

## Letter from a Birmingham Jail (1963) -Dr. Martin Luther King

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... Any law that uplifts human personality is just. Any law that degrades human personality is unjust. All segregation statutes are unjust because segregation distorts the soul and damages the personality. It gives the segregator a false sense of superiority, and the segregated a false sense of inferiority. To use the words of Martin Buber, the great Jewish philosopher, segregation substitutes an "I-it" relationship for the "I-thou" relationship, and ends up relegating persons to the status of things.... segregation... is morally wrong and sinful. Paul Tillich has said that sin is separation. Isn't segregation an existential expression of man's tragic separation, an expression of his awful estrangement, his terrible sinfulness? So I can urge men to disobey segregation ordinances because they are morally wrong.....

Let us turn to a more concrete example of just and unjust laws. An unjust law is a code that a majority inflicts on a minority that is not binding on itself. This is difference made legal. On the other hand, a just law is a code that a majority compels a minority to follow that is willing to follow itself. This is sameness made legal.

Let me give another explanation. An unjust law is a code inflicted upon a minority which that minority had no part in enacting or creating because they did not have the unhampered right to vote...

Of course there is nothing new about this kind of civil disobedience. It was seen sublimely in the refusal of Shadrach, Meshach, and Abednego to obey the laws of Nebuchadnezzar because a higher moral law was involved...We can never

forget that everything Hitler did in Germany was “legal” .... 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.

### Jewish Thoughts

The king of Egypt spoke to the Hebrew midwives, one of whom was named Shiprah and the other Puah, saying, “When you deliver the Hebrew women, look at the birthstool: if it is a boy, kill him; if it is a girl, let her live.” The midwives, fearing God, did not do as the king of Egypt had told them; they let the boys live. So the king of Egypt summoned the midwives and said to them, “Why have you done this thing, letting the boys live?” The midwives said to Pharaoh, “Because the Hebrew women are not like the Egyptian women: they are vigorous. Before the midwife can come to them, they have given birth.” And God dealt well with the midwives; and the people multiplied and increased greatly. And because the midwives feared God, He established households for them. Exodus 1:15-20

You shall have the same law for the stranger and citizen alike; for I *am* Adonai your God. Leviticus 24:22

Whoever shames another in public, is like one who sheds blood. *Bava Metzia 58b*

Avishai Margalit- A decent society is one whose institutions do not humiliate people. A civilized society is one whose citizens do not humiliate one another...