



ARE YOU NOW
OR HAVE YOU EVER BEEN
A HOMOSEXUAL?

an analysis of today's most versatile word:

"Loyalty"

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APRIL 1953

TWENTY FIVE CENTS

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"... a mystic bond of brotherhood makes all men one." Carl

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is an absolutely independent publication. It yields to no pressure group and represents none.

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pictures our world of social myth and misrepresentation, as well as discovery and enlightenment so that its readers may observe the **facts** of what is happening today and has happened in the past.

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offers no pat solution to the problems of the homosexual, but hopes its readers may be stimulated into making their own and acting upon them.

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will present, in the months to come, new features by new writers as well as familiar ones on various aspects of the subject both domestic and foreign, critical and subjective, clinical and entertaining.

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suggests you subscribe now for yourself and your friends, that you pass this issue along or, at least, loan it with a written guarantee of its return.

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modestly admits that copies of its first issue are being sold by enthusiasts—without authorization—for fifty and seventy-five cents, and regrets it charges so ridiculously low a price as twenty-five cents an issue, two dollars a year in the United States and Canada, three elsewhere.

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TO BE ACCUSED IS TO BE GUILTY: 2. The Ever-Present Past

I am particularly interested in the idea behind your magazine and the purpose of the Mattachine Foundation. My own experience offers ample evidence of the necessity of eliminating discrimination against the homosexual minority.

A couple of years ago, I was doing relief work in Germany. My work was with a private Relief Organization which functioned, as all such agencies must in occupied territory with the approval of the State Department. A year of my twenty month term of service lay behind me. I was full of pride which springs from the knowledge of a job well done, and I felt secure in the good relationship I had established with my fellow workers. All this was particularly gratifying, since for a period of years, my life had been full of turmoil and confusion known by all maladjusted homosexuals who have not recognized their plight.

I knew no others like myself, and had spent years involving others in emotional attachments which were essentially foreign to their nature. This frustrating and guilt ridden course led finally to a nervous collapse which was followed by a period of therapy as an out-patient of a psychiatric clinic.

Now, some five years later, life had begun to look like a happier proposition. I found myself increasingly attract-

ed to men and was becoming confident that the future would find me able to establish a normal emotional attachment with a man which would eventually lead to marriage.

I shall never forget the pride I felt, that day in Germany when I was told I had been chosen to represent our Relief Unit at a conference in another city some 500 miles away. I was met at the station, after an overnight journey from Frankfurt by one of our workers. She escorted me to headquarters where I was to meet with our two top supervisors. As I sat down with them in the conference room I suddenly became aware of an uneasiness in their manner and a tension in the atmosphere. I felt with cold dread the discussion would not be concerned with German Refugees, but rather, in some unpleasant fashion, with me. My first thought was that someone in my family had died and this manner of breaking the news had been chosen to soften the blow. Little did I know, the numbing shock, the sickening embarrassment and the bitter hurt I was to endure instead.

I was told that my record from the Psychiatric Clinic had been brought to the attention of the State Department. Since my problems had been of a homosexual nature, the State Department demanded my immediate expulsion from Germany. Reservation had been made for me on the plane that very night for the United States. My Chief Supervisors regretted that there was nothing further that they could do.

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I was stunned and confused. The whole situation seemed like an evil dream. My plans for the future, my feelings of worthwhile accomplishment, and the work which had come to mean so much to me, were brought to an abrupt and cruel end.

During the flight across the Atlantic, I could do nothing but cry. I felt completely alone and found it impossible to accept the reality of the situation. I was met at La Guardia Field by two of our representatives and taken quickly to our headquarters in Washington. For two weeks in the Capital, I spoke with heads of our Personnel Department before I was told how the State Department had learned of my clinical record. I found out that the State Department had received their information from someone who had known me five years before and was now working in their Personnel Department. My own Organization had refused to act on hear-say. They had verified the fact that I had received treatment in the clinic. Since the State Department had threatened to inform Military Authorities in Germany my Organization had no other choice but to recall me.

I did everything I could to convince officials of my Organization of my dependability. The Staff Psychiatrist even vouched for me, but the Organization would not return me to foreign service, nor would they take issue with the State Department. They offered me a job in their local office, but I refused. Working with them in Washington would

mean only one thing to me, that I had failed.

I could not let my family and friends know this had happened. Somehow I had to work things out in my own way. Having no particular plan in mind I left for New York City.

I had never known another homosexual, although I had spotted a few during my years at the University. Now that I was persecuted for having such inclinations I felt a close identification with others like myself. I remembered that in my own city there had been places where homosexuals congregated. I combed the streets in New York and finally one night found such a place. That night I met and talked with a kind of people I had never known, who spoke to me in a language I had never heard. Since this experience a whole new world has opened for me and I have learned to adjust to it.

While my expulsion from Germany has brought about major changes in my life, I have managed to make it a happy one, yet this injustice will always rankle. I shudder to think how this experience might have completely destroyed me.

Miss E. M.



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ARE YOU NOW OR HAVE YOU EVER BEEN A HOMOSEXUAL?

