



---

January 2002

## The Comparable Roles in Social Legislation and Civil Rights of a Conventional Jewish Female and an Unconventional Black Homosexual Male: Belle Moskowitz and Baynard Rustin

Jeffery O'Connell

Thomas E. O'Connell

---

### Recommended Citation

Jeffery O'Connell & Thomas E. O'Connell, *The Comparable Roles in Social Legislation and Civil Rights of a Conventional Jewish Female and an Unconventional Black Homosexual Male: Belle Moskowitz and Baynard Rustin*, 55 SMU L. REV. 1641 (2002)  
<https://scholar.smu.edu/smulr/vol55/iss4/10>

This Article is brought to you for free and open access by the Law Journals at SMU Scholar. It has been accepted for inclusion in SMU Law Review by an authorized administrator of SMU Scholar. For more information, please visit <http://digitalrepository.smu.edu>.

# THE COMPARABLE ROLES IN SOCIAL LEGISLATION AND CIVIL RIGHTS OF A CONVENTIONAL JEWISH FEMALE AND AN UNCONVENTIONAL BLACK HOMOSEXUAL MALE: BELLE MOSKOWITZ AND BAYARD RUSTIN

*Jeffrey O'Connell\**  
*Thomas E. O'Connell\*\**

## I. INTRODUCTION

IT would be hard to find two twentieth century figures who at first glance were more dissimilar than Belle Moskowitz and Bayard Rustin. She was a proper, discreet dignified, family-oriented, New York Jewess; he a black, irreverent proudly-open gay, bon vivant. The family background of Moskowitz (néé Lindner) was solid, bourgeois, conventional; Rustin was born into what he called "a fatherless home." The principal resemblance between them lies in the important role each played in social reform in the United States, she in the early and he in the mid-twentieth century.

In the 1920s Belle Moskowitz was the most powerful woman in the country, and the first American woman ever to achieve such power. True, she followed in the footsteps of earlier women—among them Elizabeth Cady Stanton and Susan B. Anthony in the suffrage movement, and Florence Kelley of the National Consumers' League.<sup>1</sup> But these women were activists for relatively narrow ranges of reform. Moskowitz exerted general power across the spectrum of politics and government, albeit as we shall see vicariously, as a staffer. She was pivotal in a variety of innovative governmental reforms introduced first in New York State under her principal, Governor Alfred E. Smith, and subsequently adopted by President Franklin Roosevelt in his New Deal. Similarly, Bayard Rustin

---

\* Samuel H. McCoy, II Professor of Law, University of Virginia; B.A., 1951, Dartmouth College; J.D., 1954, Harvard University.

\*\* President Emeritus, Berkshire (Mass.) Community College; B.A., 1950, Dartmouth College; M.P.A., 1952, Syracuse University; L.H.D., 1970, Williams College; Ed. D., 1925, University of Massachusetts.

1. RITA J. SIMON & GLORIA DANZIGER, *WOMEN'S MOVEMENTS IN AMERICA: THEIR SUCCESSES, DISAPPOINTMENTS AND ASPIRATIONS* (1991).

was for decades a crucial leader in the civil rights movement under his two principals, Martin Luther King and A. Philip Randolph.

Moskowitz and Rustin were extraordinarily useful people—"useful" in the rather old fashioned sense of useful to the public, to the commonwealth.<sup>2</sup> Both were content to stay in the background and let their principals receive credit for programs that each had sparked and subsequently played central roles in effecting.

The result for both was a "passion for anonymity" (referring to a quality sought in U.S. presidential staff). The result in turn was that Rustin and Moskowitz were scarcely household names during their lifetimes and both largely disappeared from view after their deaths—disappeared, that is, until the publication of three worthy biographies—two of Rustin and one of Moskowitz: Moskowitz's was written by her granddaughter, Elisabeth Israels Perry, a professor at St. Louis University;<sup>3</sup> Rustin's were written by *New Yorker* staff writer Jervis Anderson<sup>4</sup> and by Daniel Levine of Bowdoin College.<sup>5</sup>

## II. SIMILARITIES

Moskowitz and Rustin had much in common as individuals and worked in strikingly similar ways.

### A. OUTSIDERS

Both were "outsiders": Rustin the African-American and Moskowitz the Jewess. But whereas Moskowitz was a person of her time without much specific interest in the plight of African-Americans, Daniel Levine stresses that Rustin went out of his way "to make common cause with the liberal Jewish community, whose historic ties with the civil rights movement had been severely strained by the rise of black nationalist militancy"<sup>6</sup> and its anti-semitism. His solidarity with the Jewish community cost him standing with many blacks.<sup>7</sup> Similarly Rustin's passionate advocacy of Israel was criticized by influential blacks as ignoring the plight of Palestinians. But "[c]oncerning the Palestinians, Rustin said he could not endorse a movement pledged to the use of terrorism against innocent civilians."<sup>8</sup>

---

2. Old fashioned in spite of its being, in effect, the very first definition in the Oxford English Dictionary: "of persons: having the ability or qualities to bring about good, advantage, benefit, etc. . . ." XIX THE OXFORD ENGLISH DICTIONARY 473 (1989).

