_\_\_

**Directions:** As you work your way through the “Letter to Martin Luther King from a Group of Clergymen,” answer the following questions in the space provided.

Questions	Answers
<p>In 1963, what two recommendations did a group of Alabama clergymen propose to resolve the racial conflict in Birmingham, Alabama?</p>	
<p>Identify two or three criticisms they gave of the political demonstrations and protests which were taking place in Birmingham.</p>	
<p>What praise did they give to “local news media and law enforcement officials” for their conduct during the demonstrations?</p>	

## Activity #1: Understanding the Primary Sources: What Do They Tell You?

Student Name \_\_\_\_\_ Date \_\_\_\_\_

From Martin Luther King, Jr., “Letter from Birmingham Jail,” April 16, 1963:  
<http://www.stanford.edu/group/King/frequentdocs/birmingham.pdf>

### MY DEAR FELLOW CLERGYMEN:

While confined here in the Birmingham City Jail, I came across your recent statement calling our present activities “unwise and untimely.” . . . But since I feel that you are men of genuine goodwill and your criticisms are sincerely set forth, I would like to answer your statement in what I hope will be patient and reasonable terms.

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

Beyond this, I am in Birmingham because injustice is here. Just as the eighth century prophets left their little villages and carried their “thus saith the Lord” far beyond the boundaries of their home towns; and just as the Apostle Paul left his little village of Tarsus and carried the gospel of Jesus Christ to practically every hamlet and city of the Graeco-Roman world, I too am compelled to carry the gospel of freedom beyond my particular home town. Like Paul, I must constantly respond to the Macedonian call for aid.

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

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

Birmingham is probably the most thoroughly segregated city in the United States. Its ugly record of police brutality is known in every section of this country. Its unjust treatment of Negroes in the courts is

a notorious reality. There have been more unsolved bombings of Negro homes and churches in Birmingham than any city in this nation. These are the hard, brutal and unbelievable facts. On the basis of these conditions, Negro leaders sought to negotiate with the city fathers. But the political leaders consistently refused to engage in good faith negotiation. . . .

. . . So we had no alternative except that of preparing for direct action, whereby we would present our very bodies as a means of laying our case before the conscience of the local and national community. We were not unmindful of the difficulties involved. So we decided to go through a process of self-purification. We started having workshops on nonviolence and repeatedly asked ourselves the questions: "Are you able to accept blows without retaliating?" "Are you able to endure the ordeals of jail?" We decided to set our direct-action program around the Easter season, realizing that with the exception of Christmas, this was the largest shopping period of the year. Knowing that a strong economic withdrawal program would be the by-product of direct action, we felt that this was the best time to bring pressure on the merchants for the needed changes. . . .

You may well ask: "Why direct action? Why sit-ins, marches, etc.? Isn't negotiation a better path?" You are exactly right in your call for negotiation. Indeed, this is the purpose of direct action. Nonviolent direct action seeks to create such a crisis and establish such creative tension that a community that has constantly refused to negotiate is forced to confront the issue. It seeks so to dramatize the issue that it can no longer be ignored. I just referred to the creation of tension as a part of the work of the nonviolent resister. This may sound rather shocking. But I must confess that I am not afraid of the word tension. I have earnestly worked and preached against violent tension, but there is a type of constructive nonviolent tension that is necessary for growth. . . . So the purpose of the direct action is to create a situation so crisis-packed that it will inevitably open the door to negotiation. We, therefore, concur with you in your call for negotiation. Too long has our beloved Southland been bogged down in the tragic attempt to live in monologue rather than dialogue.

One of the basic points in your statement is that our acts are untimely. Some have asked, "Why didn't you give the new administration time to act?" The only answer that I can give to this inquiry is that the new Birmingham administration must be prodded about as much as the outgoing one before it acts. . . .

We know through painful experience that freedom is never voluntarily given by the oppressor; it must be demanded by the oppressed. . . .

You express a great deal of anxiety over our willingness to break laws. This is certainly a legitimate concern. Since we so diligently urge people to obey the Supreme Court's decision of 1954 outlawing segregation in the public schools, it is rather strange and paradoxical to find us consciously breaking laws. One may well ask: "How can you advocate breaking some laws and obeying others?" The answer is found in the fact that there are two types of laws: There are *just* and there are *unjust* laws. I would agree with Saint Augustine that "An unjust law is no law at all."