The following report, made to the Mattachine Foundation, was approved and adopted April 1953:

■ PROPOSALS FOR AMENDMENTS TO THE MATTACHINE FOUNDATION BY-LAWS: concerning public statements and attitudes on partisan issues, and concerning security responsibilities of Foundation members to their supporters in the Community at large.

■ One of the Foundation's recent mail inquiries said, in part, "if you can prove that you are 100% pro-American, and 100% anti-Communist, please send me, etc. . . ." Here precisely is the horn of our dilemma. As Harry Bridges, whose perjury conviction appeal was recently accepted for review by the Supreme Court, said in regard to his accusers, "How do you prove that you are not what you are not?" How, indeed! How do I prove my good faith to someone who wants to believe me a fraud? How do you prove you're a God-fearing soul to a group who declare that you consort with the devil? It was exactly that impossibility of disproving intangible accusations, in the fact of "a priori" dictums, decisions made prior to a hearing or trial, which led our American forefathers to outlaw once and for all . . . the hated inquisition's pattern of assuming a man guilty until he proved himself innocent. Our forefathers reversed the principle, by the Fifth Amendment to the Constitution of the United States, thus initiating the principle that a man was innocent until proven guilty by others beyond the shadow of a doubt.

■ "If we can PROVE we are 100% anti-Communist . . ." What does this mean? If we are to believe the divergent editorial generalities of such papers

as the Los Angeles Mirror, whose feature writer Paul Coates is himself the source of the current slurs against our Missions and Purposes, — what would we find? We would find that if a person were a believer in low-cost public housing, — if a person ever signed a petition to end lynching in the South or to end restrictive covenants in California, — if a person had attended Wallace-for-President rallies in 1948, — if a person objected to anti-Semitic outbreaks or if he had written a letter to congress urging the free State of Israel in 1948, — if a person were one of the 80,000,000 warm supporters of Mr. Roosevelt's war-time international agreements, — if a person had been anti-Nazi or anti-Franco in 1939, — we would be informed by this or that feature writer of the press that all such persons previously described were either Communist-led or Communist-dominated by association. In the absence of a clear analytical definition of a Communist, — in the absence of any clear definition between acts and attitudes of Progressives, Liberals, and Humanitarians, as distinguished from Communists, — we would be forced to conclude that, in brief, anyone not 100% anti-humanitarian, and 100% pro the present political status-quo (whatever it might happen to be), is Communist by inspiration or by application. To be 100% pro-American then, one is required to be not only 100% anti-New Deal *but also 100% anti-homosexual.*

■ It is at this point that the principle and policy of the Mattachine Foundation enters the picture. It is true that the Foundation chooses to consider itself strictly non-partisan and non-political in its objective and in its operations and activities. But the Foundation is simultaneously committed to the opinion that the continued health and welfare of the Community generally is integrally contained in the shape of a new scientific understanding, a new appreciation free from taboos and baseless distortions, for the considerable Homosexual Minority. The Foundation is sincerely convinced that the American Community, through its age-old self-educational tradition of the town-hall debate, will move forward to a welcome integration of that Minority once the vehicle for debate has been made and carried out. The Foundation conceives of its function as the instrument to help develop and disseminate the channels of that debate. But in the very raising of the need for such debate, The Mattachine Foundation deliberately put itself squarely in opposition to a dominant section of the status quo, and elects to become a victim of the myriad implications and slanders derivative of that opposition.

■ To visualize the depth and scope of this opposition clearly, we must recall the victims of the Un-American Activities Committee's purge of the State Department in the late summer and fall of 1949, — a purge which spread to the Agriculture Department, the Departments of the Interior, of Labor, and of Commerce, in 1950, '51, '52. In the first big juicy blast to hit the headlines,

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it was disclosed that 96 perverts had been purged from the State Department. What was hidden on back pages and in subsequent minor releases, was the indictment and the far-reaching policies and administrative decisions emanating from that indictment. The indictment was horrifying in its complete lack of justification other than fantasy and hysteria. It stated bluntly that homosexuals, typified by either their personal inclinations and/or their associations, must be considered as basic security risks and thereby unemployable by the Government, or by any enterprise either public or private who might be dealing with the Government, because their personal lives and/or associations laid them wide open to blackmail by a foreign power.

■ It is notable that not one single political or pressure group among the liberals, let alone the left wing, lifted either voice or finger to protest the monstrous social and civil injustice and sweeping slander of this dictum. The complete hostility with which the Minority was surrounded by this indictment was a clear barometer of the outright antipathy unitedly maintained by every color of political opinion. It is significant to note that no alarm was raised then . . . or since . . . and no purge directed, at married heterosexuals with a weakness for bulging busts, blonde secretaries, or National Hop-Week Queens. It is equally interesting to note that homosexual spies are not even plausible enough for the comic-book intellect, altho new Mata Haris hatch from capsules in each new issue.