3. ELISABETH ISRAELS PERRY, *BELLE MOSKOWITZ: FEMININE POLITICS AND THE EXERCISE OF POWER IN THE AGE OF ALFRED E. SMITH* (1987) (Northeastern Univ. Press 2000).

4. JERVIS ANDERSON, *BAYARD RUSTIN: TROUBLES I'VE SEEN: A BIOGRAPHY* (1998).

5. DANIEL LEVINE, *BAYARD RUSTIN AND THE CIVIL RIGHTS MOVEMENT* (2000). See BRIAN FERGUSON, *CIVIL SEX* (1997), for a one-person play on Rustin, produced by the Woolly-Mammoth Theater Co., Washington, D.C., 1997.

6. ANDERSON, *supra* note 4, at 326.

7. *Id.* at 327.

8. *Id.* at 340.

## B. EARLY PUBLIC PERFORMERS

The outsider status of Moskowitz and Rustin may have contributed to their willingness to let their better-known principals take the limelight. Yet in another way this willingness is surprising, for both were avid public performers early in life. As a young woman, Moskowitz was an actress and loved giving declamations and monologues in private homes. She studied what today would be called Oral Interpretation of Literature and for a few years “taught elocution and dramatic reading to children.”<sup>9</sup> She even considered acting as a career:

Her letters reveal her as a person of deep emotion, prepared even for a life on the stage; but convention and propriety held her back. . . . Heinirch Conride, her acting teacher, urged her to pursue a theatrical career. But declamations in a private home were one thing, the public stage another. Her parents drew a line, and Belle acquiesced. Perhaps she secretly agreed with them that the theater put a girl’s virtue at risk. Perhaps she sensed her own temperamental incompatibility with the stage. Unlike dramatic reading, which sheltered the performer in a safe, predictable environment, stage acting demanded uninhibited emotional interaction with others . . . . Nonetheless her creative energies, her intelligence, and expressive gifts needed an outlet. The challenge was to find one that was safe.<sup>10</sup>

Bayard Rustin too had artistic gifts – he was a musician, a talented singer and instrumentalist. He performed informally all his life but though, like Moskowitz, he was encouraged by teachers and others to consider becoming a professional singer, he never seriously considered it. Nor did he follow up his genuine talent in acting and drawing. Anderson quotes an early friend: “This man really was an artist. But you couldn’t ever get him to admit that, because he was so determined to involve himself with things political. He could have been an excellent artist if he had wanted to be, and he might have been happier.”<sup>11</sup>

## C. SPEAKERS AND WRITERS

Moskowitz and Rustin both later became effective public speakers on the reform agendas each espoused, though in their speeches they put their causes and their principals first and their own prestige a distant second.

They were also prolific and potent authors of articles, pamphlets, memoranda, letters, and position papers, as well as speeches for their mentors. Rustin’s biographers were able to consult a multitude of Rustin’s papers. Moskowitz’s granddaughter has not been as blessed in that few of Moskowitz’s papers have survived. This was partially because of Moskowitz’s preference for a staff job as advisor to her principal rather than a line job

---

9. PERRY, *supra* note 3, at 5.

10. *Id.* at 9-12.

11. ANDERSON, *supra* note 4, at 17.

as a department head (where her papers might have been preserved in official files).

Whether in speaking or in writing, both were articulate intellectuals—idea people. As for Moskowitz, Perry indicates that Governor Smith, in his tribute to her after her death, “emphasized not her instincts but her brain power. She had, he wrote, ‘one of the finest intellects he had ever known’. . . . ‘The keenness of her mind’ impressed him, ‘especially her ability to get at the essentials of a complicated question and to explain it briefly and simply.’”<sup>12</sup>

As for Rustin, a fellow black leader of the civil rights movement, Vernon Jordan, praised him after his death, calling him “Chairman of the Ideas Committee” and the “intellectual bank where we all had unlimited accounts.”<sup>13</sup>

Moreover, in their speaking and writing Moskowitz and Rustin each demonstrated that they were extraordinarily compassionate people. Governor Smith saw Moskowitz’s compassion as essentially feminine (though he thought her mind masculine):

Moskowitz always kept her sights “on the true values of life.” To Smith this meant that she remained “essentially a wife and a mother.” She frequently spoke “of the woman’s point of view,” and was a “womanly woman” whose “mother heart” impelled her toward making the state an “instrument for the welfare of the people.”<sup>14</sup>

Similarly, Levine speaks of Rustin’s “infinite capacity for compassion, whether it was for a homeless person on New York streets, a refugee in Thailand who found no way to be resettled, or Haitian refugees in Brooklyn.”<sup>15</sup>

### C. FROM PROTESTS AND SOCIAL REFORM TO POLITICS

When young, both Moskowitz and Rustin started working for social reform through non-governmental organizations. But each gradually came to feel that meaningful, widespread social reform could only be brought about through heavy political or governmental involvement. Symbolically, “From Protest to Politics” was the title Rustin gave to a key paper he published at a pivotal point in his career.<sup>16</sup>

Moskowitz went from work in a privately-run settlement house in New York City,<sup>17</sup> to quasi-governmental work with labor unions, to working in

12. PERRY, *supra* note 3, at 157.

13. LEVINE, *supra* note 5, at 246.

14. PERRY, *supra* note 3, at 157.

15. LEVINE, *supra* note 5, at 246.

16. It is significant that this change of emphasis is featured in chapters with similar or identical titles in the three biographies under review: for Moskowitz: “From Social Reform to Politics” PERRY *supra* note 3, at 98. For Rustin the Levine and Anderson titles are the same: “From Protest to Politics, etc. LEVINE, *supra* note 5, at 171, and ANDERSON, *supra* note 4, at 283.

