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2007]

Martin Luther King, Jr. Lecture

DR. MARTIN LUTHER KING, JR. AS AN INTERNATIONAL HUMAN RIGHTS LEADER

HENRY J. RICHARDSON, III*

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I. INTRODUCTION

THANK you, Professor Ruth Gordon and Villanova Law School for inviting me here to discuss Dr. Martin Luther King, Jr. as an international human rights leader. We know Dr. King as a civil rights leader, but we often forget that during the same period of his life he was also an international human rights leader. Many people see these as two separate discourses: civil rights vs. human rights. Part of Dr. King's leadership, however, was to insist that they comprise the same irreplaceable rights discourse.

He was not the first black leader to suggest, or even insist upon, this unity. Earlier in the twentieth century, W.E.B. DuBois, Marcus Garvey and Paul Robeson worked and acted from this unity as well. Dr. King was, however, the modern black leader, subsequent to DuBois, to most prominently embody this unity in both the American and global communities. Additionally, King, along with DuBois and Robeson, embodied this unity against the enormous negative power of cold war thinking in America, thinking that included many African Americans.

Dr. King's international human rights leadership first emerged near the beginning of the anti-Apartheid movement, in 1960 when he publicly spoke out against the Sharpeville Massacre by the apartheid government of 160 Black South Africans. It continued to grow from his receiving the Nobel Peace Prize in Stockholm in 1964, for his leadership and embodiment of the American Civil Rights movement. It grew more prominent when he first urged a cease fire in the Vietnam War (in 1965). Dr. King's great *Beyond Vietnam*¹ speech, delivered at Riverside Church in New York

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1. Dr. Martin Luther King, Jr., *Beyond Vietnam*, Address Delivered to the Clergy and Laymen Concerned about Vietnam at Riverside Church in New York City (Apr. 4 1967), in *A CALL TO CONSCIENCE: THE LANDMARK SPEECHES OF DR. MARTIN LUTHER KING, JR.* 139 (Clayborne Carson & Kris Shepard eds., 2001) [hereinafter *Riverside Church Speech*].

City on April 4, 1967 was the climax of this leadership and is a speech as remarkable as his "I Have a Dream" speech from four years earlier. In his Riverside Church speech, King discussed international poverty as a global class issue that America must morally confront. King's international human rights leadership continued throughout 1967 as he planned a national march against poverty on Washington. In other words, King had expanded his human rights leadership by moving, in concrete ways, to emphasize economic rights as human rights beginning at least a year before his tragic assassination in Memphis in 1968, where he had arrived to march in support of the economic rights and benefits of that city's sanitation workers.

To understand King's historical importance as an international human rights leader, we must first understand his work as part of the Black International Tradition; a tradition that stretches back to the very origins of our nation, preceding even the Constitution. If we consider King's place in the twentieth and twenty-first century narratives in light of this tradition, we can see how the global anti-colonialism movement, which actively occurred from the early twentieth century through the 1970s, substantially influenced King. As Professors Anthony Anghie and Ruth Gordon show us through their continuing valuable work, this struggle continues today in major areas of international legal doctrine.

We can see how King took lessons from W.E.B. DuBois's work from the early twentieth century on the national/international indivisibility of human rights for people of color. We can also see how King built upon the work of Paul Robeson and Mohandas Gandhi, the great Indian non-violent liberation leader, during the 1930s and 1940s. Like Robeson and Gandhi, King linked the international peace movement to the civil rights movement and invoked the binding authority of international law through the United Nations Charter on the United States regarding African Americans and its general foreign policy. Further, we can see how King built upon the work of A. Philip Randolph from Randolph's famous threat of a black workers march on Washington in 1943, resulting in President Roosevelt's executive order desegregating war production plants and expanding wartime American national security demands by insisting on the right to equality for African Americans.

