

# matchline REVIEW



**February 1956 50¢**

**Q HOW WOULD YOU FACE THE PROBLEM IF A MEMBER  
OF YOUR FAMILY IS FOUND TO BE A HOMOSEXUAL?**

**A ASPECTS OF THIS PROBLEM ARE FRANKLY DISCUSSED  
IN THIS MAGAZINE....**

SCANDAL IN BOISE, IDAHO--A REPLY  
CHURCHES FACE CHALLENGE OF KINSEY  
MYTHS ABOUT SEX OFFENDERS  
SEX, MORALITY AND RELIGION  
PSYCHOTHERAPY CAN AID HOMOSEXUALS  
NEW DEAL FOR DEVIATES FROM THE PRESS  
CULTURE AND THE INTROVERT  
MICHIGAN'S GROSS INDECENCY STATUTES

**ENTIRE CONTENTS AIMED AT GIVING THINKING ADULTS  
UNBIASED FACTS ABOUT AMERICA'S SOCIAL PROBLEM....**

# HOMOSEXUALITY



# Mattachine Society, Inc.

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## HOMOSEXUALITY IN BOISE....

### LET'S GET AT THE CAUSES!

A recent homosexual scandal rocked Boise, Idaho, when it was disclosed that several adult males had committed illegal acts with young men and youths, a number of whom were under 21 years of age. Indictments followed swiftly after the disclosure, and at the ensuing trials, jail and prison sentences were meted out--an answer, perhaps, for an enraged public, but unfortunately no cure for the men involved.

Dr. John L. Butler, of the Idaho Department of Mental Health, was quoted in *TIME* magazine concerning the trials. The following letter was written to him by the chairman of the Mattachine Society. We believe it speaks for itself: Idaho and the U. S. need to direct their attention to the cause rather than the symptoms. The letter is quoted here in full:

Dear Dr. Butler: I have recently read the articles in *TIME* magazine regarding the "shocking homosexual scandal" in Boise. You were quoted as having opposed the prison terms imposed by the Court and suggesting that homosexuals might be allowed to "form their own society and be left alone."

I certainly agree with you that punishment of the individuals involved is going to solve neither their problem nor the problem of the community. However, I protest the attitude that homosexuals be permitted to separate themselves from the community and form a society of their own. Homosexuals do not desire this, nor will they benefit from it. Society may believe that a problem--its problem--is solved by the "out of sight, out of mind" method. As a doctor, I'm sure you agree, however, that such action is merely fighting the "symptoms" and not the "illness." It is time that all of us--homosexual and heterosexual--face up to this problem and treat the causes.

A much sounder and more beneficial approach, it seems, would be to set up an unbiased commission of persons from the medical, religious, legal, and educational and other professional fields which have an interest in this subject. I realize that at the present time, when the community is in such an emotional state, it is probably impossible to find professional people who would look at the problem objectively and be willing to publicly do so. It might be even better to go outside of the state to find such persons, but until such a commission with community support can be organized to make recommendations for the welfare of all, all will suffer.

In criticizing you, I am also criticizing Judge Young for his attitude. Who can deny that each one of us has an obli-



A report on homosexuality in Great Britain, issued in December by the British Medical Association, caused a great stir in the United Kingdom. The following report is taken from the LONDON DAILY EXPRESS:

## GRAVE CHARGES

A CHARGE that some members of Parliament are "practising homosexuals" is made in a report\* issued by the British Medical Association.

The report contains the conclusions of a panel of 12 eminent doctors, psychiatrists, and criminologists set up to give the Government the B.M.A.'s views on homosexuality and prostitution.

Cases of homosexual and unnatural offences known to the police have increased threefold since 1940 to more than 6,000 a year. But this figure represents only a fraction of the real total, the report states.

The number of male pervers in Britain may be as high as half a million--two or three per cent of all men--the experts suggest.

"If undetected acts are increasing in the same proportion as the detected ones the position is most disquieting," they state.

"The behaviour and appearance of homosexuals congregating blatantly in public houses, streets, and restaurants are an outrage to public decency.

"Effeminate men wearing make-up and using scent are objectionable to everyone.

"The existence of practising homosexuals in the Church, Parliament, Civil Service, Forces, Press, radio, stage, and other institutions constitutes a special problem."

The doctors stress the danger that pervers in positions of authority may give preferential treatment to other homosexuals and may be open to blackmail.