17. Perhaps symbolically in light of Moskowitz’s importance in the twentieth century, “[s]he started [in that] settlement work, her first real job, interestingly enough in January of 1900.” PERRY, *supra* note 3, at 14.

the New York State government. Rustin started work with a series of private reform organizations such as the Fellowship of Reconciliation, the War Resister's League and the Southern Christian Leadership Conference. Ultimately, he took a post as executive director of the A. Philip Randolph Institute where he worked extensively with labor unions. By the time he assumed his last post with Randolph, he had become convinced of the need to work through governmental agencies to foster reform. Like Moskowitz, he finally came to feel that working through the Democratic Party was the only way to bring about significant social change. And like Moskowitz, he did this effectively—in the Randolph Institute.

#### D. ORGANIZERS AND COALITION BUILDERS

Moskowitz and Rustin both had a knack for engaging key people to address a specific social problem, not only bringing them together but helping them come up with fair, practical solutions. Both seemed to know everybody and could select the right representatives for all aspects of an issue, choosing pragmatic people. Both were convincing in dealing with legislators or other officials whose help was needed to take action. If they didn't happen to know a key person in authority, they knew who did, and would thereby bring him or her into the coalition they were building.

Both were uniquely adept at dealing with publicity. Indeed, a case can be made for Moskowitz as the inventor of the term "public relations."<sup>18</sup> All three biographies laud them for their knack for making the public aware of a social need and for dealing with all aspects of selling an idea.

Moskowitz's skills were perhaps best shown shortly after she became an advisor to Al Smith in 1918. Upon Smith's election as Governor of New York, Moskowitz made detailed recommendations to him for broad reforms restructuring state government. The implementation of those reforms was then followed up by Smith's successor as Governor, Franklin D. Roosevelt. Roosevelt then used similar steps in his far-reaching New Deal reforms when he became President in 1932. Moskowitz was clearly the spark plug for Smith. Perry quotes Moskowitz that "in the advancement of any new enterprise of a public service character the interest of the public should not wait upon the private interest or initiative of individuals." Writes Perry, "this last phrase reflected Moskowitz's view of government as a spur to the private sector."<sup>19</sup> Here indeed was the germ of the idea that went from Moskowitz to Smith to Roosevelt.

Smith appointed Moskowitz the executive secretary of a committee she had suggested, naming it the Reconstruction Commission. The Commission was to review all the major functions of the New York State Government to remake them responsive to the state's new needs. In each area—

---

18. *Id.* at 140-41.

19. *Id.* at 129.

for example, labor, housing and education, and including basic administrative organization<sup>20</sup>—all of Moskowitz's skills in speaking, writing, coalition-building, and public relations were engaged.

In the labor field, as just one example, she made sure that a conference of key labor and management leaders called by Smith to review state policy concentrated on one topic,

“the maintenance of production and the prevention of strikes,” and that it would “attain . . . an agreement on both sides that there will be no strikes or lock-outs for period of a year and that [the Governor] . . . will appoint a Reconstruction Labor Board, similar to the War Labor Board, to whom all of these disputes can be referred. This, of course, would have equal representation on both sides.” She hoped further that the board would stimulate the formation of similar boards in all the state's leading industries. Working in cooperation with the Industrial Commission, the boards would “study these industries and have constantly in preparation data upon which wage adjustments can be intelligently made.”<sup>21</sup>

Moskowitz prepared the list of all those to be invited to the conference, set the agenda and made all the detailed arrangements. The end result was the appointment of a powerful and broadly representative Reconstruction Labor Board with a large (for the time) \$25,000 appropriation with Moskowitz as temporary executive secretary.

This is not to say that all her reforms were accomplished quickly or easily. In a comparable approach to housing, as another example, Perry reports that “Smith and Moskowitz had to wait three years for legislative approval of a housing board.”<sup>22</sup>

Rustin's similar skills may best be shown by focusing on his service for the legendary Civil Rights March on Washington in 1963. The nominal leader of the march was A. Philip Randolph, and the brilliant star was of course Martin Luther King with his magnificent “I have a dream” speech. But it was Rustin, with a title of Deputy Director, who made it happen. Anderson succinctly summarizes the challenge:

As the chief organizer, Rustin had a mandate to mobilize at least 100,000 demonstrators in the nation's capital. [It turned out to be closer to 250,000.] They were to be drawn from around the United States and from a cross section of racial, political, and religious com-

---

20. The administrative reorganization plan was prepared under Moskowitz's protégée, Robert Moses, later to be famous (or infamous). *Id.* at 135. See ROBERT CARO, *THE POWER BROKER: ROBERT MOSES AND THE FALL OF NEW YORK* (1974), *passim*, for more on Moskowitz, especially on, but not limited to, her relationship to the controversial Moses. Caro specializes in massive biographies of monstrously ambitious, power-seekers. See also the latest volume in his projected multivolume work, ROBERT CARO, *THE YEARS OF LYNDON JOHNSON: MASTER OF THE SENATE* (2000).

