

Book excerpt: Walter L. Williams, "ONE Institute in the 1950s" *Gay and Lesbian Rights in the United States: A Documentary History* Westport CT: Greenwood Press, 2003, pp. 80-82, 88-91.

In 1952 one of the original cofounders of the Mattachine Society, Dale Jennings, was arrested in Los Angeles by a vice squad detective on a charge of "soliciting to commit a homosexual act." Most men arrested on such charges pled no contest in order to keep their names out of the newspapers, and were released after paying a large fine. The number of men arrested on such charges provided a large sum of money each year for the Los Angeles Police Department, as well as the local courts. Resentful of such extortion, Mattachine leaders decided to use this arrest as a test case to challenge the pervasive mistreatment of homosexuals by police. Jennings remembered, "The moment I was arrested my name was no longer 'good' and this incident will stand on record for all to see for the rest of my life. In a situation where to be accused is to be guilty, a person's good name is worthless and meaningless."

Mattachine members quickly organized a Citizens Committee to Outlaw Entrapment, and contributed money to hire a lawyer. At his arrangement, Dale Jennings surprised the judge by demanding a jury trial. When the jury was convened, Jennings freely admitted that he was a homosexual. He explained that this kind of police harassment was commonly done to homosexuals, and that he was standing up for his right to live without interference by police. The jury deliberated for forty hours, and the case was dismissed.

Jennings wrote about his case a few months later, saying that without the financial backing of the Mattachine members to hire a good attorney, "I would have been forced to resort to the mild enthusiasm of the Public Defender. Chances are I'd have been found

guilty and now be either still gathering funds to pay the fine or writing this in jail. ... [But this case] established a precedent that will perhaps help others if the time comes. In this sense, a bond of brotherhood is not mere blind generosity. It is unification for self-protection. Were all homosexuals and bisexuals to unite militantly, unjust laws and corruption would crumble in short order and we, as a nation, could go on to meet the really important problems that face us. Were heterosexuals to realize that these violations of our rights threaten theirs equally, a vast reform might even come within our lifetime. This is no more a dream than trying to win a case after admitting homosexuality.” [Dale Jennings, “To Be Accused is To Be Guilty” ONE Magazine v.1 n.1 (January 1953), p10].

In late 1952 in Los Angeles, a group of Mattachine members, plus others who were involved in the Knights of the Clock, a social club of gay and lesbian interracial couples, decided to publish a magazine called ONE. Because it was still illegal for homosexuals to congregate, they had to be vague about their purpose, but they had a clear mission of creating the first “number one” gay magazine in America. On February 7, 1953, ONE filed for incorporation as a California non-profit corporation. Besides Mattachine co-founder Dale Jennings, other founders of ONE were a diverse mix of people, including an African American man named Merton Bird and his white lover W. Dorr Legg, Mexican American Antonio Reyes and his white lover Don Slater, and Jewish activist Martin Block. Under the editorship of W. Dorr Legg, Don Slater, and Irma “Corky” Wolf, ONE, Inc. began publishing ONE Magazine in 1953, the first national publication to advocate equal rights for homosexuals. The group rented an office in downtown Los Angeles, where a lecture series was begun. They also established a peer counseling center, and a lawyer referral service for those persons who were entrapped by

police vice squads. ONE became a virtual community center for Los Angeles gays and lesbians. The articles of incorporation for ONE, Inc. boldly state that the organization's primary purpose is to promote research "on homosexuality from the scientific, historical and critical point of view, and to aid in the social integration and rehabilitation of the sexual variant." Its three main goals are listed as follows:

1. To publish and disseminate magazines, brochures, leaflets, books and papers concerned with medical, social, pathological, psychological and therapeutic research of every kind and description pertaining to socio-sexual behavior.
2. To sponsor, supervise and conduct educational programs, lectures and concerts for the aid and benefit of all social and emotional variants and to promote among the general public an interest, knowledge and understanding of the problems of such persons.
3. To stimulate, sponsor, aid, supervise and conduct research of every kind and description pertaining to socio-sexual behavior.

[Files of ONE Institute / International Gay and Lesbian Archives. See also W. Dorr Legg, David Cameron, Walter Williams, Homophile Studies in Theory and Practice (San Francisco: GLB and ONE Institute Press, 1994), pp. 442-445; and "40 Year Dedicated Activist Dorr Legg Dies at 89," ONE-IGLA Bulletin n.1 (Spring 1995), p.4.]

Along with ONE, Inc. co-founder W. Dorr Legg and Professor Merritt Thompson of the University of Southern California, Jim Kepner saw the need for an educational research center for the homophile movement. In 1956 they founded ONE Institute and began holding seminars, sponsoring lectures, and supporting research. Jim Kepner became editor of ONE Institute Quarterly of Homophile Studies, the first academic journal in what would later come to be called Gay and Lesbian Studies. Kepner's

philosophy of homophile equality is represented in a letter he wrote to United States Senator Thomas Hennings and to Dr. Robert Hutchins of the Ford Foundation. Kepner's words, based on civil liberties guarantees in the Bill of Rights, had a huge impact in inspiring more activists to come out in support of gay and lesbian rights.