In fairness the doctors point out that many homosexuals do nothing reprehensible because they control their desires.

Nevertheless medical opinion is strongly opposed to any relaxation of the view that homosexuality is loathsome. Emphasis is put on the dangers of the corruption of young boys.

"The real safeguard against homosexual activity is public opinion, and measures to promote a healthy attitude towards sex should be promoted by all possible means," they advise.

The report urges much more careful selection of school-

masters, Scoutmasters, and other youth leaders.

The experts are against sending convicted homosexuals to ordinary prisons.

Instead they recommend the setting up of teams of doctors and religious workers for the treatment and reformation of homosexuals in special centres.

Incorrigible offenders should be kept under control like lunatics because they are a public danger, they urge.

A special committee of women doctors called in by the panel urged that there is no case for legal action against female homosexuals.

Police figures given in the report show that prostitution has also increased alarmingly.

The doctors believe this is partly due to highly suggestive films and pictures in certain newspapers, on hoardings and in the Underground.

They recommend an all-out campaign to drive prostitutes off the streets with bigger fines for soliciting and reform schools for young girls starting on a life of vice.

The panel included Dr. Ronald Gibson, assistant medical officer of Winchester Prison, who was the chairman; Professor John Glaister, Professor of Forensic Medicine, Glasgow University; Dr. Doris Odium, a psychiatrist; Dr. T. P. Rees, medical director of the Croydon Mental Health Clinic; and Dr. R. D. Summers, Metropolitan Police surgeon.

The committee of women which gave special advice included Miss Letitia Fairfield, doctor-barrister; Dr. Joan Malleon, of University College Hospital; and Dr. Albertine Winner, senior medical officer, Ministry of Health.

*\* Homosexuality and Prostitution (2s. 6d.).*

In the April issue of the REVIEW, Author Lyn Pedersen will trace the homosexual situation in England through the past five years, and bring readers up to date on the findings of a British Royal Commission, the Anglican Church and the national medical society. **DON'T MISS THIS REPORT!**

## 3rd Annual Convention

Advance tentative program for the 3rd Annual Convention of the Mattachine Society, Inc., to be held May 11-13, 1956, at San Francisco, has been released by the Convention Committee of the San Francisco Area Council.

It will feature two days of program events for the convention proper, and be preceded by an evening reception.

Here is the schedule of events thus far set up by the committee:

### FRIDAY, MAY 11

8:00 p.m. Reception

### SATURDAY, MAY 12

9:00 a.m. Breakfast  
11:00 a.m. Registration  
1:00 p.m. Call to order; Welcome  
1:15 p.m. Chairman's Address  
1:45 p.m. Lectures and Discussion  
4:30 p.m. End of First Session  
6:30 p.m. Cocktails  
7:30 p.m. Banquet

### SUNDAY, MAY 13

10:00 a.m. Writers' Seminar  
1:00 p.m. Second Session  
Business Meeting  
4:00 p.m. Adjournment

# Mattachine REVIEW

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VOLUME II NUMBER 1

FEBRUARY 1956

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### ADDRESS OF THE REVIEW

Please address all communications concerning the REVIEW direct to the Publications Department, Mattachine Review, at 693 Mission Street, San Francisco 5, California.

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# THE CHALLENGE of the KINSEY REPORT

by

Richard E. Lentz

*This article, originally published in the INTERNATIONAL JOURNAL OF RELIGIOUS EDUCATION, and reprinted as a folder by the Division of Christian Education of the National Council of the Churches of Christ in the U.S.A., Chicago, is significant because it points up a recognition of human sexuality as a matter which Christian churches must consider. This consideration, it is explained, must bring into the open what many Bible readers have long suspected.*

DR. ALFRED C. KINSEY seated 8,000 "human females" in the witness chair, putting to each one on the average 300 questions about her sexual behavior. A careful record of replies was made in code. The Kinsey report of *Sexual Behavior in the Human Female* contains principally the tabulations and interpretations of the responses of 5,940 of the individuals questioned. In this report is data from white women only. None of them is from the prison population. None was a prostitute.

Much of the controversy over the Kinsey report concerns: (1) the reliability of its information, and (2) the extent to which it may be regarded as typical of all American women. Can persons accurately recall sexual experiences after a decade or more? Will they honestly report what they remember? Are 5,940 case histories a representative sample for this research? Perhaps each reader will form his own conclusions.