21. PERRY, *supra* note 3, at 127.

22. *Id.* at 132. Many of the reforms sparked by Moskowitz and set in place by Governor Smith, including an executive budget, were still in place in essentially the same form 30 years later when the second named writer of this article served as Deputy Budget Director under New York Governor Averell Harriman in the late 1950s. See Jeffrey O'Connell & Thomas E. O'Connell, *Harriman Revisited*, 43 *CATH. U. L. REV.* 523 (1994).

munities. They were to begin arriving in Washington early in the morning of August 28; were to be guaranteed all physical conveniences and every protection against outbreaks of disorder; and were to be on their way out of the city by dusk.<sup>23</sup>

Anderson further describes the task of Rustin and his small band of volunteer helpers:

Working sixteen-hour days, they wrote, printed and mailed out thousands of news bulletins and instruction manuals; advised regional groups in the details of chartering buses, trains, and planes; coordinated the travel arrangements being made in the scores of towns and cities across the United States. Rustin, chain smoking Paul Mall cigarettes, presided over this beehive of activity, though he seemed almost always to be on the telephone—responding to the press, briefing cosponsors of the march, refining arrangements with federal authorities. It was “just like they were getting ready for D-Day in Normandy,” one governmental official said after observing the preparations in Harlem.<sup>24</sup>

Rustin’s success with this huge project is termed by Levine Rustin’s “moment in the sun.”<sup>25</sup> His photograph with Randolph at the site of the march appeared on the cover of *Life Magazine*.

What a triumph it was.

To illustrate further the similarities of the experiences of Moskowitz and Rustin, it might serve to focus on their early work with labor unions and their subsequent approaches thereto.

Moskowitz’s earliest social concerns were for young, poor, Jewish women who were recent immigrants to the United States and were prey to being trapped into prostitution.<sup>26</sup> Her entry into trade union activities came about as a result of the infamous 1911 Triangle Shirtwaist Factory fire in New York City. In that fire more than 140 women—most of them girls—died in a building with no fire escapes and with doors locked from the outside. Moskowitz’s involvement in what followed constituted a major switch in her interests. Previously she had put her energies into providing healthy recreational opportunities for Jewish girls. She now shifted and broadened her focus to preventing such fires and to improving working conditions for all factory women.

She took a job with the key union, the New York Dress and Waist Manufacturer’s Association, as a grievance clerk. In that position she

23. ANDERSON, *supra* note 4, at 248-49.

24. *Id.* at 250.

25. LEVINE, *supra* note 5, at 3.

26. PERRY, *supra* note 3, ch. 3. For a predecessor of Moskowitz, see MELINDA GIVEN GUTTMANN, *THE ENIGMA OF ANNA O.: A BIOGRAPHY OF BERTHA PAPPENHEIM* (2001). Pappenheim is seen as not only the ‘inventor’ of psychoanalysis through her crucial encounter with Joseph Breuer, Freud’s older colleague and collaborator, but the ‘inventor’ of Jewish feminism who, like the early Moskowitz, was tireless in her efforts to rescue Jewish women from the evils of the white slave trade. These concerns “took [Pappenheim] around the world and involved her in countless campaigns [making] . . . her a figure of international renown.” Paul Lerner, *Anno O. and Bertha P.*, *THE [LONDON] TIMES LITERARY SUPPLEMENT*, Mar. 22, 2002, at 6 (reviewing GUTTMAN, *supra*).



recognized that she would be working at the center of the pivotal grievance procedure. Perry calls it the "linchpin of the whole procedure" for improving safety and other working conditions.<sup>27</sup> If the working women could learn to take their complaints or grievances to Moskowitz through a new grievance procedure that they could come to believe was fair, they would not need to take those grievances to the streets through strikes. Thus management as well as labor would benefit.

Moskowitz's was a demanding job, investigating every single complaint to assess its justifications. But she was good at it; as a result she was promoted to Chief Clerk and subsequently to "Manager, Labor Department."<sup>28</sup> "She 'now had complete charge of [the union's] labor policy. In addition to running the grievance department, she 'trained' the manufacturers in their protocol duties, worked with the union on membership problems, and promoted the industry's modernization.'"<sup>29</sup>

As Perry tells it, "her approach was 'feminine.' She sympathized with the 'girls,' but in defending employers' rights tried to bring both sides together."<sup>30</sup> Perry points out that men in her position were often "contentious, aggressive, sometimes even rude at the conference table, and to Moskowitz typified over zealous males who regarded 'little victories' as the essence of the workers' struggle."<sup>31</sup> Moskowitz always preferred conciliation to contention.

If Moskowitz's work with her union focused on improving the working conditions of her young female members, Rustin's task was to find work for blacks in the first place. And that meant getting them into unions.