In passing, let's note the point of closure to Randolph's courageous work in the recent case of *Grutter v. Bollinger*.² In *Grutter*, the Supreme Court upheld the constitutional principle of affirmative action in education. An amici brief from ex-generals and joint chiefs of staff visibly influenced the Court. The amici brief pointed out that affirmative action was necessary in order to preserve national security and in order to enhance the American empire by building cadres of equitable, diverse military leadership.

2. 539 U.S. 306 (2003).

Finally, we can see how King borrowed directly from international human rights law doctrine. He embodied the doctrine in his last marches and demonstrations regarding the juridical equality of the two primary categories of international human rights: political and civil rights, and economic, social and cultural rights. Unfortunately, current American constitutional law and foreign policy address only the first category.

We can then see how King not only fused the discourses of civil rights and human rights, but in so doing, projected an African American alternative approach to international relations and international law. He based this alternative approach on non-violence and a profound love of humans and humanity. This approach is most clearly evidenced in his same Riverside Church speech against the Vietnam War, *Beyond Vietnam*.

Throughout his “ministry of rights leadership,” King invoked and interpreted international law, insisting that the United States must be bound by its legal norms and obligations. Here, his work laid the foundation for the work of three of his most notable disciples in international affairs: Rev. Jessie Jackson, Rev. Leon Sullivan, and Rev-Ambassador-Congressman-Mayor Andrew Young. King had a global influence on the question of non-violence as the foundation of a comprehensive national and international politics. King’s impact has extended to the present anti-war movement against the Iraq invasion, a globally coordinated high point of which deliberately occurred in 2003 on King’s birthday and constantly invoked his name and work.

In this speech, I discuss how King put forth an alternative conception of international relations. I also argue that King answered the question of the responsibilities of the United States as a hyper-power in the international community. Finally, I conclude by projecting from King’s Riverside Church speech how he might have approached the current American war on terrorism if he were alive today.

II. A TWENTIETH CENTURY TIMELINE OF EQUALITY STRUGGLES

Let us now place King, in somewhat more detail, in the twentieth century globalized Black International Tradition—the global struggle against colonialism and the synergies of that struggle with efforts for justice in the United States. An abbreviated time line sketching the Black International Tradition throughout the twentieth century can help us better understand King’s work.

First, in 1910 the National Association for the Advancement of Colored People (NAACP) was founded in Niagra, New York with W.E.B. DuBois named the first Publicity Secretary. Later that same year, the African National Congress was founded in Johannesburg, South Africa with a representative from the recently-founded NAACP present. Two years later, in 1912, Mohandas Ghandi, then a young lawyer in Durban, South Africa, began his anti-apartheid struggle on behalf of Asian-heritage South Africans.

Next, in 1919, DuBois organized his second Pan-African Congress in Paris and presented an anti-colonialism petition to the Versailles Peace Conference (on the settlement of World War I) on behalf of the world's various peoples of color for recognition of their right to self-determination against European colonialism. The European leaders and President Wilson rejected the petition. Wilson, however, supported the principle of self-determination for southern European peoples. Later, during the 1920s, Gandhi returned to India and began organizing a non-violent resistance movement against British colonial rule. In 1929, Martin Luther King, Jr. was born.

Between 1940 and 1945, the progression of World War II accelerated the global spread of decolonization ideas and demands for global liberation. Additionally, in 1943, A. Philip Randolph, as noted, successfully threatened a mass black march on Washington, D.C. that persuaded President Roosevelt to sign an executive order desegregating war production plants. During the same period, between 1930 and 1947, Gandhi's non-violent mass movement in India reached its climax. In 1948, Gandhi was assassinated and later that same year, India declared independence from Great Britain. Also in 1948, the NAACP banished DuBois because of cold war fears that his linkage of black American rights with those of people of color globally was too far left. His expulsions, in turn, divided black America.

From the 1930s through the 1950s, Paul Robeson's legal, acting and singing careers, as well as his international civil rights, peace work and leadership flourished, somewhat in conjunction with DuBois. This same era, beginning in the 1940s, also saw the emergence of another black American leader—Martin Luther King. During that time, King attended Morehouse College and then went into seminary. At Morehouse, Dr. Benjamin Mays, that school's legendary president, heavily influenced King through his theology, strong leadership, political savvy and wisdom. And while he was in seminary, Gandhi's teachings of love and non-violent resistance against colonialism profoundly impacted King.

