



Finding Pauli Murray:

The Black Queer Feminist Civil Rights Lawyer
Priest who co-founded NOW, but that History
Nearly Forgot

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Photo courtesy Schlesinger Library,
Radcliffe Institute, Harvard University

"If one could characterize in a single phrase the contribution of Black women to America, I think it would be 'survival with dignity against incredible odds'..."
- Pauli Murray, *"Black Women-A Heroic Tradition and a Challenge"* (1977)

She was an African-American civil rights activist, who was arrested for refusing to move to the back of the bus in Petersburg, Va. 15 years before Rosa Parks; and she organized restaurant sit-ins in Washington, D.C. 20 years before the Greensboro sit-ins. She was one of the most important thinkers and legal scholars of the 20th century, serving as a bridge between the civil rights and women's rights movements.

Co-founder of NOW - She was a co-founder of the National Organization for Women, a feminist icon ahead of her time who challenged race and gender discrimination in legal, societal, academic and religious circles.

And yet today, not many would recognize the name of the Rev. Dr. Pauli Murray – let alone her indelible impact on American law, civil rights and women's rights. As a

black, queer, feminist woman, Pauli Murray has been almost completely erased from the narrative. It is time she was recognized.

A Remarkable Life - Murray's life and her remarkable accomplishments are coming back into focus as the National Trust for Historic Preservation considers designating the Pauli Murray childhood home at 906 Carroll Street in Durham, N.C. as National Historic Landmark. The modest structure built in 1898 by Murray's maternal grandfather, Robert George Fitzgerald – a Union Civil War veteran, will be restored and serve as the home of the Pauli Murray Center for History and Social Justice.

Pauli Murray College - In addition, Yale University will name a residential college for the Rev. Dr. Pauli Murray, a Yale Law School alumna, which is scheduled to open in 2017.

Woman of Many Accomplishments- Anna Pauline “Pauli” Murray (1910-1985), great grand-daughter of enslaved persons, was a talented poet, thoughtful autobiographer and historian, perceptive social commentator, dedicated political organizer, compassionate attorney, inspiring professor, brilliant legal theorist and a ground-breaking Episcopal priest. Added to that list is the designation of saint which the Episcopal Church conferred on the Rev. Dr. Murray in 2012, twenty-seven years after her passing. (Imagine that, a feminist saint!)

Friend of Eleanor Roosevelt - The superlatives do not end there. Murray was first African American to be awarded a doctorate in law from Yale University and was also the first African-American woman to become an ordained Episcopal priest, after earning a Master in Divinity degree. She was a friend and faithful correspondent of First Lady Eleanor Roosevelt who did much to encourage the work of Pauli as Pauli heightened the First Lady's awareness of the challenges faced by working women, the poor and communities of color. Pauli Murray's status was such by this time she became a consultant to Presidents Franklin D. Roosevelt and John F. Kennedy.

Early Losses Influenced Pauli - Born in Baltimore, Maryland in 1910 to a family lineage that included free blacks, African-American slaves, Native Americans, and white slave owners, Murray escaped family struggles, racial discrimination, and poverty, through education. Since there were four generations of public school teachers in her family this seemed only natural. Two early experiences in her life must have strongly influenced her motivation to study and achieve academically and to work for those who face social and economic barriers.

Pauli's mother, Agnes Fitzgerald Murray, died of a cerebral hemorrhage when she was four years old and, when her father was unable to care for the couple's six children, Pauli moved to Durham, N.C. to live with her aunt, Pauline Fitzgerald Dame. Her father, William Murray, had become emotionally unstable following a bout with typhoid fever and was committed to a mental institution. Sensing potential danger for her father, Pauli wanted to help, but was unable to do so

because of her tender age. When Pauli was 13, her father was beaten to death by a white guard at the Crownsville State Hospital in Maryland.

Rejected Because of Race and Sex - The road to higher education was a bumpy one for Pauli. She moved to New York City after graduating at the head of her class in Durham, N.C. in order to qualify for entrance to Hunter College after receiving another high school diploma in 1927. Murray attends Hunter College, a free city university, for two years, but inspired by a teacher, attempts to enroll at Columbia University. Pauli was turned away because the university did not admit women. Back at Hunter College, Murray published an article and several poems in the college newspaper and an essay about her maternal grandfather which in 1956 became a memoir, *Proud Shoes*, about her mother's family. Pauli graduated in 1933 with a Bachelor of Arts degree in English.

Pauli was briefly married in 1930 to a man that she refers to in her autobiography as "Billy", but the marriage was annulled a few months later. A divorce from "Billy" did not happen until 18 years later. The young college graduate was employed for Depression-era agency Works Projects Administration, Workers Defense League and taught remedial reading. She also took a job with the National Urban League selling subscriptions to their academic journal, but poor health forced her to resign and was encouraged by her doctor to move to a healthier environment.