Now, what is the difference between the two? How does one determine when a law is just or unjust? A just law is a man-made code that squares with the moral law or the law of God. An unjust law is a code that is out of harmony with the moral law. To put it in the terms of Saint Thomas Aquinas, an unjust law is a human law that is not rooted in eternal and natural law. Any law that uplifts human personality is just. Any law that degrades human personality is unjust. All segregation statutes are unjust because segregation distorts the soul and damages the personality. . . . Hence segregation is not only politically, economically and sociologically unsound, it is morally wrong and awful. . . . 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 me give another explanation. An unjust law is a code inflicted upon a minority which that minority had no part in enacting or creating because they did not have the unhampered right to vote. Who can say that the legislature of Alabama which set up the segregation laws was democratically elected? Throughout the state of Alabama all types of conniving methods are used to prevent Negroes from becoming registered voters and there are some counties without a single Negro registered to vote despite the fact that the Negro constitutes a majority of the population. Can any law set up in such a state be considered democratically structured?

These are just a few examples of unjust and just laws. There are some instances when a law is just on its face and 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*, (not hatefully as the white mothers did in New Orleans when they were seen on television screaming “nigger, nigger, nigger”) 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 law. . . .

We can never forget that everything 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. But I am sure that if I had lived in Germany during that time I would have aided and comforted my Jewish brothers even though it was illegal. . . .

. . . Actually, we who engage in nonviolent direct action are not the creators of tension. We merely bring to the surface the hidden tension that is already alive. We bring it out in the open where it can be seen and dealt with. Like a boil that can never be cured as long as it is covered up but must be opened with all its pus-flowing ugliness to the natural medicines of air and light, injustice must likewise be exposed, with all of the tension its exposing creates, to the light of human conscience and the air of national opinion before it can be cured.

In your statement you asserted that our actions, even though peaceful, must be condemned because they precipitate violence. But can this assertion be logically made? Isn’t this like condemning the 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 delvings precipitated the misguided popular mind to make him drink the hemlock? Isn’t this like condemning Jesus because His unique God-Consciousness and never-ceasing devotion to His will precipitated the evil act of crucifixion? We must come to see, as the federal courts have consistently affirmed, that it is immoral to urge an individual to withdraw his efforts to gain his basic constitutional rights because the quest precipitates violence. Society must protect the robbed and punish the robber.

I had also hoped that the white moderate would reject the myth of time. . . . All that is said here grows out of a tragic misconception of time. It is the strangely irrational notion that there is something in the

very flow of time that will inevitably cure all ills. Actually time is neutral. It can be used either destructively or constructively. . . . We must come to see that human progress never rolls in on wheels of inevitability. It comes through the tireless efforts and persistent work of men willing to be co-workers with God, and without this hard work time itself becomes an ally of the forces of social stagnation. We must use time creatively, and forever realize that the time is always ripe to do right. . . .

You spoke of our activity in Birmingham as extreme. At first I was rather disappointed that fellow clergymen would see my nonviolent efforts as those of the extremist. I started thinking about the fact that I stand in the middle of two opposing forces in the Negro community. One is a force of complacency made up of Negroes who, as a result of long years of oppression, have been so completely drained of self-respect and a sense of “somebodiness” that they have adjusted to segregation, and, of a few Negroes in the middle class who, because of a degree of academic and economic security, and because at points they profit by segregation, have unconsciously become insensitive to the problems of the masses. The other force is one of bitterness, and hatred comes perilously close to advocating violence. It is expressed in the various black nationalist groups that are springing up over the nation, the largest and best-known being Elijah Muhammad’s Muslim movement. This movement is nourished by the contemporary frustration over the continued existence of racial discrimination. It is made up of people who have lost faith in America, who have absolutely repudiated Christianity, and who have concluded that the white man is an incurable “devil.” I have tried to stand between these two forces saying that we need not follow the “do-nothingism” of the complacent or the hatred and despair of the black nationalist. There is the more excellent way of love and nonviolent protest. I’m grateful to God that, through the Negro church, the dimension of nonviolence entered our struggle. If this philosophy had not emerged, I am convinced that by now many streets of the South would be flowing with floods of blood. And I am further convinced that if our white brothers dismiss as “rabble rousers” and “outside agitators” those of us who are working through the channels of nonviolent direct action and refuse to support our nonviolent efforts, millions of Negroes, out of frustration and despair, will seek solace and security in black-nationalist ideologies, a development that will lead inevitably to a frightening racial nightmare. . . .

There was a time when the church was very powerful. It was during that period when the early Christians rejoiced when they were 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 power structure got disturbed and immediately sought to convict them for being “disturbers of the peace” and “outside agitators.” But they went on with the conviction that they were “a colony of heaven,” and had to obey God rather than man. They were small in number but big in commitment. They were too God-intoxicated to be “astronomically intimidated.” They brought an end to such ancient evils as infanticide and gladiatorial contest.