In 1954, the Supreme Court decided *Brown v. Board of Education*.³ Then-NAACP counsel Thurgood Marshall and fellow *Brown* counsel decided not to employ the international law arguments, based on the UN Charter, for equal protection rights in education because they thought such arguments were too risky in light of their primary goal of a unanimous U.S. Supreme Court decision.

In 1955, King, as a young preacher, was thrust into leading the Montgomery (Alabama) Bus Boycott after Rosa Parks had had enough and refused to move to the back of a racially segregated public bus. Subsequently, King organized and emerged as the primary leader in a growing national civil rights movement, marched in and was arrested many times in non-violent demonstrations throughout the South and else-

3. 349 U.S. 294 (1955).

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where in the United States based upon Gandian principles, which met brutal and deadly segregationist resistance. The Movement generated prominent international attention. Also in 1955, the Bandung (Indonesia) Conference declared that all developing states, colonial peoples and peoples of color comprised the "Third World," adopting the original idea of independence created by Prime Minister Nehru of India. The Conference was attended by, inter alia, Congressman Adam Clayton Powell, Jr. Beginning in the 1940s, prior to his election, Powell had organized and led a series of civil rights marches in Harlem from his pulpit in the historic Abyssinian Baptist Church.

In 1960, Martin Luther King spoke out in the United States against the Sharpeville Massacre in South Africa and against American policy that was soft on apartheid. He thereby married the civil rights narrative to that of human rights and the global anti-apartheid struggle. In 1963, during the March on Washington, King channeled the dreams of black America in his "I Have a Dream" speech. Then, in 1964, King was awarded the Nobel Peace Prize in Oslo for his leadership of the American Civil Rights Movement. He thereby linked the fight for American civil rights to the international peace movement.

Throughout 1965 and 1966, King began to speak out against the Vietnam War, from peace, Gandian and civil rights perspectives. In 1967 King delivered his Riverside Church speech against the Vietnam War. From 1967 to 1968, King began to plan his March on Washington against Poverty, and thus framed the necessity of the legal authority of economic rights as co-equal with that of political rights. Tragically, King was assassinated one year after he delivered his Riverside Church speech, while he was in Memphis to, as previously noted, lead sanitation workers in a march for their economic rights.

When King was deciding whether to give his Riverside Church speech, he weighed the possible American backlash against blacks and the Movement that might result from his speaking out on these international issues. He decided, however, that these issues were too important not to speak out about them, despite strong arguments from some of his advisors. King knew exactly what he was doing in deciding to speak out, as he formulated the content and arguments of the Riverside Church speech, and assessed the implications of what he planned to say. He was not blinded by pie-in-the-sky idealism.

A. *Martin Luther King and the Riverside Church Speech*

Dr. King achieved four objectives in delivering his Riverside Church speech. First, King demanded consistency of rights and justice between American foreign policy and domestic policy. He emphasized that the United States could not support overseas oppression while supporting equal justice at home. He explained that peace and justice are indivisibly linked, overseas and domestically. Second, King saw the necessity of en-

forcing *both* political and civil international human rights, and economic, social and cultural rights as a matter of law for poor people and for people of color. He reiterated that commerce and business must be judged by standards of justice. In this connection, he supported land reform for peasants in Latin America, notwithstanding, e.g., contrary American policies in Guatemala and elsewhere. Third, King defined and upheld the general right of black people to take international positions on major issues. Here, he followed on W.E.B. DuBois' work and teachings. Finally, King helped internationalize the American Civil Rights Movement. The international community had long focused on the importance of America's Vietnam policy, and there was international acceptance of King as a Nobel Peace Prize Laureate speaking out on the same issues both because of and notwithstanding that he embodied America's globally-recognized movement for racial and American justice.