Meets Eleanor Roosevelt - Pauli assumed a position at Camp Tera, which was a "She-She-She" conservation camp like the male Civilian Conservation Corps (CCC) created under President Franklin D. Roosevelt's New Deal to provide employment. Pauli's health improved during the three months at Camp Tera and it was at this time she met Eleanor Roosevelt, leading to a friendship with the First Lady that would be life-changing.

Bachelor of Feminism Degree - Pauli applied in 1938 to the University of North Carolina, Chapel Hill, but was refused because of her race. All schools and other public facilities in North Carolina were segregated. The NAACP considered filing a lawsuit on behalf, but decided against since there was a question of her state of residence. The refusal to admit due to her sex would not be the first time: Murray won a Rosenwald Fellowship when she graduated from Howard Law School that allowed her to apply to Harvard Law (as many of the male Howard graduates did) for graduate work. In fact, Franklin D. Roosevelt sent Harvard's president a letter of recommendation for Murray, but the law faculty vote to accept Murray was tied 7-7. Twenty years later, Murray spoke on the Harvard campus, joking that the experience had given her a "Bachelor of Feminism" degree.

Woman of the Year - Despite obstacles to education, in 1944 she graduated as valedictorian of her Howard University law class, producing the senior thesis "Should the *Civil Rights Cases* and *Plessy* Be Overruled?" Pauli moved west to do post-graduate work at Boalt Hall of Law at the University of California, Berkeley where she wrote her master's thesis, *The Right to Equal Opportunity in Employment*,

arguing that the right to work is an inalienable right. The thesis was published in the California Law Review. After passing the California Bar Exam, Pauli was hired at the state's first black deputy attorney general in 1946 and was named "Woman of the Year" by the National Council of Negro Women and by *Mademoiselle* magazine in 1947.

Coins Term 'Jane Crow' - Murray has a lasting impact on American feminism, beginning with an article she co-authored with lawyer Mary Eastwood in 1965, "Jane Crow and the Law: Sex Discrimination and Title VII" in *George Washington Law Review*. Murray coined that term to describe the hoots of derisive laughter she received when suggesting to her Howard Law classmates the *Plessy v. Ferguson* decision (upholding racial segregation state laws as constitutional under the "separate but equal" doctrine, 1896) was inherently immoral and discriminatory and on those grounds should be overturned. She also received discriminatory and insulting treatment from male faculty at this historic black university. Pauli was the only woman in her law school class; she also graduated first in her class, was valedictorian and was elected Chief Justice of the Howard Court of Peers, the highest student position at Howard.

Impetus for a Women's Civil Rights Organization - The Jane Crow article discussed Title VII of the Civil Rights Act of 1964 as it applied to women, and drew comparisons between discriminatory laws against women and Jim Crow laws, according to a Wikipedia article. Both Murray and Eastwood were discouraged by the failure of the Equal Employment Opportunity Commission (EEOC) to enforce Title VII's prohibition of sex discrimination in employment in the Civil Rights Act of 1964 and the refusal at Third National Conference of State Commissions on the Status Women to consider a resolution that recommended the EEOC carry out its legal mandate to end sex discrimination in employment. It should be noted that the first EEOC commissioners were seven men. These developments led directly to the founding of NOW.

Launching of NOW - In her autobiography, *Song in a Weary Throat*, Murray reports actions which took place as a result of the Women's Status Commissions conference refusal to consider the resolution, prompting the founding of NOW. Murray, Betty Friedan, Mary Eastwood, Catherine East, Marguerite Rawalt, Kathryn Clarenbach, Catherine Conway, and Caroline Ware among a group of 20 gathered at a table while conference dignitaries were speaking and carried on in whispered conversations about a temporary body to be called the National Organization for Women. Betty Friedan scribbled the organization's purpose on a paper napkin while sitting next to Pauli Murray, who stated "Three months later...thirty-two of us set up the permanent organization of NOW, never dreaming that within less than two decades it would have more than 200,000 members and become a potent force in American politics." Friedan became NOW's first president, but Murray stayed in the background writing organizational documents that represented her view of NOW as the NAACP for women.

Legal Scholarship, Activism Shaped Movements - Murray's legal scholarship and activism hold a continuing national significance in American legal history and the women's and civil rights movements. She has been identified as one of the most pivotal figures in 20th century African-American civil rights history. The late Supreme Court Justice, then NAACP Chief Counsel, Thurgood Marshall and the NAACP called her 1950 book, *States' Laws on Race and Color*, "the Bible for civil rights lawyers." The "Bible" was especially useful in the ground-breaking 1954 *Brown v. Board of Education of Topeka* case. *States' Laws* was an examination of and critique of state segregation laws throughout the country. According to a Wikipedia article, Murray drew on psychological and sociological evidence as well as an innovative legal argument for which she had been previously criticized by her Howard professors. She argued for civil rights lawyers to challenge segregation laws as unconstitutional, rather than trying to show the inequality of "separate but equal."

