

April 30, 1962

A MESSAGE

FROM: Diane Nash Bevel

TO: Individuals & Organizations Working for Civil Rights

I am surrendering today in Hinds County Court, Jackson, Miss., to serve the sentence imposed on me on a charge of contributing to the delinquency of minors. This charge was filed last summer after I conducted workshops on the philosophy of nonviolence among Jackson youths, preparing them to go on Freedom Rides.

I have issued a brief statement to the press in which I attempt to explain my basic reason for taking this step. This statement says:

"I have decided to surrender myself, abandon further appeal, and serve my sentence of two years, plus as much additional time as it will take to work out my \$2000 fine. To appeal further would necessitate my sitting through another trial in a Mississippi court, and I have reached the conclusion that I can no longer cooperate with the evil and unjust court system of this state. I subscribe to the philosophy of nonviolence; this is one of the basic tenets of nonviolence---that you refuse to cooperate with evil. The only condition under which I will leave jail will be if the unjust and untrue charges against me are completely dropped.

"Some people have asked me how I can do this when I am expecting my first child in September. I have searched my soul about this and considered it in prayer. I have reached the conclusion that in the long run this will be the best thing I can do for my child. This will be a black child born in Mississippi and thus wherever he is born he will be in prison. I believe that if I go to jail now it may help hasten that day when my child and all children will be free---not only on the day of their birth but for all of their lives."

This is what I said to the press. To you who also are working in this effort for integration, I would like to say more.

I believe that the time has come, and is indeed long past, when each of us must make up his mind, when arrested on unjust charges, to serve his sentence and stop posting bonds. I believe that unless we do this our movement loses its power and will never succeed.

We in the nonviolent movement have been talking about jail without bail for two years or more. It is time for us to mean what we say.

We sit in, demonstrate and get beaten up. Yet when we are arrested we immediately post bond and put the matter entirely into the hands of the courts even though we know we won't get justice in these courts.

This is first of all immoral, because the Southern courts in which we are being tried are completely corrupt. We say this is a moral battle, but then we surrender the fight into the legal hands of corrupt courts.

The immorality of these courts involves several factors. They are completely lacking in integrity because we are being arrested and tried on charges that have nothing to do with the real issue. The real reason we are arrested is that we are opposing segregation, but the courts are not honest enough to state this frankly and charge us with this. Instead they hide

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behind phoney charges---breach of peace in Jackson, criminal anarchy in Baton Rouge, conspiracy to violate trespass laws in Talladega, Ala., and so on. We could cite many other examples in many places. Furthermore, in most places we are forced to go on trial in a courtroom that is completely segregated and in a courthouse where all the facilities---drinking fountains, rest rooms, everything---are segregated. Thus the hours that we give to the state for these trials are hours of humiliation and oppression, hours that defile our worth as persons. And then we are asked to pay the bill for this humiliation in court costs. In addition, in many places, the courts are completely corrupt in that they refuse to admit Negroes to the juries.

But over and above the immorality of cooperating with this evil court system, there is an even larger reason why we must begin to stay in jail. If we do not do so, we lose our opportunity to reach the community and society with a great moral appeal and thus bring about basic changes in people and in society.

Our movement is not basically an effort to defeat our ~~oppression~~ opposition. Rather, it is an effort to convert the opposition and redeem society. We should not be trying to win cases; we should be trying to win human beings to a new vision and a new life.

When we leave the jails under bond we lose our opportunity to witness--- to prick the conscience of the oppressing group and to appeal to the imagination of the oppressed group and inspire them. We ~~should not~~ stifle any effort to use what we in the nonviolent movement see as truth force and soul force. Gandhi said the difference between people who are recklessly breaking the law and those who are standing on a ~~principled~~ moral principle is that those who stand on principle are willing to take the consequences of their action. When they do this a whole community, indeed a whole nation and the world, may be awakened, and the sights of all society are raised to a new level.

In addition to these basic considerations, there is the very practical matter of skyrocketing expense of continued and numerous legal actions. Our Deep South states have become very smart about this; they are setting bonds high. It simply becomes a physical impossibility for the civil rights movement in America to raise such bonds for great numbers of people. It becomes impossible to raise the money for legal fees and court costs if there are mass arrests and everyone wants to make bond and appeal.

Money can be raised for some test cases. But if we all want to get out on bond, we automatically remove the possibility of a mass movement. There will simply not be enough money to get hundreds of people out on bond in scores of communities and pay the expenses of appealing their cases. And even if there is such money available, there are much better uses to which it can be put in the integration movement.

Let's be realistic. Either we can fight a legal battle with one or two test cases---and in effect abandon our struggle for ~~several~~ the several years it takes to litigate the cases in the courts. Or we can resolve to stay in jail and have a movement involving massive numbers.

Some of the considerations I have mentioned are matters of pure principle;

*We renounce the concept of redemption through suffering.*

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they involve the center of what nonviolence means. Some of them are practical considerations, matters of tactics in our struggle. But it is difficult to draw the line between what is principle and what is tactics, because the two merge together. In the long run, right principles are always right tactics.

I think we all realize what it would mean if we had hundreds and thousands of people across the South prepared to go to jail and stay. There can be no doubt that our battle would be won. But we have perhaps erred, each of us, as we have sat and waited for the hundreds to act. History also shows---both recent history and down through the ages---that a few people, even one person, can move mountains. And even if we cannot honestly foresee great effects from our stand, it is my belief that each of us must act on our own conscience---do the thing we know in our hearts is right. In following nonviolence, we have been experimenting with a new and revolutionary method that can bring about a redeemed society. But we have faltered and hesitated---and made many mistakes---because it is new and we are feeling our way. Now I think each of us---regardless of what others may do---must make our own decision, alone and for ourselves. I have made mine.