Several factors played a role in King's prominence as an international human rights leader from within the Civil Rights Movement. Significantly, his Nobel Peace Prize in 1964 accelerated his global recognition as the embodiment of the Movement. Two additional considerations included speaking out against the Sharpeville Massacre in South Africa in 1960 and his outspoken behavior against the Vietnam War beginning in 1965. King demanded that African Americans make these international links "part of their mainstream thinking" and he demanded that white America fully accept blacks' efforts to do so. Furthermore, King attracted a measure of international prestige because he was awarded the Nobel Peace Prize. Conversely, King did not draw the same prestige from the American government because of his role in the civil rights movement in America. In no place was this more evident than with the vicious criticism within the United States that stemmed from his Riverside Church speech.

B. *What the Riverside Church Speech Did*

King projected an approach to international relations, new to the twentieth century, based upon Gandhian non-violence, human dignity, empathy for third world peoples against colonialism and neo-colonialism, the international rule of law and justice through the United Nations binding on powerful states, and love. Even love of opponents and enemies. He insisted that this approach can operate against sovereign balance-of-power approaches to international relations and politics, and he showed how this could happen relative to the Vietnam War at that time.

King posited that United States foreign policy and international relations must stand on moral principles of justice for the vulnerable and powerless peoples of the world. He brought forward general natural law doctrine based on God's law and love to define justice, as opposed to positivist notions of *raison d'état* which elevate sovereign states as superior sources of moral commands. In this regard, he insisted on the necessity

and authority to judge state behavior and distinguish between just and unjust wars.

Additionally, King insisted that the United States fulfill its moral destiny in the international community by placing itself on the right side of history. This nation needs the courage to implement policies that do not depend upon people—Americans or non-Americans—dying and suffering. Jesse Jackson illustrated this as he negotiated the freedom of 300 American captives from Saddam Hussein's Iraq near the time of Operation Desert Storm in 1991. Jackson's message was reminiscent of King as he argued that an essential aspect of sovereignty is compassion and humanity. This was one example of the tangible influence of King's doctrine.

Furthermore, King demanded that American civil rights law be seen as part of international human rights law, and not separate from the latter. Civil rights law and international human rights law are indivisible and they are joined through the United Nations Charter. This premise cannot be confined, by whites and many blacks, to the "dangerous Black Left."

King took his Nobel Peace Prize seriously. He continued, in the footsteps of DuBois, to join the American civil rights movement with the international peace movement. He insisted that a demand for a just peace—including international peace—was integral to the civil rights struggle.

In his Riverside Church Speech, King also raised the question of the rights of a minority to appeal to international law. King urged minorities to further their rights generally by asserting the right to: 1) assess the national foreign policy; and 2) use international law to relieve their local oppression and international oppression. This included oppression fostered by their own country. King urged minorities to further their rights through, *inter alia*, the United Nations.

Further, King insisted that with American power comes a commensurate degree of moral responsibility in the world, and not simply the right to freely exercise its power. In this regard, America must speak for the overseas poor of the world. King also spotlighted the question of who controls the human rights process, and for what purposes. He held that racism, militarism and materialism (the "Triplets" discussed below) comprised a unity of national and international evils, and that they are not segmented questions. In this connection, through his Riverside Church speech, he insisted that all of us are obligated to judge the legality of the use of American military force.

In defining this country's responsibility, Dr. King, in his Riverside Church speech, cogently provided the framework of an answer to the question of how to understand the United States as the sole hyper-power in the international community.

III. MARTIN LUTHER KING AND THE IRAQ-RESURGENT
ANTI-WAR MOVEMENT

King linked the civil rights, human rights and peace movements from 1964 until 1967. Thirty years later, King's linkage is related to the anti-Iraq war movement. This connection is noticeable in several factors.

First, in 2003, the anti-Iraq war movement was centered around King's birthday, and it invoked King's words against an American war in Iraq. Thus now his birthday must also stand against the militarism of the United States. It can no longer be claimed that King's birthday is confined to celebrating the importance of the "civil rights movement" in the United States.