Title VII Sex Discrimination Key Protection - As a board member of the American Civil Liberties Union (ACLU) alongside lawyer Dorothy Kenyon, Murray co-wrote the brief on *White v. Crook*, (1966) which struck down the all-white, all-male jury system in Alabama as unconstitutional. This case is regarded as a turning point in civil rights law. Murray's legal scholarship laid the groundwork for Ruth Bader Ginsberg's argument in *Reed v. Reed*, (finding that preference for males as estate administrators was unconstitutional, 1971) marked the first time that the Equal Protection Clause would be applied to a case of sex discrimination, prohibiting differential treatment based on sex. Her efforts to retain "sex" in Title VII have provided long-standing legal protection for women against employment discrimination.



Photo courtesy Schlesinger Library, Radcliffe Institute, Harvard University

Prior to *Reed v. Reed*, in the 1960's Murray began to argue that the Equal Protection Clause should be applied in cases alleging sex discrimination like the Equal Protection Clause was applied in cases of race discrimination. This analogy to race was intended to make clear women's subordinated status and to expose discrimination doubled by sex and race against black women. Salon.com writer Brittney Cooper writes that Murray's early theorizing on the race-sex analogy for black women's positionality within the law has been called "the most direct precursor to author-activist Kimberle Crenshaw's theory of [intersectionality](#)." The current wave of feminist activism focuses on challenging the intersectionality of race and sex discrimination, with class divide as an overlay to a broad and deep socio-economic pattern keeping women and especially women of color subjugated.

Friend of First Lady Eleanor Roosevelt - A recently-published book, *The Firebrand and the First Lady - Portrait of a Friendship*, based on over 300 letters and notes between Murray and Eleanor Roosevelt as well as diaries, journals, interviews and other sources, relates the remarkable friendship between two very different individuals. Murray wrote to President and Mrs. Roosevelt as a 28-year-old budding writer to point out the injustices of racial discrimination in the South, remembering that she had been denied admission because of her race to graduate school at the

University of North Carolina. Mrs. Roosevelt wrote back, I have read the copy of the letter you sent me and I understand perfectly, but great changes come slowly....The South is changing, but don't push too fast."

Murray continued to share with the First Lady in letters and in personal meetings at the White House and Roosevelt's New York City apartment her views about race, women, the law and inequality. No doubt that this decades-long relationship deepened Roosevelt's commitment to social justice and, at the same time, encouraged Murray in her intellectual and activist pursuits. Roosevelt, of course, following the death of President Roosevelt in 1945 went on to become the first chair of the United Nations Commission on Human Rights and was the inspiration of the U.N. Declaration of Human Rights adopted in 1948 and later chair of the new Presidential Commission on the Status of Women in 1961.

Openly Lesbian Victim of Respectability - Pauli Murray was also unambiguously and vocally queer. She wore pants and was candid about her relationships with women. She was even open about being a gender nonconforming person, who cut a masculine-of-center gender figure in early adulthood. In these respects, Pauli was far ahead of her time. But by the 1950s, Murray was well established as a prominent civil rights attorney. Concerns about her work on behalf of civil rights and a past participation with the Communist Party eventually made her a target of the McCarthyism's Red Scare. Pauli removed many of the references to her same-sex relationships in her writings from this point onwards. Between her queerness, her gender, and her political beliefs, Murray fell victim to the respectability politics of the period, and was erased from most chronicles of the civil rights movement. As Salon writer Britney Cooper notes, "The civil rights struggle demanded respectable performances of black manhood and womanhood, particularly from its heroes and heroines, and respectability meant being educated, heterosexual, married and Christian."

Near the end of her life, Murray became the first African American woman to be named an Episcopal priest, ordained in the first wave of women ministers in several protestant faiths. Pauli had grown up in the Episcopal Church and remained a faithful member throughout her adult life. Ordained in 1977, Rev. Murray performed her first Holy Eucharist in the same North Carolina chapel, Chapel of the Cross in Chapel Hill, where her grandmother, an enslaved person, had been baptized. Murray contributed to the development of a womanist theology, a religious conceptual framework which reconsiders and revises the tradition, practices, scriptures and biblical interpretation with a special lens to empower and liberate African American women in America.

A Feminist Saint – In 2012, the General Convention of the Episcopal Church voted to name Pauli Murray as one of its *Holy Women, Holy Men: Celebrating the Saints*. On the anniversary of her death, July 1, and every July 1 thereafter, a service is held to honor Pauli Murray as a saint for her advocacy of the universal cause of freedom and as the first African American female priest ordained by the Episcopal Church.