■ Of the original 96 purged, not all were themselves homosexual. The Indictment specified not only homosexuals but also persons who might number homosexuals among their acquaintances. One might comment that if the Armed Services estimation of 13% is at all accurate, how many persons from Eisenhower down know more than 8 people, DON'T number at least one homosexual amongst their acquaintances? During this purge, new procedures were advanced, tested, modified . . . and incorporated into the McCarran Act a year later and thus made legal culture of the land. Such procedures were . . . that the accused must prove himself innocent of charges anonymously preferred, and of charges whose details and particulars need not be specified. Put yourself in a purgee's position. Someone, whose name is being "protected" from you has described an activity of yours, the details of which you may not inquire. All you have to do is to prove you couldn't have done the "unspecified" thing because you aren't that kind of a person. Thus you are not disproving something done but something that you are or are not. You must disprove a status, not an act. It cannot be over-emphasized that the accusatory methods employed currently against persons being guinea pigs anonymously charged as being homosexual or at least pro-homosexual. All the accused had to do was to prove, to people who were not inclined to believe him, that he

wasn't what he wasn't, or that he wasn't what his associates weren't. In the absence of clear cut definitions, in the absence of knowing his accuser, in the absence of knowing even the details upon which the accusation is based, a person has as little chance of proving innocence of something some unknown person said was pro-Communist or that someone said was pro-homosexual . . . as Joan of Arc had in proving her innocence before the Inquisition.

■ The purge fever against homosexuals, and against those who might have personal or social associations with homosexuals, spread from the State Department to every department of Government. At this point, even the lowly mail carrier is required on oath to be anti-homosexual. In 1951, the State of California hastened to slap a registration law on its books which was tighter than its model . . . the earlier designed Los Angeles Municipal Registration Law. In 1951 and 1952, National Registration bills were introduced into Congressional hoppers which were to include not only those persons previously registered in cities and states, but also those names heretofore lying unexposed in Armed Services Files, and those names suspected but officially documented by chaplains and personnel officers of the Armed Services. In 1952, the State of California required by law that teachers declare themselves anti-homosexual and allowed municipalities, such as Los Angeles, the mechanics whereby anonymous information could be passed against individuals in the employ of the Board of Education. Regardless of the pious opinions expressed in some professional circles, the laws passed and court practises prevailing, testifies that the social and civil position of the homosexual minority worsens with each succeeding month.

■ In stating that persons, guilty of being *thought* pro-homosexual, through their own inclinations or through their associations, — in stating that such persons were not employable by any agency of government or by any enterprise doing business with government, the indictment was aiming forward to a new period of partial or total mobilization wherein even home-front needs, let alone war-front needs, would be channelled through government contract. 100% mobilizations to meet new emergencies were expressed all too clearly by legions of congressional candidates in the 1952 electioneering. In such a period, then, all homosexuals must needs either perjure themselves . . . and thus, under the law, deliberately constitute themselves as un-American and subversive . . . or declare themselves under oath — and starve.

■ For those of you who may feel this reasoning is as fantastic as the indictment, please be informed that the railroad companies, the air-craft companies, and the air-line transportation companies have fired highly competent employees on at least four separate occasions in the last two years **PRECISELY ON THE PROVISIONS OF THE ABOVE MENTIONED POLICY**, and have conducted

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their investigations on the anonymous pattern method. How does a liberal prove against unspecified charges anonymously preferred that he is and always has been anti-Communist both by inclination and by association? How does a person prove against unspecified charges, perhaps venomous spite-whispers, anonymously preferred, that he is now and always has been anti-homosexual both by inclination and by association? As our Puritan fore-fathers discovered through centuries of the Inquisition and the monarchial star chambers, one cannot prove innocence to circumstances which are of social rather than of personal contrivance. One can only stand his ground in the vigor of his personal integrity, and take refuge in the sanctuary of the Constitution's Fifth Amendment.

■ Just what is the refuge, and the implications made, by the invocation of the 5th Amendment? The Fifth Amendment is that section of the Constitution which protects a person from being forced to testify against himself, and which protects a wife from being forced to testify against her husband and vice versa. The Fifth Amendment recognizes and gives sanctuary to the inviolable right of every citizen to hold unto his own counsel areas of personal belief and opinion which need not be disclosed to anyone without the voluntary choice of the person himself. To such minority movements as the Jeffersonian opposition of 1796-1800, the Abolitionist opposition of 1845-1860, the Populist opposition of 1884-92, the refuge of the Fifth Amendment has been the steady bulwark of all Minorities against lynch-mobs and the scurrilous character-murders of the press.

■ But refuge within the protective custody of the Fifth Amendment has its limitations, too. A person may invoke its protection only so long as he refutes *any and all* attempts to scrutinize his social freedom of personal conscience. For example, should a person be asked what he believes, or what political groups he belongs to, and the person answers these questions either affirmatively, negatively, or otherwise . . . he undoubtedly waives his right under the Fifth Amendment to refuse to answer when asked if he is a homosexual. If a person, with the best intentions in the world, agreed to sign a "loyalty oath," and then at a future date was forced to submit to a question as to whether or not he/she were a homosexual, he, to all intents and purposes, could not expect to retain refuge under the Fifth Amendment.