The union scene he encountered in the 1960's was mixed. Exclusionary practices toward minorities in most of the craft unions in the original AF of L no longer obtained. By 1963, largely through the efforts of Rustin's mentor, A. Philip Randolph, none of the AF of L chapters specifically barred minorities from membership. But few blacks actually were unions or got jobs. Rustin saw that the principal obstacle related to training. His approach was to get more blacks specifically trained for the various building trades. He initiated and vigorously supported the Recruitment and Training Program (RTP) under the Randolph Institute. It was successful from the start, and in 1968 Rustin was able to boast to labor leader Walter Reuther that the Program "has expanded to Cleveland, Buffalo, New Rochelle and Newark. We have so far achieved remarkable breakthroughs in the first four cities—placing the first Negro steamfitters, ironworkers and sheetmetal workers . . . . We are hoping to expand further into southern cities, beginning with Little Rock."<sup>32</sup>

By 1973 he could say "with pride that 15% of the building trades apprentices in New York were now minority, starting from a base of zero.

---

27. PERRY, *supra* note 3, at 83.

28. *Id.* at 87.

29. *Id.* at 87-88.

30. *Id.* at 86.

31. *Id.* at 89.

32. LEVINE, *supra* note 5, at 218-19.

By 1975 the Program had placed 5,239 men in construction trade apprentice programs."<sup>33</sup> The RTP programs were successful in getting federal support for the training program, up to \$8 million per year for running 36 centers. While the Reagan administration discontinued the federal financing, Rustin had been successful in breaking the pattern of building trades unions' excluding minorities.

Whereas Moskowitz saw that the key to improving unsafe, unacceptable working conditions for women was the grievance process, Rustin saw that the key to blacks' getting remunerative, pride-building work lay in training opportunities. And both used their unique skills to effect results.

#### E. SEXUAL ORIENTATION

The lifestyles of Moskowitz and Rustin were, as indicated at the outset, dramatically different. Moskowitz was a wife and mother, a traditional Jewish woman in her personal life. Rustin was a dapper world traveler who liked to feature an English accent. (Its origins are somewhat obscure).<sup>34</sup>

He was a collector of art and artifacts from antiquity, as well as a practical joker. He was also an outrageous embroiderer in telling his colorful, amusing stories and even sometimes in narrating personal accounts of his own life (no doubt a vexing problem for his patient biographers). Anderson begins his book by reporting on Rustin's telling a friend "that he would like to be remembered mostly as someone who had great fun in his life."<sup>35</sup> Indeed he liked to kid white friends that he wanted on his tombstone, "This nigger had fun."<sup>36</sup>

In short, whereas she was in most respects conventional, he was not. Yet in one aspect there is a titillating resemblance in their personal lives: if Bayard Rustin was a homosexual all his adult life, Belle Moskowitz, as a very young woman, also flirted with homosexuality.

As for Rustin, he later said that he had not realized he was gay while a high school athlete and top student. Levine reports, "[a]s he told it at the age of seventy-five, the process of increasing awareness was without trauma and in fact implicitly accepted by his family."<sup>37</sup> Anderson comments,

Although Rustin did have heterosexual relationships, they were not frequent or intense enough to define him as bisexual. Most women he met or worked with were strongly attracted to him, partly because of his charm and intellect, partly because of his physical appeal. "Bayard was the best lay I every had," one of them was to say.<sup>38</sup>

---

33. *Id.* at 219.

34. *Id.* at 13.

35. ANDERSON, *supra* note 4, at 3.

36. LEVINE, *supra* note 5, at 248.

37. *Id.* at 13.

38. ANDERSON, *supra* note 4, at 157.

However, as we shall see, Rustin's homosexuality did lead later to some serious difficulties.

As to Moskowitz's sexual orientation, her granddaughter-biographer is commendably balanced and straightforward. She makes clear that Moskowitz's kind of flirting with homosexuality was not at all uncommon in the setting and time of her youth. Like most young women of her age, she was interested in men, but her most intense relationships were with women:

In Belle's day, such relationships were not unusual. Victorian society accepted them more readily than premarital relationships between men and women. Young women frequently developed crushes on other girls or older women, and some crushes grew into deep love relationships. One partner might call the other by a male name. When apart, the pair longed for one another, exchanging letters daily; reunited they might sleep together without its being thought wrong . . . . As an adolescent in the late 1890's Belle developed, several relationships of this type . . . . Belle's closest and most lasting female relationship was with Grace Harriet Goodale, a classics student at Barnard. Had Belle not found a man she could marry, she and Grace might ultimately have lived together in "manless marriage." . . . As early as 1898, Grace jested that she was a "pre-destined, fore-ordained, natural-born, died-in-the-wool-old maid." The jest came true, at least in the traditional sense, since she became a professor of classics at Barnard and settled into her "manless marriage" with Margaret Roys.<sup>39</sup>

Moskowitz, however, soon found herself more interested in a man, Charles Henry Israels, whom she married in 1903, going on to become the traditional, heterosexual wife and mother previously described. After Israel's death in 1911, she was remarried in 1914 to Henry Moskowitz, a friend of Felix Frankfurter. Henry—as public spirited as Belle herself—was indeed the one who influenced her to become involved in New York State politics.

