

[*S U P P L E M E N T*]

THE RECORD
OF THE ASSOCIATION OF THE BAR
OF THE CITY OF NEW YORK

VOLUME 20

NUMBER 5



The Civil Rights Struggle in the
United States Today

BY

DR. MARTIN LUTHER KING, JR.

AN ADDRESS DELIVERED AT THE HOUSE OF THE
ASSOCIATION ON WEDNESDAY, APRIL 21, 1965

MAY 1965

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INTRODUCTORY REMARKS

By THE HONORABLE SAMUEL I. ROSENMAN

I stand here with a red face and apologies. I apologize first to those members and their guests who are in other parts of this House, listening by remote public address system—I hope it works.

Above all, I am very apologetic to the thousands of lawyers who could not even get into the building.

This meeting is being held under the auspices of two of our Committees: the Committee on the Bill of Rights, of which the Chairman is Mr. Arnold Bauman and the Committee of Civil Rights Under Law, of which the Chairman is Judge Rivers.

We are sorry Judge Rivers is not able to be here as he is convalescing from surgery. He is a man who has worked many years in this field for his people, and one of the earliest men in political life to break through the racial barriers in the field of politics. In his place, we are glad to have the Vice Chairman, Mr. Martin Richman, who is on the platform with us.

I think you and Dr. King will be interested in a few dull statistics.

When we invited Dr. King to appear here, and when he accepted, we naively sent out some messages, as usual, asking for members to send in their reservations.

This hall, as you know, holds only 650, and there is room for another five or six hundred people in the rest of the building. The following morning, Dr. King, we had 1800 reservations, and the day after that we had 4,000. I am sure we would have gotten many more except for the fact that we put a notice in the Law Journal and said, "Please hold your fire, we are going to have to return 3,000."

That is why some wag out there said as I passed, "I see you are having a "King-sized" reception.

Why have we had this outpouring of lawyers to hear what Dr. King has to say to us?

I should tell you, and I tell you this with considerable pride, that this is the first Bar Association before which Dr. King has appeared to make an address.

We here, of course, like all groups of citizens, have a great deal of interest in this man, and in his widespread activities, but as lawyers we are here also because we are impressed by the vast legal history which has followed as an aftermath of many of these activities.

Many of us are here, because of our special interest in some of the legal doctrines which have characterized Dr. King's course of leadership in the last ten years. Like other groups of citizens, we are curious to look at this man and hear him and get our answers to certain questions.

For example, what does this young man of 36 years have that makes him the acknowledged number one leader in the civil rights movement of 22,000,000 Negroes?

Why was this man, who has never had anything substantial to do with foreign affairs, either in peacetime or in wartime, why was he chosen for the Nobel Peace Prize?

What sort of courage is this which can stand up and persist against repeated unjustified jail sentences, against repeated bombings of his own home, and against the threats and attempts on his life and on the lives of his wife and children?

As lawyers, however, we have additional interests, for we are in a favored position to appraise the fruits of his efforts and those of his predecessors in the correction of injustices by law. We are cognizant of the fact that the ultimate safeguards of equal rights and opportunities have been found in the law, in our own area of activity, in legislation and in court decisions.

The long line of judicial decisions which followed the Brown case in 1954, the Civil Rights Law of 1964, the right-to-vote bill now pending in the Congress, all these signify the growing impatience of today's courts, legislators and chief executives with the too-long delay in implementing the plain language and the plain intent of our Constitution.

We lawyers have a special interest in Dr. King's doctrines of non-violent resistance and in his doctrine of open disobedience of those laws which he asserts to be unjust and inconsistent with higher moral law. He now has succeeded Mahatma Gandhi of India as the leading exponent in the world of these two doctrines, and in their practice he has become the great hope and inspiration of those who in the very face of bombs, tear gas, fire hoses and police dogs, can still sing without fear "We shall Overcome."

May I say to you, Dr. King, that we are all very grateful to you for coming to our Association. We know the great burden upon you of hundreds of thousands of miles of travel and hundred of speeches all over the United States every year.

We are glad that in spite of that burden and in spite of your recent long marches in Alabama, you have been able between jails—so to speak—to find the time and energy and the will to march up 44th Street to address us.

You have many enthusiastic friends and admirers in this audience. I want to tell you that even the police you see are, and I assure you of this, friendly too. They are here only to protect you against some over-enthusiastic demonstration of affection and admiration.

Ladies and gentlemen, I present to you a militant, courageous and inspir-

ing leader, a man deeply rooted in religion and in the best traditions of the church, a man whose father, grandfather and great-grandfather preceded him in the pulpit, the Reverend Dr. Martin Luther King.

DR. MARTIN LUTHER KING, JR.

I need not pause to say how very delighted and honored I am to have this great privilege and this great opportunity to be with you tonight.