■ An example will help to illustrate this. In one of our West Coast cities, a year or so ago, one of the airlines companies employed the FBI to do a thorough investigation of the private lives of its employees. A large percentage of the office staff were suspected of being homosexual. Called in to face an investigator and management one at a time, each employee was asked point

blank, "Is it true that you're a homosexual?" When several refused to answer without being given definite proof of accusation, the FBI investigator simply referred to the loyalty signed by the employee on his application form and said, "Will you re-affirm this oath?" When the victim re-affirmed it, then he was smugly informed that he had waived his rights under the Constitution to refuse to answer concerning his alleged homosexuality. All those found to be homosexual were summarily fired as basic security risks under the State Department indictment. Several who denied being themselves homosexuals were subsequently fired because they associated with homosexuals. All in all, it is estimated that nearly 75% of the most competent technicians of this company's office were fired and of course blacklisted simply because they had allowed themselves to be tricked into relinquishing their traditional protections as American Citizens. We must remind ourselves that constitutional guarantees, like civil rights, are not divisible. If they are not good for some, then they are of no value to anyone. If *you* are to be protected by the Constitution of our beloved Country, then all must be equally protected.

■ In regard to these limitations as super-imposed against our National Administration's persuasion concerning homosexuals, plus a refresher on the apathy laced with hysteria of the general public in its lack of sympathy for the civil plight of the homosexual, perhaps it begins to come clear that any group, which sets itself up as a vehicle by the articulate homosexual minority can at least be heard . . . in effect sets itself up in opposition to a majority opinion held equally by the right wing, the liberals, and the left. The Foundation has known from the beginning that it could expect support *only* from those non-prejudiced people who could recognize the enormous potential of the Minority even in the face of the social struggle that would be required. It should be stated here that the Left was the first political grouping to deny any social potential to the Minority by going on public record with the opinion that the perverts (note the term) were socially degenerate and to be avoided as one avoids the scum of the earth. The Foundation idea was conceived only with the Right, in the substance of the State Department actions, followed suit some ten years later.

■ It is in this vein that we must review the questions and issues concerning Mr. Snider's relationship with the Foundation. The Foundation met and learned to know Mr. Snider as an honest fighting lawyer who had handled with great sympathy, and acute social understanding, a number of cases of attempted entrapment. The Foundation also learned that Mr. Snider had carried through a number of fighter cases for the several minority groups who also suffer under the burden of false arrests and police provocations. Mr. Snider devoted an

enormous amount of time and advice to the set-up and the protections of the Foundation structure. One can hardly say that he exercised undue subversion in recommending that the Foundation render itself unable to participate in *any* type of political or partisan activity whatsoever and, further, that the Foundation in its by-laws render itself unable to be used by any group or individual for any political or partisan issue whatsoever.

■ It is true that Mr. Snider refused to answer the Un-American Activities Committee under his immunities guaranteed by the Fifth Amendment. As a leader in the court fights for the simple civil rights of the Mexican-American and Negro people as versus unwarranted police suppression in this city, it was inevitable that he would have been submitted to the question. His waiver of principle of oath could have been to betray, then, now and in future, his sacred role of counsellor and confidante, similar with lawyers to the sacred immunity of sanctity traditionally accorded to the confidences of ministers and in recent years to doctors and psychiatrists. How would you feel about placing your trust in a lawyer who had spilled his guts concerning himself, his friends, and his clients? Could you talk to a psychiatrist or to a minister who had had so little respect for his role as a community counsellor as to jeopardize his right to hold privately his own opinions? This was the problem faced by Mr. Snider. Should he destroy by one word his value as a confidante and counsellor to those who had trusted him in the past, and those who needed to continue to do so?

■ Whatever the press innuendos may be at this invocation, all that Mr. Snider has done is to re-assert his pride and his faith in that most precious of American contributions to humanity: a man's right to the privacy of his own social conscience. He has simply requested his right to be considered innocent until proven guilty beyond all possibility of a doubt, even as Mr. Shibley last summer requested that Dale Jennings, as a homosexual, be so considered innocent of permanent lewdness by the jury until unmistakably proven otherwise. Our American principle specifically prohibits that any person attempt to be the keeper or the judge of his neighbor's conscience. By the same token, each person has the right to criticize, to resist, and to condemn, a neighbor's social conscience when the content of that conscience intrudes aggressively upon his own. But the Un-American activity to be restrained and guarded against is the *intrusion*, not the quality or the substance of the content.

■ The Foundation, in a modest way, constitutes itself a guardian of the homosexual minority's right to keep its own counsel and social conscience. To do this, the Foundation must deliberately oppose the present status quo policy of our National Administration concerning homosexuals, as contained in the unrefuted indictment. In order to guarantee that it will be able to do this, the

Foundation must keep itself clear as a body to be able to invoke the safeguards of the 1st, 5th, 9th, and 10th amendments. Each person connected with the Foundation, therefore, is required to have the personal valor and the social integrity to be able to refute the scrutiny of any and all public groups, should it become necessary, even as has Mr. Snider. The rest of the Foundation Council may not approve for themselves the content of Mr. Snider's conscience. It might be equally assumed that Mr. Snider, in agreement with the community majority, does not approve as a pattern for himself the content of the average homosexual's social conscience. But, to apply a quotation long identified with the core of the American ideal, so long as Mr. Snider defends with his life the homosexual's right to keep inviolate his own social conscience, then equally so long must the Foundation constitute itself an equal respecter of Mr. Snider's rights.