To return to Rustin, except for a few early dalliances, his sexual partners were always men. Though little is known about his lovers, his longer-term partners were white, but many brief liaisons were with both blacks and whites.

### III. TWO IMPORTANT DIFFERENCES

Another pair of key differences between Moskowitz and Rustin is worth exploring. First, they were different in the breadth of their interests—both geographically and programmatically.

While Moskowitz's career centered on New York City and State and was thus somewhat parochial, Rustin's work took him all over not only the United States but the world. Perry indicates that Moskowitz's paro-

---

39. PERRY, *supra* note 3, at 6-10.

chialism proved an important limitation in her efforts in Smith's 1928 presidential campaign:

She had managed Smith through three gubernatorial races, and turned his major legislative battles into victories. But she appears to have been either ill-informed or naive about attitudes and feelings outside New York. Frances Perkins [her close colleague in the Smith administration and subsequently a key figure in the administrations of Governor and later President Roosevelt] said that Moskowitz never directly experienced "America's hinterland." She didn't get out into the country very much in the '28 Campaign.<sup>40</sup>

On the other hand, whereas Moskowitz's concerns included a wide variety of programs to provide services to the citizens of New York State, Rustin's principal interests were confined to three main causes: pacifism, non-violent social action, and the civil rights movement. Pacifism was important to him when he was young as a result of the benign influence of the Quakers in the area of Pennsylvania where he grew up. He later changed his mind, believing that democracy was the greater good and that fighting for it might be necessary and justifiable. But during World War II, he was a conscientious objector and, indeed, served a term in prison instead of answering his draft call.

Both Levine and Anderson tell in detail a remarkable tale of his time in prison which illustrates Rustin's courage as well as his deep early involvement in Mohandas Gandhi's non-violence teachings. While incarcerated as a conscientious objector in a prison in Ashland, North Carolina in 1944, Rustin calmly submitted to a beating from a white conscientious objector prisoner named Huddleston. Huddleston objected to Rustin's mingling with the whites during a special time on Sunday afternoons when such mingling was allowed in the prison. Otherwise, whites and blacks were segregated on separate floors. Previously, Rustin and a few fellow blacks, objecting to the segregation, negotiated the special mingling time, but Rustin was the only one to take advantage of it. During his first visit to the white floor he was warned by Huddleston to refrain from coming up to the white area. He nevertheless returned, whereupon Huddleston attacked him with a stick the size of mop handle. The other white conscientious objectors started to interfere but Rustin asked them to let Huddleston continue the savage pummeling. Finally Huddleston's stick broke. As Anderson reports, "Huddleston was completely defeated and unnerved by the display of non-violence and began shaking all over and sat down. . . . [T]here would be no further restriction upon interracial visiting on Sunday or any other day."<sup>41</sup> Rustin went on to serve as the premier teacher and trainer of civil rights protesters in the art and purpose of non-violent direct action in the whole civil rights movement.<sup>42</sup>

---

40. *Id.* at 201.

41. ANDERSON, *supra* note 4, at 107-08.

42. Levine refers to Richard Gregg's *The Power of Non-Violence*, presenting a clear description of its purposes, pointing out that Gregg had important influence on Rustin.

It was in Rustin's third main interest, the Civil Rights movement itself, that he was most effective and where he made his name. But that name would have been better known and have led to more lasting fame had he not been burdened by three heavy handicaps: he was too often seen as a draft dodger, a shameless deviant, and a Communist.

Here lies the second important difference between Rustin and Moskowitz, for she was always seen as a model citizen. She and her causes were never burdened by any negative gossip or publicity. She was correct and conventional, Rustin was not.

As to his pacifism, Rustin was of course not a draft dodger in the usual pejorative sense. Rather, as a conscientious objector, he should have been perceived in a much more respectable classification. His two biographies tell how sincerely his conscience guided his unwillingness to join most of his high school classmates and friends in the Armed Services. (He later indicated that had he known about the holocaust he might not have resisted taking up arms against Naziism.) He paid a heavy price by serving time in prison rather than in the Army. But "C.O.'s" were unfortunately often labeled "Draft Dodgers" both during and after the second world war.

As to his burden of being homosexual, of course times have changed dramatically. Sixty years ago, gays were often considered "shamelessly depraved."<sup>43</sup> In those years, few homosexuals had the self-confidence or the courage to be up front about being gay as Rustin had. That meant that he became a target, particularly as the exercise of his great talents brought him attention. As Emily Dickinson put it, "contention loves a shining mark,"<sup>44</sup> and Rustin, shamelessly, became one.

With respect to his third burden, he was indeed briefly a Communist in his youth. Anderson says "[a]fter all in the fifty years of his engagement with public issues, he had been one of the most earnest political intellectuals in American life. Like many young idealists in the late 1930s, he had had a brief and disillusioned dalliance with the Communist movement."<sup>45</sup> Anderson later describes more fully Rustin's attraction to Communism.

---

Practitioners of non-violence knew that as they moved to confront an evil without violence, they would often be met with violence, and that violence was incorporated into the philosophy. Gregg talked about a moral jiu-jitsu that would so unnerve evildoers, the violent ones, that they would be stopped in their tracks and be forced to reconsider both their actions and their moral position. "Undoubtedly the sight of another person voluntarily undergoing suffering for belief or ideal moves the assailant and beholders alike and tends to change their hearts and make them all feel kinship with the sufferer. . . ." The first step was to negotiate, to try to find a ground for reconciliation."