I always consider it a rich and rewarding experience to take a brief break from the day to day demands of our struggle for freedom and human dignity in the South and discuss the issues involved in that struggle which concerns the friends of good will all over our nation. So I can assure you that I cherish this privilege and this opportunity.

As Judge Rosenman just said, this is the first opportunity I have had to address a Bar Association in our country, and I have looked forward to this privilege with eager anticipation.

I do want to express my deep personal gratitude to Judge Rosenman for his very kind and gracious words of introduction, and I want to thank each of you for your presence here tonight.

I must confess that I hesitated before accepting Judge Rosenman's invitation. I have such mixed, almost schizophrenic, feelings about lawyers.

It is common knowledge that I have had a little something to do with lawyers since the 1955 Montgomery bus boycott. I have appeared many times in the criminal courts, I have served time. I guess I could be described as a "notorious litigant" and "frequenter of jails."

At the Appellate level, also, I have had considerable firsthand brushes with lawyers—on the bench and before it. I was told the other day that my close associates, the Reverend Ralph D. Abernathy and the Reverend Fred Shuttlesworth, and I, are among the best clients of the Legal Defense Fund. I assume, because it could not be otherwise, that our description as best clients was earned by our volume of cases as opposed to fee collections.

I would be less than candid if I did not admit that my associations with counsel for the opposition were not always pleasant. As much as I understood, with sympathy, the role of opposing counsel, I nonetheless do not cherish memories of cross-examinations and interrogations.

But I am proud to report to you that despite great provocation from your colleagues, I have to this date retained unblemished my position as an advocate and practitioner of non-violence.

My mixed feelings about lawyers stem from the fact that notwithstanding the aforementioned wounds, as you lawyers say, I have a deep and abiding admiration for the legal profession and the tremendous role it has played in the service of the cause with which I have been identified.

Your profession should be proud of its contributions. You should be aware, as indeed I am, that the road to freedom is now a highway because lawyers throughout the land, yesterday and today, have helped clear the obstructions, have helped eliminate roadblocks, by their selfless, courageous espousal of difficult and unpopular causes.

The freedoms which provide the indispensable undergirding of our civil rights struggle have been won because in all ages there have been lawyers who have heeded and followed the inspiring, rich counsel of that great judge, Oliver Wendell Holmes: "A man may live greatly in the law as elsewhere; that there as well as elsewhere his thought may find its unity in an infinite perspective; that there as well as elsewhere he may wreak himself upon life, may drink the bitter cup of heroism, may wear his heart out after the unattainable . . .

"No man has earned the right to intellectual ambition until he has learned to lay his course by a star he has never seen, to dig by the divining rod for springs which he may never reach . . . To think great thoughts you must be heroes as well as idealists."

In pursuit of this star, in seeking the deep, hidden springs, lawyers will continue their efforts to help the civil rights movement keep open the road we must still travel to attain our full

citizenship. In truth, we could not be where we are today without the great rights of free speech, free press, freedom to demonstrate, petition and march to the seat of Government, even in Montgomery, Alabama, where redress of grievances may be brought.

As we have fought and demanded our just rights, as we have given witness with our bodies to the existence of evil, lawyers have steadfastly used their professional talents, knowledge and abilities to aid us, to make our plea for dignity heard in the courts of our land.

I hope you will not regard it as deprecating these achievements if I make the observation that justice at times proceeds with a halting gait, that at times the law has been slow to speak for the poor, the oppressed, the unpopular, the disfranchised.

It is, in point of historical measurement, only a flicker of an eye since a labor union was, in this country, a criminal conspiracy, a Negro a chattel, a pacifist an anarchist, and any aggressive disciple of the theory of the redistribution of wealth a dangerous radical.

Indeed, we as a nation and as a people, are still suffering from the blows of the haunted '50s.

But it is the strength of America, and more importantly its people utilizing that indispensable ingredient of relentless and insistent struggle characteristic of American democracy, which causes the evil to be exposed and ultimately overcome. It is these struggles, in the composite, which constitute the finest hours of American history.

The lawyer has played his part. From these struggles there have emerged defenders of great reknown; Andrew Hamilton, Clarence Darrow, Wendell Willkie, Thurgood Marshall, Charles Huston, William Thompson, Jack Greenberg, and that Portia, Constance Baker Motley, to mention a few. For every noted hero, there have been hundreds who have labored humbly and anonymously in the vineyard of freedom.

They defended the runaway slaves, the Scottsboro boys, the victims of the Palmer raids, and the McCarthy inquisition, and

are today scouring the South in the defense of liberty against the acts of the Ku Klux Klan, the Sheriffs Clark and Rainey, and others.

Observing and learning from these lawyers, there is a strain that runs through all, be he Negro or white, conservative or radical, rich or poor. It is an immutable commitment to the philosophy that, with all of its uncertainties and weaknesses, the law is majestic and the judicial process supreme.