■ In taking such a stand as a body, and by simultaneously re-affirming its basic principle of aligning itself with, and participating in, *no* partisan political action whatsoever at any time, the Foundation is declaring that it hereby reserves the right to advance suggestions, to criticize, and to evaluate at any and at all times the status quo between the begrudging community majority and the contending coalition of the homosexual minority with its summer soldiery of sympathizers. The Foundation is acutely aware that such a declared role invalidates it completely as a fountain-head of leadership. But, in truth, it must be recorded that the Foundation never conceived of its contribution as more than that of a modest fountain-head of inspiration and encouragement, and perhaps that of a mirror to reflect and reveal the strengths and weaknesses of the community social conscience responding to such ideas. On the day when the present coalition of homosexuals and well-wishers assumes the self-assured dignity of a National Representative Congress, similar in scope and direction to those currently flourishing in Europe, the Foundation will have outlived its usefulness and will automatically fold its tents. But until that day of open and acceptable convention, the Foundation feels that its inviolable position must be maintained.

■ Donald Webster Cory, in his now famous book, made the point that in America the beginnings and developments of homosexual congresses would be most difficult. Few sane and substantial people are willing to make martyrs of themselves. Yet open leaders of beginning and unpopular causes have been martyred traditionally in the American experience. The Mattachine Foundation members acutely realized this somber fact at least two years before Mr. Cory's volume appeared in print. They fully appreciated the need of most homosexuals, prominent or obscure, to remain anonymous as to their personal

inclinations, if they were to exist socially, economically, and politically. The Foundation's by-laws specifically state that homosexuals, working with the Foundation primarily as homosexuals rather than as professional and/or community advisers of some prominence, may remain anonymous. This by-law was purposely phrased to grant the fullest protections to those members of the Minority who might have the courage and the selflessness to work for the fulfillment of the Foundation Idea. The Foundation is fully aware that most of the European Groups, now enjoying some prominence and supported by people of weight in their respective communities, suffered through at least five years of enforced anonymity, press scurrility, parliamentary slander, and police persecution, before they were able to reveal themselves through their leadership. The support of the professionally prominent came only after the groups were able to appear in strength, and yet the conditions for their building were far more ideal than those currently enjoyed in the United States today. In light of the items mentioned above, and in light of the European experience just referred to, the Foundation has no intention, at the moment, of making pilloried targets out of its most devoted and self-sacrificing members. There are other members of the Foundation however who may soon feel that the Foundation principle is worthy enough of their open support. The presence of their names as community endorsers of the Foundation will mean that the Minority has presented enough evidence of good faith and social dignity to warrant community recognition. But even as the anonymous homosexual desires that the community only judge him on the basis of what he does as a social entity, rather than criticize him for what, in some people's prejudiced eyes, he is, so the Foundation desires that its friends and acquaintances judge it by what it does . . . rather than gossip and speculation upon the personal tastes of the persons who compose it. The Foundation will welcome the endorsements and sponsorships of the community. But the Foundation will continue to maintain its guardianship of the homosexual minority's right to the integrity of its personal pride and social dignity with, or without, such support.

■ And it will steadfastly refuse to horse-trade any of these basic securities of the homosexual minority to curry favor with a possible supporter regardless of the golden opportunities which seem to be offered. It would be pleasant if the social and legal recommendations of the Foundation could be found impeccable both to the tastes of the most conservative community as well as to the best interests of the homosexual minority. But since there must be a choice between the two impeccabilities, then the securities and protections of the homosexual minorities must come first.



THE LAW



The California State Legislature is now considering bills and amendments to existing bills concerning that nebulous individual, "the sex offender." On the whole, these frantic documents further endanger the rights of California citizens regardless of sexual leaning. Two, however, seem to define the criminal deviant better than heretofore. Assembly Bills 483 and 705 contain proposed changes in the heading of Chapter 4 of Part One of Division 6 of the Welfare and Institutions Code. These changes would make more specific the definition of what constitutes a sex offender:

"5500. As used in this chapter 'Aggressive, Dangerous, Sexual Deviant' means any person who is so affected, in a form predisposing to the commission of sexual offenses, the nature of which directs his sexual attention to children under the age of 14, or who uses force and violence or undue cruelty to achieve his sexual objectives, and thus constitute him a menace to the health and safety of others with any of the following conditions."

There follows a listing that includes mental disease or disorder, psychopathic personality, marked departure from normal mentality and on. Although the average homosexual could still be squeezed into such a vague category as "psychopathic personality," the general tenor of the proposed change modifies greatly the present broad definition. It can be noted, wryly perhaps, that the above term "undue cruelty" implies an opinion in its writers' minds that there is a cruelty which is not objectionable. Here is stuff for long jury deliberations.

The reason for setting the age at 14 is open to question in view of the fact that there have been found to be a great number of aggressive and seasoned prostitutes of both sexes ranging from that age to eighteen. In this sense, they can hardly be classified as tender juveniles made delinquent by those upon whom they prey — although society is certainly basically responsible.