In this sense, King's birthday was linked to the opposition to American aims to control Iraq's oil. This occurred after the Bush Administration tried to exclude the oil question from the American national discourse. The American government's attempt to exclude this question became a central mobilizing rally cry of the resurgent anti-war movement regarding Iraq. "Hey, hey, ho, ho, we won't fight for Texaco." Significantly, the movement in 2003 was not against the "war on terrorism," but *was* against the war against Iraq.

Moreover, the continuation of the legal sovereignty construct principle to exclusively define the relationship between the central government, the United States people, and those of other nations, remains convenient and essential for governments to prosecute wars of the government's choosing. The anti-war movement seized upon this point as a mobilizing principle. Denying and reversing the traditional international legal presumption that the *sovereign* government "represents" the country's people (at least beneath the threshold of successful national revolution), effectively denied a one-way normative relationship between a pro-war government and the people of the territory. In doing so, the movement hit this issue of the central government's *presumptive* competence to invoke a popular legitimacy in its attempts to represent "the people." It hit by saying "you do not fight this war in our name." Thus, the demand is to separate and isolate the militaristic government from its population. This, in turn, leads to de-nationalizing the government's claims of its aims as aims in the "national interest." It is a challenge, based on the direct implications of King's doctrine of obligation to insert intervening moral principles, to the government's claim of exclusivity in defining "national security" and "the national interest." More widely, this movement can be interpreted as a form of post-modern, non-violent resistance with the power of image and wider community legitimacy mobilized through global communications, as well as the power of dedicated people marching in the world's streets.

In addition, there is a major movement focus on globalization. The movement assumes a context of finite resources, and therefore, challenges the basic decisions of the Executive and Legislative branches to pull money out of social programs to make war, and aims to de-legitimize gov-

ernment control of these decisions in favor of popular oversight in some form. Here, we must again recall King's assertion; President Johnson's national diversion of money and resources away from poor people was a command to speak out and mobilize against war.

Further, it is now recognized and publicly apparent that every American social question has its *inseparable* international analog. DuBois, Roberson and later King all recognized this principle. Specifically, here the dualism under international law inherent to United States policy is attacked. Any attempted division of domestic versus foreign issues in order to parcel out distinctions of government responsibility is now condemned in the anti-war movement as nothing more than executive-protective issue-mongering. There are only *global* issues in the United States, not exclusively *American* issues.

Similarly, the demand was to democratize geopolitical decisions made by the government in the name of the total American people. "No blood for oil" is one example of this demand. What is getting rid of weapons of mass destruction, even if they had existed in Iraq, worth in terms of blood and resources? The internet makes such global coordination in cities throughout the international community possible on the same day. The movement specifically acknowledged the valuable role of C-Span in televising demonstrations.

In this movement, "justice" has much to do with American foreign policy and approaches to geopolitics. We have now seen how King made this norm explicit.

IV. KING AND THE WAR ON TERRORISM

In his famous Riverside Church speech against the Vietnam War, King projected his approach to international relations and America's responsibility in the world. He based his approach on Ghandi's principles and his own evolved principles of Christian non-violence and human love. King did not shrink from believing that this philosophy could apply to international relations. He further maintained that in this connection, just law could govern the international community, notwithstanding the strong prevailing winds of the conventional analyses of international relations based on the primacy of national security, power politics and the presumption of non-cooperation among sovereigns.

The following is my interpretation of King's principles at Riverside Church, as he might have applied them to America's current war on terrorism. If he were alive today at age seventy-six, I believe he would have deliberately challenged the American people to live according to their own highest principles and humanity, notwithstanding official and other opposition and danger, just as he did in the Civil Rights Movement from 1955 until his death in 1968. You may read that speech and see if you agree.