I can recall what may very well have been a turning point in my life as a participant in the Negro struggle in the South. It was the year 1960, in Montgomery, Alabama. The bus strike had been won and the struggle for the implementation of the Brown decision was moving into high gear. The glorious sit-ins at lunch counters had seized the attention of all Americans. The Negro community was restless and determined that every obstacle to full integration should be overcome.

The white Southern power structure, in an attempt to blunt and divert that effort, indicted me for perjury and openly proclaimed that I would be imprisoned for at least ten years.

The case was tried before an all white Southern jury. All of the State's witnesses were white. The judge and the prosecutor were white. The courtroom was segregated. Passions were inflamed. Feelings ran high. The press and other communications were hostile. Defeat seemed certain and we in the freedom struggle braced ourselves for the inevitable.

There were two men among us who persevered with the conviction that it was possible, in this context, to marshal facts and law and thus win vindication. These men were our lawyers, Negro lawyers—Negro lawyers from the North: William Ming of Chicago and Hubert Delaney from New York.

They brought to the courtroom wisdom, courage, and a highly developed art of advocacy, but most important, they brought the lawyers' indomitable determination to win. After a trial of three days, by the sheer strength of their legal arsenal, they overcame the most vicious Southern taboos festering in a virulent and inflamed atmosphere and they persuaded an all-white jury

to accept the word of a Negro over that of white men. The jury, after a few hours of deliberation, returned a verdict of acquittal.

I am frank to confess that on this occasion I learned from your brethren that truth and conviction in the hands of a skillful advocate could make what started out as a bigoted, prejudiced jury, choose the path of justice.

I cannot help but wish in my heart that the same kind of skill and devotion which Bob Ming and Hubert Delaney accorded to me could be available to thousands of civil rights workers, to thousands of ordinary Negroes, who are every day facing prejudiced courtrooms.

I am pleased to give recognition that particularly since the disgraceful events of Birmingham in 1963, there has been an ever increasing response on the part of the legal profession to the great need for counsel on the battlefield of civil rights in Mississippi, Alabama, and throughout the Southland. Legal services accorded to our non-violent armies of today are like plasma to the wounded in military combat.

The President's Committee on Civil Rights Under Law, the Lawyers Constitutional Defense Committee, the American Civil Liberties Union, the Law Students Civil Rights Research Council, by augmenting the great work of the Legal Defense and Educational Fund, have made a fine beginning. But so much more remains to be done. Our needs increase as the final victory over entrenched segregation nears.

I commend to your great Association of the Bar for your earliest consideration the further extension of this vital, indispensable function, so that the right for all to qualified counsel will become a reality.

Lawyers should be proud of their admirable tradition, which other professionals would do well to emulate. I refer to your willingness to give your time, talents and energies to the advancement of issues and causes outside of your calling.

The lawyers' sense of participation on far-off battlefields is undoubtedly in furtherance of this majestic formulation by Mr. Justice Holmes: "...As life is action and passion, it is required

of man that he should share the passion and action of his time, at the peril of being judged not to have lived."

So many of you, hearing the agonized cry of justice denied, have joined the fray, regardless of consequences. Clarence Darrow, speaking at the bier of a fallen victim, John Peter Altgeld, focused, as only he could, on this quality when he said of the deceased: "Here so loved justice and truth and liberty and righteousness that all the terrors that the earth could hold were less than the condemnation of his conscience . . ."

By such involvement you are honoring the truth that all life is interrelated and all men interdependent. You are in the true spirit of the Judeo-Christian tradition recognizing that the agony of the poor diminishes the rich, and that the salvation of the weak enriches the strong; that we are inevitably our brother's keeper because of the interrelated structure of reality.

John Donne interpreted this ennobling truth in graphic terms when he affirmed: "No man is an island, entire of its selfe: Every man is a peece of the continent, a part of the maine: If a clod bee washed away by the sea, Europe is the lesse, as well as if a promontorie were, as well as if a manor of thy friends or of thine owne were: Any man's death diminishes me, because I am involved in mankinde: And therefore never send to know for whom the bell tolls: It tolls for thee . . ."

Accordingly, allow me to appeal to you tonight to exercise your great tradition of public service to help perform a task which cries out for your attention, your assistance and your special competence.

I appeal to you because your profession, like that of the clergy, enjoys a most salutary influence with the American people. But unlike the clergy, your profession yields a unique power in the affairs of the business community and in affairs of state. I am told that there are now more than 260,000 lawyers in the United States in private practice and Government service; that there is hardly a large corporation, bank or insurance company that does not include an attorney among its directors or officials.

By virtue of your advisory role, your skill in formulation and

articulation, your persuasive advocacy and your technical expertise, your voice when raised for justice will sound forth with clarion strength.

There is a dangerous silence today which unintentionally encourages evil to flourish. Today, lawlessness stalks in altogether too many sections of the Southland. The majesty of the law becomes more and more tarnished each day as scores of Negro churches are burned and bombed, as millions of Negroes are blatantly disenfranchised, as our homes are dynamited, and as innocent individuals are wantonly murdered.

