


Name:

Due Date:

What if Laws are Unjust?

Imagine that you are a black American living in Birmingham, Alabama, in 1963. Segregation is written in the local laws (known as ordinances) which are vigorously enforced by the local police department. With a small group (of two to three students), select one of the city’s segregation ordinances and, using the Six Steps for Nonviolent Direct Action as a guide, design a step-by-step plan to change the law using any form you like. Key questions you may consider are: Why is the law unjust? How has it affected you, your family and/or other people in the community? How will you recruit demonstrators and educate them and the opposition about the issue? What method(s) of direct action will you use and why? How will you attract media attention to your actions and goals? What obstacles do you anticipate and how might you overcome them? Work cooperatively with your group members to create documents (such as a text of a speech, leaflet, newspaper editorial, letter, etc.) in an effort to successfully change the law.

- Choose One of Birmingham’s Segregation Ordinances:**
- Chapter 14 Drugs and Food: Sec. 369. Separation of races.
 - Chapter 23 Gambling: Sec. 597. N**** and white persons not to play together.
 - Chapter 35 Offenses - Miscellaneous: Sec. 859. Separation of races.
 - Chapter 45 Sewers, Drains and Human Wastes: Sec. 1110. Toilet facilities.
 - Chapter 51 Traffic: Sec. 1413. Separation of races.

			
	Emerging / Developing	Proficient	Extending
Continuity & Change		Compares continuity and change in a connected and organized way.	
Cause & Consequence		Analyzes cause and consequence with accurate and detailed reasoning.	
Perspectives		Explains perspectives with a logical and justified interpretation.	
Ethical Judgement		Communicates an ethical judgement in a meaningful and purposeful manner.	

Self-Assessment:

Teacher-Assessment:

Birmingham's Segregation Ordinances

From: *The General Code of the City of Birmingham, Alabama*
(Charlottesville, Virginia: The Michie Company, 1944)

CHAPTER 14 DRUGS AND FOOD

Sec. 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 effectively 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.

CHAPTER 23 GAMBLING

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 or dice, dominoes or checkers. [Amended in 1950 to include baseball, softball, football, basketball or similar games.]

Any person, who, being the owner, proprietor or keeper or superintendent of any tavern, inn, restaurant 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 cards, dice, dominoes or checkers, or any substitute or device for cards, dice, dominoes or checkers, in his house or on his premises shall, on conviction, be punished as provided in section 4.

CHAPTER 35 OFFENSES— MISCELLANEOUS

Sec. 859. 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, ball park, 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 or assigned to the use of negroes, and 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 the other race.

(c) It shall be unlawful for any person to conduct, participate in or engage in any theatrical performance, picture exhibition, speech, or educational or entertainment program of any kind whatsoever, in any room, hall, theatre, picture house, auditorium, yard, court, ball park, public park, or other indoor or outdoor place, knowing that any provision of the two preceding subdivisions has not been complied with.

(d) The chief of police and members of the police department shall have the right, and it shall be their duty, to disperse any gathering or assemblage in violation of this section, and to arrest any person guilty of violating the same.

CHAPTER 45 SEWERS, DRAINS AND HUMAN WASTES

Sec. 1110. Toilet facilities—Male.

Every employer of white or negro males shall provide for such white and negro males reasonably accessible and separate toilet facilities in such number that there shall be available a separate water closet for each twenty-five or lesser number of white or negro males having access thereto during a single day. Such separate white and negro toilet facilities shall be clearly marked to distinguish each from the other and it shall be unlawful for any person to use any facility not designated for such person's comfort.

Sec. 1110. Toilet facilities—Female.

Every employer of white or negro females shall provide for such white and negro females reasonably accessible and separate toilet facilities in such number that there shall be available a separate water closet for each twenty-five or lesser number of white or negro females having access thereto during a single day. Such separate white and negro toilet facilities shall be clearly marked to distinguish each from the other and it shall be unlawful for any person to use any facility not designated for such person's comfort.

CHAPTER 51 TRAFFIC

Sec. 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 providing 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.

Six Steps for Nonviolent Direct Action

STEP ONE: INFORMATION GATHERING

Identify the issues in your community and/or school in need of positive change. To understand the issue, problem or injustice facing a person, community, or institution, you must increase your understanding of the problem. Your investigation should include all sides of the issue and may include formal research and listening to the experiences of others.

STEP TWO: EDUCATE OTHERS

It is essential to inform others, including your opposition, about your issue. In order to cause change, the people in the community must be aware of the issue and understand its impact. By educating others you will minimize misunderstanding and gain support and allies.

STEP THREE: PERSONAL COMMITMENT

Check and affirm your faith in the philosophy and methods of nonviolence. Causing change requires dedication and long hours of work. Meet with others regularly to stay focused on your goal. Prepare yourself to accept sacrifices, if necessary, in your work for justice.

STEP FOUR: NEGOTIATIONS

Using grace, humor and intelligence, confront the individuals whom need to participate in this change. Discuss a plan for addressing and resolving these injustices. Look for what is positive in every action and statement the opposition makes. Do not seek to humiliate the opponent but call forth the good in the opponent. Look for ways in which the opponent can become an ally.

STEP FIVE: DIRECT ACTION

These are actions taken to convince others to work with you in resolving the injustices. Direct action imposes a "creative tension" into the conflict. Direct action is most effective when it illustrates the injustice it seeks to correct. There are hundreds of direct action, including:

- Boycotts --- refusal to buy products
- Marches and rallies
- Letter-writing and petition campaigns
- Political action and voting
- Public art and performance

STEP SIX: RECONCILIATION

Nonviolence seeks friendship and understanding. Nonviolence does not seek to defeat the opponent. Nonviolence is directed against evil systems, oppressive policies, and unjust acts, not against persons.

Adapted from the essay, "Letter from a Birmingham Jail", Martin Luther King Jr.

SIX PRINCIPLES OF NONVIOLENCE

1. *Nonviolence is a way of life for courageous people.* It is active nonviolent resistance to evil.

2. *Nonviolence seeks to win friendship and understanding.* The end result of nonviolence is redemption and reconciliation.

3. *Nonviolence seeks to defeat injustice, not people.* Nonviolence recognizes that evildoers are also victims.

4. *Nonviolence holds that suffering can educate and transform.* Nonviolence willingly accepts the consequences to its acts.

5. *Nonviolence chooses love instead of hate.* Nonviolence resists violence to the spirit as well as the body. Nonviolence love is active, not passive. Nonviolence love does not sink to the level of the hater. Love restores community and resists injustice. Nonviolence recognizes the fact that all life is interrelated.

6. *Nonviolence believes that the universe is on the side of justice.* The nonviolent resister has deep faith that justice will eventually win.

From The Martin Luther King, Jr. Center for Nonviolent Social Change