Dear Sirs: The commendable and forthright work of each of you in spotlighting the erosion of civil liberties, at a time much threatened by conformity and a distorted concept of national security, leads us to hope you may be willing to turn attention to the wrongs suffered by a group shunned like lepers by most defenders of liberty and justice.

More maligned than even Communists, and lacking bold allies or a developed sense of community, each homosexual seems to stand alone as an outcast—a secret sinner dreading exposure that may come at any time. Those assuming such a minority to be a small band of willfully perverted criminals can perhaps approve such social ostracism. However, [Indiana University Professor Alfred] Kinsey revealed what other researchers had indicated: that this is far too large a group to be repressed without severe consequences to society.... Kinsey's figures [in his 1948 book, Sexual Behavior in the Human Male and his 1953 book Sexual Behavior in the Human Female] indicate some 18 million men (and smaller numbers of women), who, having completed at least one such overt act, might be considered homosexual by the law. ...

In general, one need not argue a point of justice on the basis of the number of persons involved. Yet so great is antihomosexual prejudice that an appeal founded solely on justice, right, or scientific evidence finds but few listeners.... Laws that place a burden

of criminal guilt on a third of the populace and make one in ten an “abominable” outlaw are serious laws indeed....

Homosexuals are subjected to constant fear and insecurity, slander and vilification, discrimination in employment, and sudden waves of persecution during which basic legal rights may be totally ignored. In their rights to peaceably assemble, and to be secure against unreasonable search and seizure, homosexuals have been particularly wronged. We cite the unfair handling of homosexuals in the armed services and in government security cases, and the effects of inept sex offender registration laws, new criminal psychopath laws with vague definitions and indeterminate sentences not based on specific proven acts, and the loose interpretation of “catchall” statutes such as vagrancy laws.

The homosexual is doggedly frustrated in exercise of what the Declaration of Independence calls the inalienable right to life, liberty, and the pursuit of happiness.... Finding himself different from most men, he nonetheless cannot change his impulses at will. He hears the glib talk of cure, and often tried to get cured, but months or years of “treatment” do not alter his basic drives. His problem becomes one of satisfying or denying his desires, donning a social mask so neighbors and business associates won’t recognize what he is, and hoping he can keep safe from police and blackmailers....

Search of homes of suspected homosexuals without warrant and seizure of address books and correspondence have been common police practice. “Vice” officers regularly entice citizens into compromising positions to make an arrest. Nor is it rare to hear of vice officers suggesting to their victim that charges can be dropped for a cash payment.... The thoroughgoing discrimination against the homosexual is unnecessary to

the preservation of social order—it threatens order, in encouraging excesses of police power, in making a large class of potentially useful citizens antisocial, in creating festering spots of fear and hatred, in thwarting the lives and natural development for millions who have no alternative, and in magnifying dangerous guilt feelings in other segments of the population.

Public hysteria and attacks on homosexuals have increased as the subject comes more into the light. [Sociologist] David Riesman has suggested that as the Negro progressively escapes his role as public scapegoat, and as the Communist hunt grows stale, the bigoted are likely to turn to homosexuals for attack.

What would be the consequences of relaxing some parts of the restrictions? Would the walls of morality come tumbling down? Would men desert heterosexual monogamy? Would the birthrate fall disastrously? Only if heterosexuality was assumed to be unnatural and enforced only by restrictive law. Most men, basically heterosexual, will remain so without legal force. And the homosexual minority will remain generally as it is despite prejudice, laws, or mores. In no society, past or present, no matter how restrictive, has homosexuality been absent. In no society, no matter how permissive, has the natural impulse of the majority been impaired by granting freedom to inverts....

The American ideal holds that the country is large enough for people with different concepts of right and wrong to live together in harmony. The nations we decry are those where conformity has done its worst, where all thought and action must fit what is officially acceptable. In our own country there have been shortcomings in our practical application of this ideal, but we always have faith that we can overcome them. The homosexual feels that it is his turn to receive fairness and tolerance.

Source: Lyn Pedersen [pseud. for Jim Kepner], “An Open Letter: Do Constitutional Guarantees Cover Homosexuals?” ONE Magazine (January 1956). Reprinted in Jim Kepner, Rough News—Daring Views: 1950s Pioneer Gay Press Journalism (New York: Haworth Press, 1998). pp. 217-220, 264-269.