So long as these heinous crimes go unpunished, there develops a scorn and contempt for the legal process which bodes danger to our democracy.

Standing before you in the House of this Association, whose very cornerstone is an abiding respect for law, I am impelled to wonder who is better qualified to demand an end to this debilitating lawlessness, to better understand the mortal danger to the entire fabric of our democracy when human rights are flaunted.

Let me be more specific. Is it possible to assess the damage caused to the dignity of our legal process by the shameful contempt of court which is notoriously practiced in the field of public education? It is more than ten years since the United States Supreme Court in Brown vs Board of Education struck down the iniquitous separate but equal doctrine of Plessy vs Ferguson, holding that racial segregation in education stamped Negroes with the "badge of inferiority."

It is more than a decade since the end of discrimination in public schools with "all deliberate speed" was decreed by the highest tribunal in this land. What has happened since May 17, 1954?

Let me read the answer of Dean Erwin Griswold, of Harvard Law School: "The sad fact is that today, ten years after the decision, very little or no progress has been made toward putting the decision into effect."

Massive, scornful and notorious resistance to law has taken place. The contempt is naked. The sad statistics are so clear: In

the South as a whole there is integration of only 443 out of 2,256 school districts with students of both races, and not more than 2 per cent of all Negroes in southern schools attend classes with white students.

This contempt is not new. But that it is a century old hardly makes the wrong any more tolerable. The Negro's struggle for complete emancipation and full citizenship has been met at each step by the same distinct pattern of resistance, with only the weapons changing from lynching, violence and intimidation to restrictive covenants, black codes, Jim Crow laws, to avoidance, interposition, nullification, and now even open contempt.

While the burden of the blame falls on those in Southern communities who fight a last ditch battle to preserve an archaic, feudal system of segregation, is not Dean Griswold correct when he says: "As much of the onus may be laid to those of moderate persuasion who fail to speak up or take action?" His next comment is particularly pertinent for the powerful legal profession: "Is it not all the more lamentable when such persons are in position of national leadership and responsibility?"

Was not Albert Einstein right when he said: "The world is in greater peril from those who tolerate evil than from those who actively commit it?"

President Kennedy warned that "those who do nothing are inviting shame as well as violence."

Will the nation ever forget the searing impact of Rabbi Joachim Prinz' admonition as he spoke at the March on Washington, in 1963: "When I was the Rabbi of the Jewish Community in Berlin under the Hitler regime, I learned many things. The most important thing that I learned in my life and under tragic circumstances is that bigotry and hatred are not the most urgent problems. The most urgent, the most disgraceful, the most shameful and the most tragic problem is silence."

"A great people which had created a great civilization had become a nation of silent onlookers. They remained silent in the face of hate, in the face of brutality, and in the face of mass murder.

"America must not become a nation of onlookers. America must not remain silent. Not merely Black America, but all of America. It must speak up and act, from the President down to the humblest of us, and not for the sake of the Negro, but for the sake of the image, the idea and the aspiration of America itself."

If one is to heed the condemnation of his conscience—if one is to be guided by the unseen star, if one is to share the passion and action of our times, is the time not at hand to forsake the silence of the onlooker? Our egalitarian heritage demands no less. "Those who won our independence," wrote Justice Brandeis, "were not cowards . . . they believed . . . that the greatest menace to freedom is an inert people."

Did not the brutal events of March 7, 1965 at the bridge in Selma reveal to a shocked world how late is the hour?

The chance to act is today—when the events of Selma have forced a voting rights bill to the forefront of the Congressional agenda, because at this very moment that vital legislation is in jeopardy of being emasculated. The nation which heard and applauded President Johnson's eloquent address on March 15th is relaxing its vigilance. The complexities and legalities of the voting bill provide a convenient smoke screen for surgery. But yours is the voice which can be heard, which will be respected. Yours is the ability to sound the alarm to alert the nation, to demand a voting bill which finally redeems the hundred-year old dishonored pledge of the Fifteenth Amendment.

The time is now!

I do believe that when the thundering voice of your advocacy is insistently heard it will be heeded. It will speed the end of our denial, the end of our discrimination, the end of our second-class citizenship, the end of all inferior education. Yes, it will hasten the end of the whole rotten, ugly system of racial injustice which for 350 years has degraded the doer as well as the victim.

If the legal profession would share the passion and action of our time, it has the strength to achieve these magnificent goals.

When I recently urged that the concept of selective buying or

economic withdrawal be utilized to speed the end of Alabama's cradle to the grave system of segregation, I found a hesitation among many men of good will. The principle was questioned. Some suggested it was alien, or foreign in principle. Let me assure you that it is as American and as effective as that famous cry, "No taxation without representation."