The three Triplets are a unified evil. King might have projected them today as follows: racism, materialism and militarism.⁴ First, racism consists of racial profiling and racial fifth column thinking. Second, materialism involves protecting capitalism in the community. Under this mentality, the value of people and groups are measured by their utility to producers of goods. People exist for markets and markets do not exist for people. Third, militarism consists of the national security claims of war, including a propensity to make such claims. It incorporates an instrumental view of dissenting peoples from different cultures, and presumes them to be the Other and therefore potential enemies.

Eliminating the Triplets must depend upon shifting from a “thing-oriented” society to a “person-oriented” society. This mentality is the best defense against terrorism. If we make warfare so electronically efficient as to shield American troops from the human consequences of their actions, this raises strong negative questions of honor and decency. The United States is playing the role of making peaceful revolution impossible by refusing to give up the privileges and pleasures that come from the immense profits of overseas investments. The status quo of “terrorists” is defined and set up in opposition to any possibility of the existence of freedom fighters against governmental or private oppression. By imposing democracy on other countries, Washington appears to be defining the world in terms of demanded law and policy in order to make the world safe for foreign investment and capitalist expansion. King held that, for Vietnam, democracy could be supported, but not imposed.

King instructed, “[w]e must love our enemies.”⁵ He called for a world-wide fellowship—not a sentimental or weak concept, but a supreme unifying principle of life which unlocks the door to ultimate reality and is necessary for the survival of humankind. This concept leads us to ponder many questions. Is the war on terrorism an enemy of the poor, even if it does not cause the United States to formally draft large numbers of poor individuals as the Vietnam War did? Is this a diversion of national and international resources away from the people desperately needing an effective Hurricane Katrina recovery effort? On a larger national and international scale, are resources being diverted from poor peoples in dire need?

In his Riverside Church speech, King questioned: “Have they forgotten that my ministry is in obedience to the One who loved his enemies so

4. See Riverside Church Speech, *supra* note 1, at 157-58 (“When machines and computers, profit motives and property rights, are considered more important than people, the giant triplets of racism, extreme materialism and militarism are incapable of being conquered.”).

5. Dr. Martin Luther King, Jr., Loving Your Enemies, Address Before the Dexter Avenue Baptist Church, Montgomery, Alabama (Nov. 17, 1957), in *A KNOCK AT MIDNIGHT: INSPIRATION FROM THE GREAT SERMONS OF REVEREND MARTIN LUTHER KING, JR.* 41, 41 (Clayborne Carson & Peter Holloran eds., 1998).

fully that he died for them?"⁶ Using King's question as a springboard, we can inquire: "What then can I say to the Al-Qaeda or to Osama bin Laden or to Saddam Hussein as a faithful minister of this One? Can I threaten them with death or must I not share with them my life?" As King reminded us: "[I must speak on behalf of people] who have been living under the curse of war for almost three continuous decades now."⁷

In his Riverside speech, King advocated for a "real land reform" for peasants.⁸ Applying that advocacy to today's war on terrorism, the United States government is committing a sin by supporting corrupt governments in its efforts to win that war. The United States helped create the conditions which brought its own enemies, i.e. the Taliban in Afghanistan, into being, and the United States helped turn other terrorists around the world into resistance groups. King would ask us to compare American violence against other nations and other nations' violence against the United States. Additionally, he would call upon us to understand the terrorists' perspectives without condoning their acts. He would also ask us to examine the American allies' role in the rise of terrorism. Finally, King would pose the question: "Is the American global computerized planning morally inferior to localized violence?"

King taught us that the true meaning of compassion and nonviolence is to be able to see ourselves as our enemies see us, hear our enemies' questions and learn about our own weaknesses.⁹ An American attack on an overseas land justifies resistance movements against incoming Americans, who they may see as their terrorists.