ONE Magazine, which began publication in 1953, quickly became the leading voice of the homophile movement. An attorney read each article to make sure it was not “sexually explicit,” thereby putting the editors at risk for arrest. In addition, the writers used aliases. For example, William Dorr Legg wrote as “Bill Lambert” and “Hollister Barnes,” Irma Corky Wolf as “Ann Carll Reid,” and art director Joan Corbin signed her work “Eve Elloree.”

Their fears were well founded. Within a year of the magazine’s first publication, Los Angeles postmaster Otto Oleson refused to allow the October 1954 issue of ONE Magazine to be sent to subscribers through the mails, on the basis that it was obscene. If Oleson’s charge was upheld, ONE officers could be subject to fines or imprisonment. Instead of cowering, ONE’s leaders approached the issue as few homosexuals did at the time, seeing themselves as a persecuted minority deserving equal rights and freedom of the press. ONE sued the United States Post Office, becoming the first homophile organization to initiate a court case for equal constitutional protections. Even after losing, the intrepid band of ONE activists appealed the case all the way to the United States Supreme Court. In 1958 the Supreme Court ruled unanimously that ONE Magazine was not obscene, and ordered the Postmaster to allow ONE Magazine to be

sent through the mail. This decision was an important victory in the struggle for gay and lesbian rights.

The strength of purpose that the leaders of ONE felt is represented in an article written by ONE co-founder Dorr Legg in 1958. Its provocative title was placed on the cover of the magazine: “I Am Glad I Am a Homosexual.” This article, and others like it published in ONE Magazine, refute the notion that all homophile activists in the 1950s were conservative, cautious, and apologetic. This article is slightly adapted, to insert the words “teenage” or “adolescent” into the original article. This shows the parallel today, when teenagers below age 18 have as few rights as adult homosexuals had in the 1950s. A similar challenge is sure to come.

“I am proud of being an adolescent homosexual.” This powerfully affirmative statement can act as an electrifying catalyst. Some few applaud its forthrightness. Others, whether consciously or not, agree with popular opinion—that homosexual behavior among persons below age 18 is wrong: that it is sinful; that it is shameful

The admitted homosexuals are a smaller group, comprised mainly of those teenagers claiming to be more intellectually sophisticated, and also of the flaming young queens. This group, in whatever terms, express pride in its homosexuality, finding nothing either sinful or shameful in it. They feel that homosexual boys and girls should be in every way as free to practice their sexual preferences as are adult segments of the population; that they should enjoy the same legal and social privileges as others, no more, but also, no less. They feel themselves under no obligations whatever to conform to the

particular social standards of the mainstream majority community; that instead of their adjusting to popular mores, the mores should be adjusted to their own wishes....

This rugged individualism has an almost anarchistic quality that is yet as American as the “hot dog.” It is in the spirit of that old Colonial flag, emblazoned with a rattlesnake and the motto, “Don’t tread on me.” This is the individualism of the teenage queen, flaunting makeup and a bracelet or two in the face of an amused or embarrassed public, and also of the intellectual adolescents who challenge the unhealthy manifestations of a society so sick, a culture so unsure of itself that it shrinks in horror from some of the greatest and basically elemental forces of humanity and nature, while striving feverishly at an impossible repression. Is it proposed that the honest man, the upright woman, shall lend themselves to the furtherance of such sickness, such unhealthiness, such weakness? Should they not rather strive to lead their blind fellows out of this nasty-minded neuroticism?...

Some of the most shining stars in the human firmament have been homosexuals who became sexually active before they turned 18. Without these great teenagers the world in which we live today would indeed be a sad, drab place—less moral. Who doubts this knows neither religion, history, or art

Like other teenage homosexuals who have self-respect and a natural pride, I am proud of being a human being, quite as capable as many adults of doing good work, to the extent of my individual abilities. In addition, I feel sure that my particular way of life has given me certain insights into human problems and character that most heterosexual adults apparently lack.... [Due to having experienced discrimination first hand,] the teenage homosexual discovers in himself a sympathy for the poor and oppressed of all

kinds denied to all but the saints. Being utterly untouched by their interests and concerns he has an unerring eye for the follies and foibles of adult heterosexuals, so unerring in fact that he often finds himself cast in the role of sympathetic adviser and confidant....

Do these concepts seem shocking, or startling? If so, the reader should prepare himself to continue being shocked, for ideas such as these are present today in the minds of many teenage homosexuals. They will be expressing them more and more vigorously as time goes on. Their day is on the march. They are actively, resiliently proud of their youthful homosexuality, glad for it. Society is going to have to accustom itself to many new pressures, new demands from the teenage homosexual. A large and vigorous group of youths, millions of them, are refusing to put up any longer with outworn shibboleths, contumely and social degradation.

Like the rest of my brothers and sisters I am glad to be a teenage homosexual, proud of it. Let no one think we don't mean business, or intend to enforce our rights.

Source: Hollister Barnes [pseudonym for Dorr Legg], "I Am Glad I Am a Homosexual," ONE Magazine August 1958, pp.6-9.