Our forefathers challenged England's right to impose stamp and sugar taxes, claiming that they were being denied the right to participate in the government which levied such taxes. Their method of persuasion was to refuse to purchase, and even wear, all goods produced and manufactured in England. This form of economic withdrawal was so effective that the British merchants petitioned Parliament to repeal these iniquitous, undemocratic impositions.

After this nation became independent, during the administration of President Thomas Jefferson, an embargo against English products was adopted by Congress in protest against the illegal impressment of our seamen by the British.

Today, our Federal government employs economic withdrawal as sanction for change when it officially restricts purchase of goods and services from any supplier or contractor who has violated the Wages and Hours Law, the Minimum Wage requirements of the Ford-Bacon Act, or who engages in or is found guilty of discriminatory practices. Title VI of the 1964 Civil Rights Act, following this long tradition, requires that Federal funds be withheld from any program in which discrimination is practiced.

Would it be appropriate to suggest that in the sovereign states of Alabama, Mississippi and Louisiana the Negro is as disenfranchised as were our founding fathers? Is there a parallel here which commends itself to you? Would it not be altogether fitting if we, who are denied a right to participate in the government of a state, who are brutalized by its police officials, who are deprived of equality before the law, who were the last hired and the first fired, left perishing on a lonely island of poverty in the midst of a vast ocean of material prosperity, whose children are kept

illegally segregated in inferior schools, followed the historic example of the Sons of Liberty?

It is not too late to drink from the "bitter cup of heroism," by committing yourself, and your energies, to struggle for human dignity; nor is it too late "to wear your heart out after the unattainable," because with your help, we can speed the attainment of a glorious dawn that will end our long night of denial and deprivation.

Before I close I feel compelled to comment briefly on the oft-heard charge that we who urge non-cooperation with evil in the form of civil disobedience are equally lawless.

Paradoxically, although the devotees of nonviolent action have embraced Thoreau's and Gandhi's civil disobedience on a scale dwarfing any past experience in American history, they do respect law. They feel a moral responsibility to obey just laws. But they recognize that there are also unjust laws.

From a purely moral point of view, an unjust law is one that is out of harmony with the moral law of the universe. More concretely, an unjust law is one in which the minority is compelled to observe a code that is not binding on the majority. An unjust law is one in which people are required to obey a code that they had no part in making because they were denied the right to vote.

In disobeying such unjust laws, we do so peacefully, openly and nonviolently. Most important, we willingly accept the penalty, whatever it is. But in this way the public comes to reexamine the law in question. In Selma, over 3,000 Negroes from all walks of life went to jail, suffered brutality and discomfort, so that the nation could reexamine the voting registration laws—and find them woefully inadequate. We call it doing witness—you would call it testifying—with our bodies.

This distinguishes our position on civil disobedience from the "uncivil disobedience" or lawlessness of the segregationist. In the face of laws they consider unjust—(like Brown vs Board of Education) the racists seek to defy, evade and circumvent the

law, and they are unwilling to accept the penalty. In the face of the law, they will shoot a Viola Liuzzo through an automobile window. In the face of the law they will club Rev. Reeb to death and seek to avoid the consequences. They will shoot a Jimmy Jackson. They flee from these crimes and flaunt the law; they are unwilling to accept the penalty. The end result of their defiance is anarchy and disrespect for the law.

We, on the other hand, believe that he who openly disobeys a law, a law that conscience tells him is unjust, and then willingly accepts the penalty, gives evidence thereby that he so respects that law that he belongs in jail until it is changed. Our appeal is to the conscience.

It is essential to understand our aim is to persuade. And we are ready to suffer when necessary and even risk our lives to become witnesses to the truth as we see it.

This approach to the problem of racial injustice is not at all without successful precedent. It was used in a magnificent way by Mohandas K. Gandhi to challenge the might of the British Empire, and free his people from the political domination and economic exploitation inflicted upon them for centuries.

In the past ten years, unarmed, gallant men and women of the United States have given living testimony to the moral power and efficacy of nonviolence. By the thousands, faceless, anonymous, relentless young people, black and white, have temporarily left the ivory towers of learning to assail the barricades of bias. Their courageous and disciplined activities have come as a refreshing oasis in a desert sweltering with the heat of injustice. They have taken our whole nation back to those great wells of democracy which were dug deep by the Founding Fathers in the formulation of the Declaration of Independence and the Constitution.

The President was right: Selma and Concord are part of one great tapestry. We too have survived many a cruel winter in current day Valley Forges; at Jackson, Mississippi; Little Rock, Arkansas; Albany, Georgia; Birmingham, Alabama; and St. Augustine, Florida.

Montgomery, Alabama in 1965 was a far different place from

the city where the bus boycott began just ten years before. One day all of America will be proud of the glorious achievement of the nonviolent heroes during this historic decade.

Let me reiterate that the problem of racial injustice will not work itself out. It means hard work.

Let me say to you that no section of our country can boast of clean hands in the area of brotherhood. We must face the shameful fact that racial injustice is a reality all over our nation, and if this problem is to be solved there must be a sort of divine discontent.