She is honored for her work to address injustice and promote reconciliation between races, sexes, and economic classes through her work as an attorney, writer, feminist, poet and educator.

Pulling History Along with Her - Perhaps the most fitting remark to sum up Pauli Murray's life was made by D.C. Delegate Eleanor Holmes Norton in her introduction for Murray's autobiography, *Song in a Weary Throat*, noting that Murray never lived in the past but rather decades ahead of her time: "she lived on the edge of history, seeming to pull it along with her."

Murray's Work and Life Preserved - Few women – indeed, few persons – have left a legacy that continues to benefit millions. It is time that she receives the recognition she deserves. The website for the Arthur and Elizabeth Schlesinger Library on the History of Women in America currently features this article, "Pauli Murray: A One-Woman Civil Rights Movement,"

<https://www.radcliffe.harvard.edu/news/schlesinger-newsletter/pauli-murray-one-woman-civil-rights-movement>

The Library has an extensive collection of Pauli's writings and will feature the life and work of Pauli at a discussion panel on April 24, 2017 in Cambridge, Mass. The Schlesinger Library is part of the Radcliffe Institute for Advanced Studies, Harvard University, and also contains the records of the National Organization for Women,

<https://www.radcliffe.harvard.edu/schlesinger-library/collection/records-national-organization-women>

Childhood Home May Become Historic Landmark - Meeting in Washington, D.C. on October 18, 2016, the National Historic Landmarks Committee (NHL) of the National Park Service recommended designating the Pauli Murray childhood home as a National Historic Landmark. A contingent of supporters from Durham, N.C. spoke in favor of the designation and presented the committee with 2,500 signed petitions – many of them from NOW leaders. NOW Government Relations Director, Jan Erickson, spoke in favor of the designation at the meeting, concluding that "the modest home at 906 Carroll Street as a National Historic Landmark and the establishment of the Pauli Murray Center for History and Social Justice is a fitting acknowledgment of Pauli's contributions to this nation."

Protecting Women's, LGBTQ History - The Pauli Murray Project and the National Collaborative for Women's History Sites has joined in this effort with the National Trust. The NHL executive summary for the Murray home is at

<https://www.nps.gov/nhl/news/LC/fall2016/PauliMurrayES.pdf>

The designation is part of a recently inaugurated effort of the National Park Service to identify and protect more sites connected to women's history and LGBTQ history. Currently, less than 2% of our national parks, monuments and sites are dedicated to women's history. Only 5.6% focus on African American history and only one site explores the stories of the LGBTQ community (Stonewall in NYC).



Photo courtesy Schlesinger Library, Radcliffe Institute, Harvard University

More information:

Song in a Weary Throat: An American Pilgrimage, by Pauli Murray, Harper & Row, Amazon.com, https://www.amazon.com/s/ref=nb_sb_noss?url=search-alias%3Dstripbooks&field-keywords=Song+in+a+Weary+Throat

“Black, queer, feminist, erased from history: Meet the most important legal scholar you’ve likely never heard of – Ruth Bader Ginsburg is the Supreme Court’s liberal hero, but her work sits on the should of Dr. Pauli Murray”, by Brittney Cooper, Feb. 2015, http://www.salon.com/2015/02/18/black_queer_feminist_erased_from_history_meet_the_most_important_legal_scholar_youve_likely_never_heard_of/

The Firebrand and the First Lady – Portrait of a Friendship, Pauli Murray, Eleanor Roosevelt, and the Struggle for Social Justice, by Patricia Bell-Scott (Alfred A. Knopf/Penguin, Random House, 2016) (A Non-Fiction Finalist (Long List), 2016 National Book Awards)

Papers of Pauli Murray, 1827 – 1985, A Finding Aid, Schlesinger Library,
<http://oasis.lib.harvard.edu/oasis/deliver/~sch00067>

A Heroine In Everyday Life: Pauli Murray's Legal Education, by Jeffrey D. Gonda,
<https://www.radcliffe.harvard.edu/schlesinger-library/blog/heroine-in-everyday-life-pauli-murrays-legal-education>

Pauli Murray, https://en.wikipedia.org/wiki/Pauli_Murray

Feminist Chronicles – 1966, the Founding of NOW,
<http://www.feminist.org/research/chronicles/fc1966.html>

Defying Dixie: The Radical Roots of Civil Rights, 1919-1950, by Glenda Gilmore,
(Norton, 2008)

When and Where I Enter: The Impact of Black Women on Race and Sex in America, by
Paula Giddings (William Morrow Paperbacks, 2007)

Pauli Murray Project, <http://paulimurrayproject.org/>