A. *Regarding the United States After 9/11*

King might say that Americans have a duty to understand the people of and supporting Al-Qaeda, including those who have done and wish to do us harm, and to understand them through a basic neighborly love, again, not at all a soft concept. Americans should adopt a general policy of non-violence under the principles of the United Nations Charter, while also adopting a policy of just global resistance to terrorist acts. If this resistance is immoral, including if it is inconsistent with respect for the rights, human dignity and autonomy of the people with whom we deal and otherwise inconsistent with the best principles of America, it cannot succeed. If it is not based on the love of those who attack us even as enemies, based on a profound understanding of their perspectives and based on the granting of the others' right to preserve their dignity and defend their communities, it will fail. In this regard, I believe Dr. King would have, if

6. Riverside Church Speech, *supra* note 1, at 145.

7. Riverside Church Speech, *supra* note 1, at 146.

8. *See* Riverside Church Speech, *supra* note 1, at 147 ("For the peasants, this new government meant real land reform, one of the most important needs in their lives.").

9. *See* Riverside Church Speech, *supra* note 1, at 151 (defining meaning and value of compassion and nonviolence).

alive today, strongly spoken out against the American government violating the fundamental human rights norm prohibiting torture, and against incorporating the violation of the equally fundamental norm against indefinite detention of any person into continuing governmental policy.

Perhaps King would say that the United States, as a great power, has a great obligation, for itself and for the world community, to use its influence and example to non-violently invoke, recommend and persuade other countries. Additionally, he would encourage the government to establish and implement a global legal and moral international organizational process under law. This would feature clear moral principles of justice and their implementation for the least of the world's peoples. This global process would comprehensively define and demonstrate the wrongfulness of acts by any persons or groups that kill people, including innocent people and civilians, and respond to them with massively organized Gandhian moral resistance. At the same time, that global process, in a framework of international justice, would need to address the grievances and aims expressed by those, including the people of and sympathetic to Al-Qaeda, who are relying on violence against populations. The United States, in this regard, would be in so doing, as King might have said, addressing these problems "from the right side of History."

American techno-superiority is military superiority and it carries moral responsibility. Is the war on terrorism being fought to protect the rich and are the troops that are fighting it adding to their own cynicism in this process of death? Those nations that possess the great initiative in an unjust war also have the duty to exercise that great initiative to stop it. If we frame this in terms of American military victory versus American psychological and political defeat, we must remember that both can happen.

In his Riverside Church Speech, King reminded us that the duty of the American people is to oppose war with every creative means of protest possible.¹⁰ We can oppose the war on terror, as war, in a variety of ways. First, we can be conscientious objectors. Second, we can demand a profound change in American life and policy so that we do not create or contribute to such wars again. Third, we can abolish the aforementioned Triplets. Since Vietnam, has the United States changed at all in any of these directions, or has the United States only sought technological fixes instead? Today, King would, at least, I believe, publicly raise these questions.

10. See Riverside Church Speech, *supra* note 1, at 159. Specifically, King explicated:

America, the richest and most powerful nation in the world, can well lead the way in this revolution of values. There is nothing except a tragic death wish to prevent us from reordering our priorities so that the pursuit of peace will take precedence over the pursuit of war. There is nothing to keep us from molding a recalcitrant status quo with bruised hands until we have fashioned it into brotherhood.

Id.

V. CONCLUSION

The increasing commodification and national ritualization of King's birthday are leading to several undesirable trends. One is the persistent desire to confine the national celebration of his life to that of a civil rights leader who accomplished great things a long time ago. Inherent in this limitation is our refusal to celebrate him as an international human rights leader and a leader for just peace—whose great leadership, intellect and principles continue to instruct us today in our national and international policies.

King's international doctrine is a direct challenge to the balance-of-power theories of international relations and territorial sovereignty jurisprudence of international law. King made coherent and illustrated this doctrine in his Riverside Church speech. For example, in Riverside, and in other speeches, King prohibited unjust wars as frameworks for exercising America's global superpower responsibility, along with defining the centrality of America's duty to represent and substantively assist the world's underprivileged people.