As I have said so often, there are certain technical words within every academic discipline which soon become stereotypes and cliches. Every academic discipline has its technical nomenclature. Modern psychology has the word that is probably used more than any other word in psychology. It is the word "maladjusted." Certainly we all want to live the well adjusted life in order to avoid neurotic and schizophrenic personalities. But I must honestly say to you tonight, my friends, that there are some things in our nation and in our world of which I am proud to be maladjusted. I call upon all men of good will to be maladjusted until the good society is realized.

I must honestly say to you that I never intend to adjust myself to segregation and discrimination. I never intend to become adjusted to religious bigotry.

I never intend to adjust myself to madness of militarism and the self-defeating effects of physical violence.

In a day when Sputniks and Explorers are slashing through outer space and guided ballistic missiles are carving highways of death, no nation can win a war. It is no longer the choice between violence and nonviolence; it is either nonviolence or nonexistence.

The alternative to disarmament, the alternative to the suspension of nuclear tests, the alternative to strengthening the United Nations and thereby disarming the whole world, may well be a civilization plunged into the abyss of annihilation.

It may be that our world needs to form a new organization, the International Association for the Advancement of Creative

Maladjustment. Men and women will be maladjusted, and will in the midst of the injustices of today cry out in words that echo across the centuries, "Let Justice roll down like waters and righteousness, like a mighty stream."

They will be maladjusted as Abraham Lincoln was, who had the vision to see that this nation could not survive half slave and half free; as maladjusted as Thomas Jefferson, who in an age amazingly adjusted to slavery, could etch across the pages of history words lifted to cosmic proportions, "We hold these truths to be self evident, that all men are created equal, that they are endowed by their Creator with certain inalienable rights, and that among these are life, liberty and the pursuit of happiness."

They will be as maladjusted as Jesus of Nazareth, who could say to the men and women of his day, "Love your enemies, bless them that curse you, pray for them that despitefully use you."

Through such maladjustments we may be able to emerge from the bleak and desolate midnight of man's inhumanity to man into the bright and glittering daybreak of freedom and justice.

May I say in conclusion, that I have faith in America, and I still believe somehow that in spite of the difficulties of the moment we will solve this problem. We are developing a coalition of conscience, a grand alliance, which will one day bring an end to the evils that have clouded our days and transform dark years into a bright future.

Before the victory is won some more will have to go to jail; before the victory is won, some will have to get scarred up a bit; before the victory is won, some will be misunderstood and called bad names. Before the victory is won maybe somebody else will face physical death, but if physical death is the price that some must pay to free their children and their white brothers from a permanent death of the spirit, then nothing can be more redemptive.

I do not despair of the future. We as Negroes will win our freedom all over our country because the goal of America is freedom. Abused and scorned though we may be, our destiny is 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. More than two centuries our foreparents labored in this country without wages. They made cotton king. They built the homes of their masters in the midst of the greatest suffering and humiliation. Yet out of an enduring vitality, they continued to grow 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 country and the eternal will of God are embodied in our echoing demands.

This is our faith. With this faith we will be able to hew out of the mountain of despair the stone of hope. With this faith we will transform the jangling discords of our country into a beautiful symphony of brotherhood.

I close by quoting the words of an old Negro slave preacher who didn't quite have his grammar right, but who uttered words of great symbolic profundity and those words were uttered in the form of prayer:

"Lord, we ain't what we ought to be. We ain't what we want to be. We ain't what we are going to be. But thank God we ain't what we was."

Thank you!

QUESTIONS FROM THE AUDIENCE TO DR. KING

JUDGE ROSENMAN: Dr. King, this question is, when will Stage Three of the economic boycott in Alabama be reached? That is, the refusal to buy goods from stores.

DR. KING: As you probably know, in announcing the boycott and further elaborating the structure of the boycott, we said that it would take three stages: The first would be mainly to encourage industries that are presently thinking of moving to Alabama to hold up those plans until the climate changes, and also calling for vigorous enforcement of Title VI of the 1964 Civil Rights Bill.

And we mentioned a second stage which would be mainly urging people

of good will all over the nation to refuse to invest in Alabama securities. Then the third stage, as the question suggested, would be a withdrawal of support of Alabama products.

We said in the beginning that the escalation would be determined by the progress made in the State of Alabama, and that we hoped it wouldn't be necessary to go beyond the first stage.

We hoped that the climate would change enough and that certain commitments would come from the Governor and the Legislature and the economic power structure, so that it wouldn't be necessary.

But if these things do not come, it would be necessary to go on to Stage 2 and Stage 3.

We are now in the process of assessing developments in Alabama. I have had two meetings this week and there will be another meeting on Friday to continue this. At that time we will determine whether developments in Alabama merit continuing the escalating process, or whether it merits calling off the boycott.