LEVINE, *supra* note 5, at 27-28.

43. For example, as late as 1950, "[v]irtually no men or women in the country then identified themselves publicly as homosexual. The law in California and other states made it illegal for homosexuals to assemble in public." Dudley Clendinen, *Harry Hay, Early Proponent of Gay Rights, Dies at 90*, N.Y. TIMES, Oct. 25, 2002, at A33.

44. Millicent Todd Bingham, ANCESTORS' BROCADES: THE LITERARY DEBUT OF EMILY DICKINSON 352 (1945).

45. ANDERSON, *supra* note 4, at 3.

In his mid-twenties Rustin had decided to make his career in social activism. Tired of his life in his hometown of West Chester, Pennsylvania, he traveled to nearby Philadelphia to investigate the possibilities for political action. There he saw Communist soap box orators making an aggressive pitch to blacks.

What had chiefly attracted Rustin to the Communist movement was its progressive stance on issues of racial injustice. Having found in the New Deal no programs for Civil Rights—unless it was the sympathetic roving ambassadorship of Eleanor Roosevelt—he concluded that if blacks were to get anywhere they would have to ally themselves with a movement more radical than the Democratic party. . . . He therefore fell into the seductive arms of the communists, the only predominantly white national movement that had committed itself to a Civil Rights program for blacks. “The Communists were passionately involved and I was passionately involved,” he said. “So they were ready made for me.”<sup>46</sup>

After he was assigned to lead a campaign against segregation in the armed forces, he was disheartened by being abruptly relieved of that assignment after Hitler invaded the Soviet Union. He was told that trying to desegregate the military at that time might interfere with the new US-USSR alliance.

But for Rustin a light had failed. He now saw, he said, that “the Communists’ primary concern was not with black masses but with the global objectives of the Soviet Union,” objectives that “were bound to conflict with the necessities of the racial struggle.” Disillusioned, Rustin broke with the Communist movement, and he was to remain one of its sternest critics for the rest of his life.<sup>47</sup>

While Rustin’s flirtation with Communism was for him as for many a brief encounter on the part of a starry-eyed young man, he was nevertheless stamped as a “red” by many who later opposed his reforms.

The effect of these three burdens was not that Rustin became shy of active life. He was too fearless and confident for that. It was the reform organizations with which he became associated that were sometimes understandably frightened by reminders that their causes might be tainted by the participation of this brash young red, gay, draft dodger.

His tainted reputation, then, was certainly the key reason why Rustin stayed in the background. It stemmed partially from his own reluctance to jeopardize his causes, but mostly it was his superiors who sometimes encouraged his anonymity or even declined to use his services. Nor was this concern entirely unwarranted. The FBI constantly kept an eye on Rustin and on occasion bugged his telephones. He had been arrested a number of times, spent time in prison on several occasions, and at one point had even served in a chain-gang in North Carolina. All but one of those times in prison were as a result of civil disobedience on behalf of his causes. One, however, was on a “morals charge” in 1953 when he was

---

46. *Id.* at 56.

47. *Id.*

discovered in a parked car in Pasadena, California, engaged in “sexual acts” with two young men.<sup>48</sup> It was this arrest that brought his homosexuality into the open and proved such a burden for him for decades.

The most important senior associate who was at times reluctant to have him share the limelight was Martin Luther King. Anderson describes a dramatic example of Rustin’s homosexuality damaging him in his Civil Right efforts. Adam Clayton Powell, the prominent black Congressman from Harlem, opposed a Rustin-inspired plan to use black protesters at the Democratic National Convention in 1960. Powell’s reasons for this objection, while not clear, may have been justifiable. But his subsequent action can hardly be justified. One of the leaders of the planned protest was King who, according to Powell, had fallen under the radical influence of Bayard Rustin.<sup>49</sup> King

received a startling message from a source close to Powell: Unless King fired Rustin and canceled the proposed demonstration, Powell would announce publicly that King and Rustin were involved in a sexual relationship. King immediately sent word to Randolph: Though Powell’s charge was utterly without substance, he said it was potentially damaging; therefore it might be wise to cancel the demonstration. Randolph advised King to stand fast against Powell’s apparent blackmail for he could think of no charge more absurd than the one the Harlem Congressman threatened to make. Nothing like homosexuality could be linked to King, whose alleged wanderings from the marital arrangement were faithfully within the heterosexual bond.<sup>50</sup>

A few days later King informed Rustin

through an intermediary, that it would be advisable for him to sever all connections not only with King but also with the Southern Christian Leadership Conference [SCLC]. It was a crushing blow to Rustin. He had expected a vote of confidence from the SCLC leader, to whom he had rendered noble service since 1956. But wishing to spare King, the Civil Rights Leadership and an embarrassing public squabble, he quietly resigned.<sup>51</sup>

When King later sought Rustin’s advice and help, Rustin freely gave it, gracefully putting the rejection behind him. For example, under Rustin’s leadership a small corps of white volunteers periodically helped King when there was a need for hands or brains in any kind of project. Michael Harrington, the socialist leader and author of *The Other America*, was one of them and whimsically labeled the group the “Bayard Rustin Marching and Chowder Society.”<sup>52</sup>

Moskowitz’s reasons for staying in the background were different from Rustin’s and more straightforward: she was a woman and in the early

---

48. *Id.* at 153.