Another bill with a positive approach is 1861. In view of the fact that the ordeal of a trial can be of such an emotional shock to the child involved, this suggested remedy comes as progressive legislation for the accusing minor as well as the accused who might be innocent. With this, are Bills 1866 and 3449 which amend the existing Penal Code. It would appear that they are sound in intent and are very real efforts to bring rational procedure into an atmosphere where prejudice and terror now reign. It is urged that readers interested in their own legal welfare study these proposals and advise their state representatives to make them law.

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Although Bills 3452 and 1865 are largely reasonable they might be amended to include a clause assuring the defendant the right of bail pending appeal, unless the mental state of said defendant is obviously a danger to the community. Again there is always the chance that the accused is innocent and this chance must be considered.

But when studying Bill 744 (designed to add section 5501.3 to the Welfare and Institutions Code) there can be found a very real danger to civil liberties which certainly should be fought to the utmost. This proposal would make possible arrest on no foundation other than rumor and gossip, could be used vengefully or as blackmail. It is virtually a go-ahead to present entrapment methods of local vice squads. Its intent may be positive, even innocuous, but its possible and probable use constitutes encouragement to official inefficiency and corruption. This bill must not be passed as it now stands. Read it, consider its implications and take action by immediately informing your representative in Sacramento of your opinion.

It can happily be reported here that the Bill (3049) requiring suspension of a sex offender's driver's license is either dropped or in the process of being dropped at this writing. The absurdness of this statutory idiocy is nothing to be smiled away. It may reappear in another form or substitutions made of equally vindictive nature.

Bill 918 again brings up the situation of perhaps well-intentioned legislation ignoring the possibility that the defendant is innocent. It should not be passed as it stands. This also applies to the bill requiring mandatory death sentence to serious sex offenders found guilty (3393). The extremity of this proposal reflects social insecurity where a sense of justice should prevail. It has been statistically proven that drastic sex laws do not lessen sex crimes — and most of these statistics can be found in California trial records.

Bills which might be substantially beneficial to the community are 1860, 1859, 707-7, 3344, 3444, 3457-8.

But nowhere do we see in proposed legislation, bills or amendments affirming the defendant's right to know the particulars of the charges brought against him prior to the time he is required to make a plea. He should be given and informed of these rights at all times. At present this is certainly not the case. Myriad incidents substantiate this fact. Argument against such a proposal can only run to the effect that he already has these rights in the Constitution of the United States. The point is well taken. He has these rights — on paper.

A reading of the above reviewed bills again reminds us that those who make our laws are still hounded by the conviction that all sexual deviation leads to crimes against others from rape to murder. Most of the proposals now being debated are concerned with punishment of sex offenders of the individual rather

than accenting rehabilitation with an eye to his eventual release as a constructive personality. As long as our legislators are convinced that deviation as deviation must be punished, we will be incapable of adequately coping with those problems which MAKE sex offenders. It is a question of standing at the backdoor of a bank to arrest robbers as they come out instead of locking the front door. Most of those so arrested are guilty of nothing other than using the back door.

Hieronymous K.



As for me . . .

This monthly section is devoted to purely personal reaction. Tho small, it, excites more answers from our readers than any other feature. The third paragraph below is expected to kick up a neat storm.

We live in a world of fear: we fear revelation, we fear publicity, we fear knowledge and we fear detection. We live in a world of criminality and we foster that criminality: at one price or another we purchase privacy, we purchase love, we purchase fear.

We warp ourselves: we narrow our interests and our privileges; we distort our sights and telescope our hates. There

are too many of us for whom living has become a vendetta against the men and women who walk a middle path and never falter; that 'common man' who never knows unhappiness but is never happy; whose very dream is lost in the processes of living from day to day. We resent their absorption into that mediocrity of being ordinary that makes for quiet living. We resent their lives be-

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cause we envy their lives.

I resent the vice-squads; I resent the prurient minds and the lascivious philosophies that determine actions inherently mean, unwholesome and venal; but I am determined that the actions of the few shall not become the motivating force of my life. It may be that I feel this way because my own contacts with this group have never come alive; because my own clashes with the law have been secretive and private. But all about me there are those who have been less fortunate than I, and I am appalled by their actions and reactions.

There is more to being homosexual or going about in a homosexual society than being aware of the police in their least pleasant state; there is more to an individual philosophy than resent-

ments. When our emotions become involved in these reactions and a single-minded awareness is the result then the vice-squad and the state of mind that brings them on has won a signal victory for their corruption spreads and we become corrupt ourselves.

Certainly the vice-squad should be fought, but it should be fought on every level and it should not be singled out as the only crime. If we trumpet out the corruption of the gendarmerie then let us also announce our own defections; the moral blackmail we accept in being what we are; the lovers we purchase to escape ourselves; the lewd price so many display in being what we are rather than accepting ourselves as responsible people. Let us not fall into the trap a small section of society has set for us.

M. B.

The Matachine Foundation requests that the following be made clear. At no time on the elections for mayor of Los Angeles has a candidate for that office been invited to speak at any Foundation function, nor has any candidate for mayor been endorsed by the Foundation. In a campaign where hollow promises have been shouted loudly, the earnest voter can hardly take stock in those which are whispered behind the hand. The Foundation endorses neither of the gentlemen in question for the plain reason that neither has taken a public stand on the issues brought up by that organization in its recent questionnaire to political contestants. Their silence is not golden.