At this time it is still in process. We have urged industries like Hammermill Paper, for instance, which has already made a commitment to move to Selma, to hold up, because we feel that these industries can do a great deal to arouse the conscience by making it clear that they will not move in until something is done about the right to vote, the equality of opportunity where jobs are concerned and until something is done about the climate of terror and violence that we see in Alabama. We do see the Klan growing at points, and this kind of terror must stop. We believe that the economic power structure of our nation can do a great deal to stop that kind of terror.

JUDGE ROSENMAN: I want to say, Dr. King, that you have provoked very quick action. We just have a note from the Chairman of our Federal Legislation Committee to the effect that the Committee on Federal Legislation and the Committee on the Bill of Rights have today released a report urging prompt enactment of the Administration's Voting Rights Bill with certain strengthening amendments.

DR. KING: Wonderful!

JUDGE ROSENMAN: I have a question. What sort of emasculation of the Voting Rights Bill is being attempted by certain members of Congress?

DR. KING: I would like to mention as an illustration the basic amendment that I think would emasculate the Bill and that is the Dirksen Amendment. That amendment says in substance that if 60 per cent of the persons of voting age in any community where the bill had been triggered are registered, then that particular community escapes, so to speak, the responsibility of having to live under the demands of the new Act.

We think of it as the "Escape Amendment." We know that if you have an amendment like that, there are some communities in the South that would hasten to register 60 per cent of the people, and most of the 60 per

cent would be white people. Then you would no longer have those states under the scrutiny of the new 1965 Civil Rights Act.

That is a very serious problem and we feel that this amendment would emasculate the bill a great deal, and I would hope that all people of good will will take a stand against the Dirksen Amendment. I am sure that we want to see a strong bill that will make it unnecessary to have another voting bill in 1966.

JUDGE ROSENMAN: This man wants to know, Dr. King, that where the Negroes actually have the right to vote, whether you think there is a right to disobey an unjust law?

DR. KING: I would say to that question that this is ultimately a matter of conscience. Civil disobedience can never be legal. These would certainly be contradictory terms. In fact, civil disobedience means that it is not legal. But I think there are some things that we would have to leave to the matter of conscience. As I have said so often and as I said in my statement earlier, the determining factor is willingness to accept penalties. I think I should elaborate on this a little more.

There may be a community where Negroes have the right to vote, but there are still unjust laws in that community. There may be unjust laws in a community where people in large numbers are voting, and I think wherever unjust laws exist people on the basis of conscience have a right to disobey those laws.

Let me assure you that in saying that I feel that it should be done openly, I feel that it should be done cheerfully, I feel that it should be done lovingly. I feel that it should be done nonviolently. One should not seek to evade the law, one should not seek to defy the law as the racists do. I still submit that anyone who disobeys the law that his conscience tells him is unjust and willingly accepts the penalty is at that moment revealing the very highest respect for law.

Let me also submit to you that this is nothing new in history. When we go back to biblical history, we can see it. In the Old Days Shadrach, Meshach and Abednego were willing to stand up and not bow before what they considered unjust laws because of an obedience to a higher law. The early Christians were thrown to the lions and faced chopping blocks because they practiced civil disobedience. Academic freedom may not have been a reality today if Socrates had not practiced civil disobedience.

I also submit that we must never forget that everything that Hitler did in Germany was legal, and we must also remember that it was illegal in Hitler's Germany for anyone to aid and comfort a Jew. I would say that if I had lived in Hitler's Germany with the attitude that I have at this time, I would have openly disobeyed his law and I would have aided and comforted my Jewish brothers.

I will also cite American history and say that there is nothing of larger proportions in terms of civil disobedience than the Boston Tea Party. So I think we are in pretty good company.

JUDGE ROSENMAN: This is a question: Do you believe that the momentum of the Civil Rights Movement has brought about any change in attitude of Southern judges, particular state rather than federal?

DR. KING: I think we do see a few changes taking place. They are not great enough at this time. I believe that the greatest changes have taken place in states and in communities where Negroes have achieved the right to vote and where you find a coalition, sometimes not an open coalition, but a quiet coalition taking place behind the curtain where people go to vote, between Negroes and moderate whites. In these communities we do see many Southern white judges emerging who stand up for justice and for the Constitution and for that which is right. I think we will see more of this as the Negro gains the right to vote.

I am convinced that the more we gain this right and utilize the right after we gain it, the more we will see a change in the total political structure of the South. This in a sense will give us a change in the political structure and the political climate of our whole nation, because we still know that in Congress many of our most important committees are held by Southern racists. They are chairmen of these committees and they can still block important legislation. Therefore, the right to vote for the Negro in the South will do many things. That it will liberalize the total political climate, I am absolutely convinced, and I think it will give us better judges in state courts and county courts and city courts.