Things are different now. The contemporary church is often a weak, ineffectual voice with an uncertain sound. It is so often the arch supporter 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 vocal sanction of things as they are. . . .

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 presently 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 the destiny of America. Before the pilgrims

landed at Plymouth we were here. Before the pen of Jefferson etched across the pages of history the majestic words of the Declaration of Independence, we were here. For more than two centuries our fore-parents labored in this country without wages; they made cotton king; and they built the homes of their masters in the midst of brutal 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.

I must close now. But before closing I am impelled to mention one other point in your statement that troubled me profoundly. You warmly commended the Birmingham police force for keeping "order" and "preventing violence." I don't believe you would have so warmly commended the police force if you had seen its angry violent dogs literally biting six unarmed, nonviolent Negroes. I don't believe you would so quickly commend the policemen if you would observe their ugly and inhuman treatment of Negroes here in the city jail; if you would watch them push and curse old Negro women and young Negro girls; if you would see them slap and kick old Negro men and young boys; if you will observe them, as they did on two occasions, refuse to give us food because we wanted to sing our grace together. I'm sorry that I can't join you in your praise for the police department. . . .

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 the most inhuman provocation. . . . 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 the best in the American dream and the most sacred values in our Judaeo-Christian heritage, and thusly, carrying our whole nation back to those great wells of democracy which were dug deep by the founding fathers in the formulation of the Constitution and the Declaration of Independence. . . .

Yours for the cause of Peace and Brotherhood,

Martin Luther King, Jr.

## Activity #1: Understanding the Primary Sources: What Do They Tell You?

Student Name \_\_\_\_\_ Date \_\_\_\_\_

**Directions:** As you work your way through King’s “Letter from Birmingham Jail,” answer the following questions in the space provided.

Questions	Answers
<p>Does King consider himself an “outsider” by staging a civil rights protest in Birmingham? List three reasons he gives in response to this criticism.</p>	
<p>List and explain the four-step process King outlines for their nonviolent campaign.</p>	
<p>If King admits that breaking laws in order to change them is “a legitimate concern,” how does he still justify civil disobedience? List two reasons for his defense of civil disobedience, and explain how King thought a law can be disobeyed without leading to anarchy.</p>	
<p>How does King’s appeal to “eternal and natural law” help him examine human laws?</p>	

<p>Explain why King thinks the tension stirred up by his protest movement promotes social and political reform.</p>	
<p>How does King respond to the charge that he is an extremist? Whom does he identify as the real extremists?</p>	
<p>Why is King hopeful about the prospects for equal rights for black Americans? Give specific examples and reasons he mentions to support your answer.</p>	
<p>What is King's response to the clergymen's approval of how the police kept order during the demonstrations?</p>	

## Activity #1: Understanding the Primary Sources: What Do They Tell You?

Student Name \_\_\_\_\_ Date \_\_\_\_\_

From Joseph H. Jackson, “Annual Address to the National Baptist Convention,” September 10, 1964:  
<http://www.teachingamericanhistory.org/library/index.asp?document=642>

Delivered at 84th Annual Session of the National Baptist Convention

### PARTICIPATING IN THE STRUGGLE OF AMERICA

As Christians we are a part of our nation and a part of the struggle of America. America was brought into being to satisfy and to answer the human longing for freedom. There was the urge in man to be related to other men as men without a modifier or any kind of limitation or restriction. There was an awareness of a human kinship deeper than race, more profound than nationality, and more inclusive than any accepted religious creed. . . .

America was born in a struggle and as a struggle for freedom, and for the opportunity to develop the highest resources of mankind. The Declaration of Independence and the Federal Constitution were the results of our fathers’ attempts to put on paper the ideals that inspired the birth of the nation, and those principles by which and on which the nation was erected and sustained. There have been errors, mistakes, and gross sins committed against this American venture, but this high venture has not been repudiated or negated. . . . This American venture is powerful but not perfect; ever growing but not grown; and still becoming, but is not yet complete. The kind hand of destiny and the benevolent providence of Almighty God have placed the American Negro along with other races and nationalities in this flowing stream of the nation’s life for which we are justly proud. As patriotic Americans we are devoted to our nation’s cause, and are wedded to its ideals and principles. By precept and example, by instinct and intuition, we now know the difference between that which is truly American and that which is not. We draw a clear distinction between that which is germane to the nation’s life and that which is foreign, hostile, and antagonistic to the soul of our nation. To the former we pledge our total allegiance and commit every ounce of energy, our strength, all of our powers, and even our very lives. But against the latter we stand with uncompromising determination, and will not rest until all the enemies of our nation have been subdued and conquered. This is the true meaning of the civil rights struggle.