- and make the mighty tremble!

This is the Land of Contradiction. In a nation where the individual is assumed to be of basic importance, that same individual has a conviction that he or she is helpless. We see injustice and fight our anger with the familiar cry; "What can I do about it! I'm nobody. What can one person do?" We end up sitting back and waiting to be delivered, often defying deliverance with "healthy" suspicion. It is true that unity is the answer to social ills, yet there is one thing the individual can do and seldom does, one thing that brings ulcers to the powerful and nervous breakdowns to the mighty. It is simple: *constant protest.*

In the *Los Angeles Mirror* 7 April 1953, Edith Gwynn in her column "Hollywood" made the following remark: ". . . Judging from eastern TV, dramatic roles for males are mimed mostly by swishes." It is almost certain that this wholly unnecessary invective drew no protest — except one letter which is yet to be published. But it was read. Had even a half dozen letters descended upon the *Mirror*, there would have been notice, worry and discussion. Even swishes buy papers and publishers know this.

The "helpless" individual can write, he can phone, he can make himself heard. He can do this anonymously, with an assumed name, or he can use his real name with the request it not be published. But, contrary to a general conception, the name is not of greatest importance. It is the fact that he took trouble to write. Editors love to deride crackpots yet they respect them. A person who speaks is potentially a person who acts. Policies are formed by pressure; those heard most clearly in greatest volume are listened to.

More specifically, ONE is not the voice of a small editorial board that has lots of personal opinions it wishes an audience to hear. It is the voice of its readers. It will thrive as long as it stimulates its readers to vocal response. ONE wants to know what you think, what you know and feel. ONE is a means, possibly the only means, whereby you can be heard. ANY aspect of variation is welcome to these pages: research, criticism, philosophical and religious comment, fiction, poetry, news — anything you wish to say. Length and literary quality are second to substance. ONE welcomes protest in any form — from facts out of test tubes to humor.

ONE is yours.

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LETTERS

Dear Gentlemen:

Am very glad that you are eager for research articles presenting scientific and historical aspects of the so-called "homosexual" facet in human nature.

At one time in the world's human history Man combined the homosexual and heterosexual in the temples of worship. This was very widespread and was about the same — Babylonian, Chinese, Canaanite, Greek, American Indians, India. An ancient priestcraft of the Jahveh cult south of Canaan (now Palestine) put this under Taboo after the tribal invasions of the later so-called Israelites. The aim was power, pecuniary advantage and was implemented by Terror.

Part of this was worked out by Westermarck. The recently published Encyclopedia of Religion and Ethics (13 volumes); (Hastings) works out more. The recrudescence of these Taboos came about after the fall of Rome and was on in full force about 400 A.D. and continued under a powerful, punishing, cruel Church until the rebellion known as the Renaissance. The Renaissance kicked over all the traces, and with the sexual freedom then, homosexual and heterosexual, came political evils. The workingman and middle-classes were neglected and fell into exceedingly bad circumstances. These forces gave rise to Calvinism. Calvin, a repressed homosexual, codified his notion of Scriptural Code into a Code of Civil Law. Syphilis also was a plague in Europe at this time.

James I of England tried to put down the so-called "Puritans" who left England and in 1620 settled America. Here, for the first time Scriptural Law became Civil Law. The Puritans left in England developed the factory system. Became powerful and finally had their way . . . fully developed by Queen Victoria's day. "Queen Mary, a Symbol of Decency, Morality and decadent Imperialism." (In the Puritan sense).

A detailed article outlining this would be lengthy for "ONE" at this time. Also would step on a great many sensitive toes?

The sexuality of Man, doing harm to no-one, is Innocent. But very difficult to tackle and publish at this time.

Sincerely,

M. L.

A detailed article as suggested would be more than welcome. As for the sensitive toes, ONE itself by its very existence treads on the majority of toes in this country. When being lynched, one doesn't wonder if it would be offensive to fight for life.

Dear Sir:

As regards your recent article, "Homosexuals Are Not People", no doubt your Mr. Jeff Winters is a well-meaning person. But a few ringing phrases gingerly balanced on sophistries and sweeping generalities, fabricated out of historical ignorance, can be as stultifying to the Homosexual Crusade for integration as are the calculated hysterics of the "pervertophobes". Although immersed in the current ebb and flow of "psychiatricities", Mr. Winters hardly can forebear to overlook the implacable historical phenomena that it is the social experience of the community which ever shapes the substance of its covenants . . . rather than a philosophic exhortation dictating master-plans for people to follow. As we have seen in California, indeed the accomplished testimony of Expert Kinsey before the Legislature produced worse laws rather than better. The aegis of definitive change is solely that of the popular vote. And the popular vote responds more surely to demonstrations and deeds than to uninvited intrusions upon people's cautiously preserved myths and prejudices.