The other thing I think we must see is that it will send better Senators to Washington so that the President of our nation won't feel compelled to appoint Federal judges in the South who are outright segregationists. We have had that problem and we still have a few on our hands, because each President feels that he has to clear with Mr. Eastman and Mr. Stennis before he appoints a Federal judge in Mississippi. And before a Federal judge is appointed to the Fifth Circuit, there are certain Senators down in the South that they feel compelled to follow. I don't like this at all because some of these judges are not good judges at all. I think we have to speed up the day when we get better state judges, even in states like Mississippi and Alabama. Every now and then even in Georgia, there are some good judges —we want more good Federal and state judges.

JUDGE ROSENMAN: Here is a gentleman, Dr. King, who enjoyed your lecture so much he is asking for another one. He says, what is the main difference in the problems of the North and South in the Civil Rights Movement?

DR. KING: Let me say that the problem in a sense is the same. There may be a difference of degree but not a difference of kind.

We may say on the one hand that the problem in the South is overt, a little more overt because it has been legal. It is *de jure*. It has had the sanction of law. Segregation has so often been a legal fact in the South and therefore we have had this overt expression of the problem. In the North in

many instances it is covert, it is more subtle. It is a little more *de facto* than *de jure*. It is *de facto* segregation, for instance, that we see in many areas of the North where certainly it doesn't have the sanction of law. I think the basic problems in the North can be found in three areas.

One is the very serious problem of job discrimination and along with that the problem of joblessness which has come into being because of discrimination and other forces also. We have in being and existence now forces that we call automation and cybernation. Negroes have been limited by and large because of the lack of educational opportunities and because of the denial of apprenticeship training to unskilled and semiskilled labor. But, these are the jobs that are passing away, and so the Negro is getting a double blow. This is a very serious problem, because when a man walks the streets day in and day out with no job, when a man sees life as a long and desolate corridor with no exit sign, it sometimes is difficult for him to hear pleas of non-violence. He develops a bitterness toward life and toward society.

There is nothing more dangerous than to develop a large segment of people in that society who feel that they have no stake in it, who feel that they have nothing to lose. And so I think joblessness is one of the most serious problems facing the North.

Whether we realize it or not, right here in New York City, in Harlem, almost 50 per cent of the employable youth, that is, the young people who ought to be working are unemployed. That would be true this summer. That presents dangerous social problems for the big cities of the North. There must be massive programs on the parts of the cities, the states and the federal government to deal with this.

The second problem is the problem of housing discrimination and along with that inadequate housing conditions. You have the ghetto on the one hand and the slums all tied together. Here again this leaves a sense of hopelessness and this leaves a sense of despair within the individuals who have to face the problem of living in ghetto, rat-infested housing.

There is a third problem that grows out of that and that is the problem of segregation in the schools, that grows to a large extent out of the housing problem. These three problems are real problems in the north.

We have the same problems in the south, but we have been so busy trying to get a lunch counter where we could get a sandwich to eat, and a hamburger, and many other things, that we hadn't reached that point. And of course now we are trying to get into the arena of political action so we can get the right to vote—but we are trying to get this right to vote so we can get better jobs and we can go to integrated schools and get integrated, quality education, and so that we can live anywhere that our money will permit us.

I think these problems are facing us all over the United States and we must see, as I said earlier, that no section of our country can boast of clean hands in the area of brotherhood.

JUDGE ROSENMAN: I am sorry, we have time for only one more question.

Dr. King, does your concept of civil disobedience include such tactics as obstructing sites where Negroes are not employed, where those who use such means are willing to accept the consequences, but are not quarreling with the justice of any law?

DR. KING: I think all of our demonstrations and all civil disobedience must be centered on something. In other words, the goals must be clearly stated. I think we have to face the fact that there are instances wherein the process of frustration with the structure of things, people find themselves in positions of not quite being able to see the unjust law. But they see injustice in a very large sense existing. Consequently, they feel the need to engage in civil disobedience to call attention to overall injustice. At that point they are not protesting against an unjust law. I would say that there are very few unjust laws in most of our northern communities. There are some unjust laws, I think, on the housing question and some other, but on the whole the laws are just. But there is injustice, and there are communities which do not work with vigor and with determination to remove that injustice. In such instances I think men of conscience and men of good will have no alternative but to engage in some kind of civil disobedience in order to call attention to the injustices, so that the society will seek to rid itself of that overall injustice. Again I say that there must be a willingness to accept the penalty.

I think there must be, always, in a nonviolent movement, a sense of political timing. I do not believe in the indiscriminate use of any form of demonstration. I think we must be well disciplined and think through our moves, and we must clearly define our goals. I think some of us, for example, felt that the stall-in at the World's Fair didn't quite meet that test because certain goals had not been clearly defined. On the other hand we understood the discontent and the impatience and the frustration, and the disappointment, that led individuals to feel that in an unfair world, maybe people should not be finding it too easy to get to a World's Fair. But at the same time we must set clearly defined goals, in calling for demonstrations and practicing civil disobedience.

Thank you.