49. *Id.* at 229.

50. *Id.* at 229-30.

51. *Id.* at 230.

52. MAURICE ISSERMAN, *THE OTHER AMERICAN: THE LIFE OF MICHAEL HARRINGTON* 160 (2000).

twentieth century women did not threaten men by directly assuming power. As it was, "no male politician [before Smith] had ever relied so heavily on the advice of a woman outside his own family. . . . By according Moskowitz [such] a key role in his affairs, Smith [had already] opened himself to the charge of 'petticoat government.'"<sup>53</sup> As a Jewish woman, Moskowitz was perhaps under an even stronger restriction than other women against being obvious about operating away from a female's proper province, the home. She also shrewdly sensed that she would be better able to press her own wide-ranging programs by exerting personal influence on Governor Smith as his advisor rather than taking any direct power herself, as Smith several times offered to have her do. Perry puts it this way:

She refused to take credit for what she did for Smith; she turned down his offers of government posts in the belief that she would be more effective out of office than in it. Had she accepted a post, her duties would have been so circumscribed that she could not have acted as a broad influence on Smith's programs.<sup>54</sup>

Rustin's many international activities contrast with Moskowitz's more limited New York scene. He turned during his last years to work mostly on the international front. A list of the countries which Rustin visited on one or another aspect of social reform would include nearly all the countries of Europe, including the USSR, as well as India, Israel, Ghana, Nigeria, South Africa, and Thailand (5 trips). On one type of assignment alone, (monitoring elections) he visited Chile, El Salvador, Grenada, Haiti, Poland, and Zimbabwe. He became better known in some of those countries than he ever was in his own country. In this international work he came to know a host of famous figures such as Mohandas Gandhi, Golda Meir, Jawaharal Nehru, Lech Walesa, and Elie Wiesel. And he charmed them all.

#### IV. CONCLUSION

Belle Moskowitz lived 55 years, dying in 1933; Bayard Rustin was luckier—he lived until 75, dying in 1987. Moskowitz's last few years were sad. Her mentor, Governor Smith, was an embittered man after his successor Franklin Roosevelt abandoned him and (understandably enough) rejected Smith's recommendation that he make Moskowitz his private secretary. She also became bitter during the later years left to her. Referring to the time following the 1932 Democratic Party Convention, where Roosevelt, not Smith, had won the Presidential nomination, Perry writes:

[S]he observed to a contact in southern California, "Politics is a strange game and I confess part of it is a sad disillusionment to me."

---

53. PERRY, *supra* note 3, at 151.

54. PERRY, *supra* note 3, at xiv. (Perry, the one who had to try to find whatever of Moskowitz's papers remained, somewhat ruefully adds, "She was right to have declined appointment, but as a result the record of her achievement nearly died with her.") *Id.*



To a correspondent in Chicago, she called the convention "a most trying and difficult set of experiences for all of us. I have learned much which I hope I may not have occasion to apply in a hurry again."<sup>55</sup>

Betrayal and disillusionment: Sad feelings with which to close a distinguished career.

By contrast, the extra twenty years given to Rustin were happy ones, although most of his important accomplishments had come earlier. When he received honorary degrees from both Harvard and Yale in the early 1980s, neither citation referred to accomplishments more recent than 1964 when he was just over 50.<sup>56</sup>

Levine uses "Sui Generis" as the title of the last chapter in his Rustin biography.<sup>57</sup> Moskowitz was equally exceptional, as much 'one of a kind.' Both were unique in their times and it is difficult to think of comparable historical figures. Both have been well served by their biographers. Perry's biography of her grandmother, a straight-on, unblinking analysis of her extraordinary subject's public and private lives, is particularly impressive. The steadfast hand of the scholar is held firmly over the mouth of the tender granddaughter.

There is little to choose between the two able biographies of Rustin. Both authors are clearly inclined to like their volatile, many-faceted subject and to admire his courage, his tireless work on behalf of others and his wonderfully infectious, up-beat approach to life. Both seem understandably puzzled by their subject's seemingly uncharacteristic tendency to exaggerate and even fib, and by his amazingly promiscuous sex life during both his early and middle adult life. The monogamous lifestyle of his last decades is more common for many gay men today, as their sexual orientation itself becomes more accepted and even respected. Rustin may have somewhat indirectly influenced this transformation. Perhaps his almost brazen, proud gayness, coupled with his many attractive qualities and his many accomplishments, have had their gradual effect.

Levine several times modestly mentions his own involvement in the Civil Rights movement and thus his personal knowledge of Rustin's important work. Those personal touches add to his book.

Welcome indeed are all three of these readable, evocative, carefully written biographies of two important and provocative figures too long overlooked.

---

55. *Id.* at 213.

56. LEVINE, *supra* note 5, at 232.

57. *Id.* at 247.