Mr. Winter's pretense to objectivity would have been better served had he taken cognizance that leading European Scholars, as witness Dr. Yarl Wagner Smitt of the International

Congress for Sex Equality, postulate that it is the Bi-Sexual who is truly the socially sick phenomenon. If Mr. Winters would investigate further, the diversity of current European scholarship would disclose the deviant more often described as Homophile rather than as Homosexual, that the emphasis towards a constructive understanding of the phenomenon is placed on the cultural contribution of the "lover of like" rather than on the blue-printed deviance of his bed exercises. Mr. Winters would begin to discover that History is an analysis of the inter-play of the similarities and dissimilarities of social groups, and the consequent cumulative effect of this interplay on their mutual social (that is to say, cultural) contribution. History is not concerned with a census of whether they do it backwards or frontwards. He would discover that over an enormous period of historical time the Homophile was as accepted a force in society as he is a rejected force today. And the Homophile's acceptance was based solely upon the character and quality of a cultural contribution which could not be produced by any other category.

European languages, customs, and lores, are full of the fragments and remnants of that culture. The sexual characteristic, the elusive bogey of the frantic Bi-Sexual, was precisely the red herring used so successfully to destroy the Homophile's function as a useful social entity. Its present currency, despite the Torah and the Roman Codex, is of comparatively recent origin, certainly not much earlier than 1650 AD. So long as the Homophile, and his sympathizers, bark and halloo after the herring . . . just so long will his own dust blind him to the one "combination" which will open the door once again to his full and productive re-integration. And that combination is the vision and the beginning comprehensions of that invaluable cultural contribution, needed by today's community, which is produceable by no other category.

Faternally yours,
Eann MacDonald

Gentlemen:

I am shocked at your giving space to the intolerant Mr. Winters in his jaundiced and cheap attack on Christine Jorgensen in your last issue. The fact that Mr. Winters and I completely disagree about the significance of the case is another matter, but if I understand anything of the aims of "ONE" and the Mattachine Foundation, these aims include a search for tolerance for the deviate. Maturity of thought and action is predicated on tolerance of others and an understanding of opposing points of view, and this article's childishness bristles with intolerance and prejudice.

Christine's account of her own life is modest, sincere, and in no way salacious. She cannot be blamed for the lubricity of certain publishers. She has not sought publicity; it has sought her, and she has tried to turn it to helping others. She has never urged similar treatment for all sexual deviates, nor has it been suggested in connection with her in public print except in Mr. Winters' angry article. In her story she quotes her doctor that there are many kinds of deviation — she never claims hers is the only solution — hers simply makes her a happier and better-functioning member of society.

Many homosexuals have been fascinated by her story, altho there is probably only a small minority who would or could relinquish their present status in her manner. But should those who wish to change to womanhood — even a physically sterile one — be condemned by those who deplore "society's refusing to adjust to *them*"? The violence of the author raises a question about his own defense mechanism, and I believe his fears are far from general.

I should like to read in "ONE" an article pointing out the positive aspects of the Jorgensen case for future research—medically, psychologically, and socially.

Sincerely yours,
P. E.

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The editors are shocked that P.E. is shocked. ONE, in giving space to both Jeff Winters and P.E.'s reaction to him, maintains its policy of allowing to be heard all who wish to speak. Mr. Winters' rebuttal is printed in this section. Incidentally, if the L. A. Mirror series is valid, Mr. Winters scooped them by 30 days.

The Editors:

Thank you for the opportunity to read and answer two of the letters commenting on my recent articles. The first, concerning Mr. Jorgensen, presented a view that I had never thought of in connection with the readers of ONE. It is not my impression that the magazine is published to flatter, sympathize with and give only direct encouragement to homosexuals. In fact, your stated purposes include getting this publication into as many homes as possible. To me, its sole purpose is the promotion of understanding of ourselves and of us by heterosexuals. The scope of this purpose is great enough to permit criticism, the very substance of growth. That even one intolerant reader is surprised that a dissenting opinion is given space alarms me with its suggestion that he or she wants only research that will reflect "positive" or sympathetic "facts" on the subject.

As for the celebrated Mr. Jorgensen, he is in the process of disgusting the entire world whether he wants to or not. The average person is not going to read his letter home ("Nature made the mistake which I have had corrected and now I am your daughter") then hear his doctors' statements that he was *not* hermaphroditic and that he was physically a normal male prior to surgery, without wondering if Mr. Jorgensen isn't either very neurotic or quite insane. Whether he sought publicity or not is irrelevant. Whether or not he is the heroic representative of all homosexuals is very much to the point. Exactly what his castration has proven, the nature of its "positive" aspects and how he has accomplished "much" for the minority is indeed subject for an article in *any* magazine, particularly ONE. I shall read every word of it twice when it appears. Until then I will be quite content to be a *male* attracted by males.

I hope that Mr. MacDonald's letter deploring my historical ignorance stimulates others as much as it stimulated me. It is quite true that most of us are acutely unaware of our own limited knowledge on the subject. His letter implies a vast background bristling with endless data. I sincerely suggest he write a study of the homosexual's historical position in society. I, for one, would *very* much like to hear about all those things the deviate has contributed culturally which could come from no one else. It would be a great relief to me to find that I am actually not an ordinary person after all. I had thought I was just a second class citizen demanding his full civil rights and whose sexual inclinations were no more anyone's business than those of a heterosexual whose habits in bed are not questioned when he is stopped for speeding.

Jeff Winters



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