

Letter from birmingham jail

Law



**ASSIGN
BUSTER**

Letter from Birmingham Jail A just person has a moral obligation to disobey an unjust law. Martin Luther King Jr indicates that the unjust laws are the primary causes of segregation and oppression of the minorities in the society. Fundamentally, unjust laws tend to infringe upon the shared moral standards. It is noteworthy recognizing that laws codify the moral repulsion for cases such as rape, murder, and any form of oppression. Hence, the just laws have the moral duty and legal obligation to protect all the citizens, regardless of the status they hold in the society. King (1963) argues that laws are just when they depict consistency with morality. In contrast, the unjust laws disrespect people's moral autonomy, as well as, personality by placing a particular group in the society superior to the other. In effect, morality is paramount and forms the basis that dictates the obedience of the law. The laws should not only be concerned with the political authority, but also the moral judgment about wrong and right in a given situation (Pollock, 2012). Any law that violates the universal morals does not deserve obedience.

Just people need laws that protect their moral, as well as, constitutional rights. As King (1963) notes, people have the right to disobey the unjust laws if compelling moral grounds exist to underscore the action. No one should deprive the laws of moral sentiments, and any action to remove morality from the legislation renders them unjust and mostly oppressive. In disobeying the law, people should invoke a higher duty such as conscience and morality. In this respect, invoking morality will justify the people's decisions to disobey the unjust laws that tend to infringe upon their moral autonomy. The implication is that just people have the responsibility and freedom over their moral decisions to fail to comply with the laws, which

undermine their human personality. Indeed, the shared moral standards should inform the people's real sense of obligation to the laws. Pollock (2012) argues that the people's preoccupation to obey laws should depict a striking balance between the moral autonomy and obligation to the state. Critics might argue that false perception of the law as a total representation of the morals exists. The society has a blurred borderline between the ethics and the laws. Hence, morality entails doing what the law dictates for fear of the consequences of the disobedience such as the punishment. However, cynics should note that people make the laws, and they have a moral obligation to disobey the legislation if compelling moral grounds exist to indicate an element of infringement upon the morality. No one should coerce individuals to abide by the laws that tend to segregate certain section of the society. In effect, the application of the laws should not discriminate against any group in the society. King (1963) underscores the significance of establishing laws that protect the rights of the majority and minorities in the society. In essence, individuals have the right to disobey laws when they firmly believe the enforcement of the legislation is wrong and affects the shared moral standards.

References

- King, M. L (1963). Letter from Birmingham Jail. Retrieved 8 May 2015, from <https://kinginstitute.stanford.edu/king-papers/documents/letter-birmingham-jail>
- Pollock, J. M. (2012). Ethical dilemmas and decisions in criminal justice. Belmont, CA: Wadsworth Cengage Learning.