### THE CIVIL RIGHTS STRUGGLE

Much time and space is given in the public press to the problem of civil rights. It has engaged the minds of our congressmen, and has occasioned many days of debate and deliberation. In the name of civil rights thousands have marched through the streets of our cities, boycotts have been staged, picket lines have been thrown around places of businesses, institutions of learning; and in every nook and corner of the country voices have been heard in the defense of and in the interest of civil rights.

What is this struggle for civil rights? I answer, it is an effort of American citizens to get full equality of opportunity. It is the resolution and the determination that there shall be in these United States one class of citizens and that is first class citizens. This is a struggle to adopt in practice as well as theory the

concept of man on which the Declaration of Independence is based, and to fully implement the Federal Constitution, one of the greatest documents for human freedom since the writing of the Magna Carta. The civil rights struggle is a struggle for full freedom, justice, and equality before the law. It is a struggle to bring from paper the lofty ideals of America, and to apply them in practice to the lives and actions of all Americans. In reality it is America's struggle to be herself, to fulfill the highest promises of her being, and to build a social order after the pattern and dreams of our founding fathers and in the light of the wisdom of the ages.

The civil rights struggle then is not a struggle to negate the high and lofty philosophy of American freedom. It is not an attempt to convert the nation into an armed camp or to substitute panic and anarchy in the place of law and order. It is in no wise an attempt to negate or to amend downward the highest laws of this land proclaiming freedom and justice for all. . . .

### SOME SUGGESTIONS TO THE AMERICAN NEGRO

But we as a people must keep ever before us the true meaning of our struggle so that we will never be used as tools in the hands of those who love not the nation's cause but seek the nation's hurt and not our help. Hence there are some things that we must do.

1. In our struggle for civil rights we must remain always in the mainstream of American democracy. Our cause must never be divorced from the American cause, and our struggle must not be separated from the American struggle. We must stick to law and order, for as I have said in the past I say now, there are no problems in American life that cannot be solved through commitment to the highest laws of our land and in obedience to the American philosophy and way of life. In spite of criticisms and not-with-standing threats and open attacks, I have not retreated from this position and never will as long as America is the America of the Federal Constitution and a land of due process of law. We cannot win our battle through force and unreasonable intimidation. As a minority group we cannot win outside of the protection and power of the just laws of this land. Read history with open eyes and attentive minds, and we will discover that no minority group has and can win in a struggle by the direct confrontation of the majority and by employing the same type of pressures and powers that the majority possess in abundance. The hope of the minority struggle is with the just laws of the land and the moral and constructive forces that are germane to this nation's life and character. . . .

2. The methods that we employ in the present struggle must not lead us into open opposition to the laws of the land. In some cases the technique of direct action and demonstrations have led to mob violence and to vandalism. At least some who have desired to practice these negative methods have used the technique of so-called direct action.

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3. Negroes must become registered voters and fight their battles in the polling booth. . . . As I told this convention in 1956, I tell you again, the ballot is our most important weapon. We must not neglect it, forfeit or sell it, but use it for the protection of the nation, the promotion of freedom, the promotion of every citizen, and for the glory of the United States of America. What I said in 1956 I still say now.

4. Negroes must still make their own leaders. We must not expect the public press, radio, and television to do this job for us. . . . There must not develop any dictatorship of any one field, and athletes and comedians must not make the mistake of assuming the role of political, religious, and cultural leaders.

We as a race must see to it that each man serves in his field, and we must not allow the white community to pick our leaders or to tell us what Negro we should follow.

5. Let us be courageous enough not only to oppose the wrong and the un-American actions in our nation, but we must also appreciate and rejoice in the achievements of our nation. There are some recent achievements which give us reason for hope, grounds for trust, and basis for rejoicing.

Ten years ago the Supreme Court of the United States rose above its old concept of separate but equal, and declared that segregation had no place in America's system of public education. This year, after a long, hard, and laborious fight, the Congress of the United States passed the strongest civil rights bill in its history, and the president signed into law a document that said that segregation has no place in American life and destiny. The call is to all of us to accept these facts and build on them. We must not ignore the constructive laws of our land, we must not organize, condone, or support mobs that parade in the name of freedom. We must not turn aside from decency and the constructive American standards in our quest for freedom. In our haste let us not be haughty. In our determination we must not become detrimental, and in our demonstrations we cannot afford to damn the nation of which we are a vital part.