King preached all-embracing unconditional love for all men and women. He viewed this unconditional love as the supreme unifying principle of life among all the great religions. King considered this force as the key that unlocked the door that led to ultimate reality. This concept is not a sentimental and weak response, nor a concept that was dismissed by the Nietzsches of the world as a weak and cowardly force; rather, it lifts neighborly concern beyond one's own tribe, race, class and nation. It has natural law antecedents in the duty of sovereign rulers to act in order to protect all humankind.

Retaliation and hate lead a nation towards the wreckage-heap of history. Tomorrow is today, especially in a post-modernist global village of simultaneity. As Duke Ellington stated, "we want to make music that is good today, not music that will be judged good tomorrow." King held that Nations cannot procrastinate in adopting international policies based on love because time waits on no one in moving towards the choice between a non-violent co-existence and a violent coannihilation.

Power carries the duty of compassion. Might carries the duty that it be morally exercised. Strength carries the duty that it be applied with sight. King emphasized that policies declaring eternal hostility to poverty, racism and materialism, i.e. the integrated Triplets, are to be valued as absolutely essential.

King's theory of international relations recalled early American black leaders of the late eighteenth and early nineteenth centuries, including Richard Allen and James Forten of Philadelphia. These leaders persisted in their refusal to recognize the artificial American distinction between national slavery and the international slave trade, based on their commitment to the liberation of their black brothers and sisters enslaved on sweltering and deadly southern plantations. They also pushed for the national

and international abolition of all forms of slavery for the good of America. King's approach evoked the black Christian tradition born in slavery, including the possibility of redemption for all people and the promise of God's laws in the Bible for freedom and justice on Earth for slaves in their lifetimes.

King's approach further recalled doctrines of natural law as the main jurisprudential basis of international law until the mid-nineteenth century. King emulated Grotius in 1625 as he coalesced modern international law into a legal system, and as he demanded that every international act by all states and peoples be normatively assessed under right principles, including those acts that pertained to the highest national security interests. He further recalled Grotius's doctrine of just and unjust war, his rejection of a blind adherence to *raison d'état* and his natural law compatriots' belief that international law must recognize the rights and humanity of indigent native peoples displaced from their lands by European state colonialism. King's concept of international law also embodied Grotius's rejection of Machiavelli and Hobbes, holding that men and women are a naturally social and cooperative species who are not naturally prone to war among their members. He further acknowledged, however, that sometimes wars do occur and when they do, they must be just wars, and must not uphold the Triplets. Finally, King recalled Grotius's holding that peace is an affirmative duty to build and institutionalize, and is not merely an absence of war. Governments that abuse their people can be justly challenged with international assistance; nations and their laws must be judged by human universal principles of justice in the sight of God.

I close by bringing forward observations about King's Riverside Church speech from a great historian of the Civil Rights Movement, Taylor Branch. From the ferocity of the reaction to King at Riverside Church, American public discourse broadly denied King the opportunity to be heard on Vietnam at all. The call for segregated silence on Vietnam dashed any expectation that King's freedom movement validated the citizenship credentials of blacks by historic mediation between the powerful and the dispossessed. In other words, it relegated King to the back of the bus.

Branch continues to explain that at Riverside Church, King offered a precarious narrow course that demonized neither side on Vietnam and, restrained by a non-violent imperative, found slivers of humanity in the obscene polar conflict. While upholding for his own country, personified by President Lyndon Johnson, a supreme but imperfect commitment to democratic norms, he granted the Vietnamese communists a supreme but imperfect right to be free of external domination. On balance among the Vietnamese, war by foreigners trapped the complicit United States in a colonial past that forfeited liberating status. To curtail unspeakable cruelty and waste, King contended that Americans must refine their cherished idea of freedom by accepting that they could support freedom in

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Vietnam, but could not impose it on Vietnam. To honor their sacrifice with understanding, King explained, Americans needed to grant the Vietnamese people the elemental respect of citizens in disagreement. This lesson was both wrenching and obvious, reminiscent of the way modern people might be chastened by the centuries it took to establish that the Inquisition's bloody enforcement profaned rather than championed Christian belief.

Thank you.