#### DIRECT ACTION IN THE POSITIVE

We have heard much in recent months about direct action in terms of boycotts, pickets, sit-ins, and demonstrations of various kinds. In each case the purpose as stated is a lofty one; namely, the winning of civil rights and the achievement of the equality of opportunity. I repeat, these are worthy ends and desirable goals, but this kind of direct action is orientated against others, and for the most part, must be classified in the negative since they have been designed to stop, arrest, or hinder certain orderly procedures in the interest of civil rights. In some cases however, these actions have been against practices and laws considered to be both evil and unjust.

Today, I call for another type of direct action; that is, direct action in the positive which is orientated towards the Negro's ability, talent, genius, and capacity. Let us take our economic resources, however insignificant and small, and organize and harness them, not to stop the economic growth of others, but to develop our own and to help our own community. If our patronage withdrawn from any store or business enterprise will weaken said enterprise, why not organize these resources and channel them into producing enterprises that we ourselves can direct and control. In the act of boycotting, our best economic talents are not called into play, and we ourselves are less productive and seek to render others the same. Why not build for ourselves instead of boycotting what others have produced? We must not be guilty of possessing the minds and actions of a blind Sampson who pulled a massive building down upon him-self as well as his enemies, and died with them in a final act of revenge. No act of revenge will lift a race from thralldom, and any direct actions that reduce the economic strength and life of the community is sure to punish the poor as well as the rich. Direct actions that encourage and create more tensions, ill will, hostility, and hate, will tend to make more difficult the mental, moral, and spiritual changes essential to new growth and creativity in human relations. Remember that when we seek to change certain acquired notions and habits of men we are seeking to change that which is very vital in human nature. When we labor to change segregationists and racists who believe they are right, we are facing the task of re-conditioning human emotions and building within new patterns of thought, and changing human nature itself. In addition to that type of direct action which is negative and aimed at the correction of others, we need the type of direct action also that starts with ourselves which tends to produce a higher type of life within us as well as within others, and which aims to build a better community in which the available moral forces may be used to create new attitudes and new dispositions where human beings will regard others as they regard them-selves. Why should we expect direct actions

against others to bear immediate fruit, and then procrastinate and postpone the direct actions that will make us better business men, better statesmen, better thinkers, and better men and women with better homes and better fellowship NOW? Now must not only be applied to the needs for changes and attitudes of segregationists, it must also be applied to us as a people and as a race when we aspire for the best and seek the more constructive and creative methods of life. We can be better now. We can acquire a better education now, we can organize our capital now and receive our share in this economy of free enterprise now. In spite of all that we have attained as a people we have not exhausted our possibilities, and the past does not define the limits of our potential. Are we not as well equipped to respond to the call of the right, the just, the good, the highest, and the best as are the white segregationists against whom we fight? Has not the great God put in our souls the thirst for truth and righteousness? Are we not endowed as co-workers with the great creative spirit of the universe? Then we need not wait until all is well before we harness our resources and venture upon new ways of life and creativity. . . .

The progress of the race lies not in continued street demonstrations, and the liberation of an oppressed people shall not come by acts of revenge and retaliation but by the constructive use of all available opportunities and a creative expansion of the circumstances of the past into stepping stones to higher things.

## Activity #1: Understanding the Primary Sources: What Do They Tell You?

Student Name \_\_\_\_\_ Date \_\_\_\_\_

**Directions:** As you work your way through Jackson’s “Annual Address to the National Baptist Convention,” answer the following questions in the space provided.

| Questions                                                                                                                                                                                                                                                                  | Answers |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------|
| <p>Why does Jackson think “street marches, boycotts, and picket lines” on behalf of civil rights are counterproductive? How does his view of America, and especially the role of black Americans in its development, inform his reaction to the mass protest movement?</p> |         |
| <p>Why does Jackson disagree with civil disobedience, which he calls “open opposition to the laws of the land”?</p>                                                                                                                                                        |         |
| <p>How do his references to Thurgood Marshall’s victory in the Supreme Court decision <i>Brown v. Board of Education</i> and the Civil Rights Act of 1964 strengthen his argument?</p>                                                                                     |         |
| <p>What recommendations does he make to black Americans for securing equal rights?</p>                                                                                                                                                                                     |         |

|                                                                             |  |
|-----------------------------------------------------------------------------|--|
| Why does he think that direct confrontation is not likely to be successful? |  |
|-----------------------------------------------------------------------------|--|



# Assessment

Student Name \_\_\_\_\_ Date \_\_\_\_\_

## To Obey the Laws of the Land or To Resist Them Peacefully—That Is Your Question!

**Directions:** Evaluate Jackson’s argument by giving its strengths and weaknesses in the chart below.

| Pros (Strengths) | Cons (Weaknesses) |
|------------------|-------------------|
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