Many comments have been made about the Kinsey report by persons who have not read the recently published technical volume on *Sexual Behavior in the Human Female*. The vast majority of the American people are not prepared emotionally or educationally to interpret for themselves the significance of social science research in the field of sexual behavior. They will need to know what Dr. Kinsey and his associates actually say before they can appraise the value of the study for them personally or professionally. To shout hysterically, "Shocking! Revolting!" is

as unwarranted by the facts as the exclamation, "At last! A rationale for free love!"

What then are some of the major conclusions presented in the 1953 progress report in sex research? Perhaps it is natural that the most discussed part of the Kinsey report should be the statistical summaries of various types of female sexual behavior, although this information finally may not prove to be the most significant aspect of the study. Are these "revelations" so eagerly sought by many because, as one man put it, "We want to see if the women are as bad as the men?"

What does Dr. Kinsey report?

Twenty-seven per cent of the 5,940 women interviewed recalled specific experiences in which they had been sexually aroused prior to adolescence (12-13 years of age; according to Kinsey), but only half of these had actually reached sexual climax. Self-induced erotic experience, less frequent among girls than boys, became steadily more common as a type of sexual behavior among the women, reaching a maximum of 54 per cent for single women 36-40 years of age.

The uniqueness of premarital petting in America is not its prevalence nor its methods but the frankness with which it is accepted by modern American youth. About 90 per cent of the individuals interviewed by Dr. Kinsey re-

ported premarital petting experience. Only 30 per cent of the women, however, recalled petting to sexual climax. Nearly 50 per cent of the women answered "Yes" to having had sexual intercourse before marriage. Most expressed "No regret." Perhaps this is explained in part by the fact that 46 per cent of the women having sexual intercourse before marriage had limited the activity to include only their fiancé.

Regarding marriage, several summaries are important. Two out of three of the marriages covered by the interviews had on occasion at least run into serious disagreement over sexual relations. Three-fourths of the divorcees reported serious disagreement over sexual relations. In describing their conduct in marriage, 26 per cent of the married women told of having engaged in extra-marital sexual intercourse. Extra-marital petting was more common. These figures become relatively larger when it is noted that the average length of the marriage involved was only 7.1 years. The highest percentage of extra-marital activity was reported by married women in their "mid-thirties and early forties."

By the age of 30, a few more than 1,000 of the 6,000 women had had physical contact with other females, which was deliberately and consciously at least on the part of one of the partners intended to be sexual. As could be expected, this activity was limited mainly to the single or formerly married women. Twenty-five per cent of this group between the ages of 35 and 45 reported having engaged in such activity at some time.

More important than the numerical statistics just summarized—and admittedly those data are important—are several other aspects of this research in human behavior. The study itself represents a serious attempt to get actual facts in a vital area of human experience not usually open to investigation. On almost every page there are intimations of the radical adjustment of sex standards and education that may ultimately develop as the sexual needs of persons are faced realistically by our culture. Is masturbation physically or psychologically harmful? Does premarital petting or/and premarital intercourse decrease or increase a couple's chances of marital accord? What is the desirable single sex standard for both men and women? When do children first become interested in sex? What are the elements of satisfying sexual experience and what kind of marriage best provides for it? These are some of the questions in which men and women state their sex problems today.

Expand the concept of truth

They are looking for help from those who un-

derstand their needs and their capacities. They cannot be satisfied with ignorance, superstition, or surmise. They want the truth about themselves. Church leaders must welcome this quest for self-understanding and for truth. They will seek to expand the concept of truth to include many factors not considered at all in such approaches as the Kinsey study.

The title: *Sexual Behavior in the Human Female* is an example of the limited concepts behind the Kinsey studies. For the purpose of their research understandably the staff of the Institute of Sex Research adopted certain basic assumptions to be used in the investigations. They decided to study behavior. They determined to approach the persons whom they would interview as human females.

Several chapters begin with a discussion of mammals in general, then turn to a consideration of the human female. This scientific approach has contributed much to the understanding of the physical aspects of human existence. But the human personality and the relationships between men and women involve many additional elements that lie beyond the Kinsey investigations. It is man's difference from other animals and not his likeness to them which makes him human. Motives and attitudes behind behavior are often more significant than the overt act. The moral and spiritual meaning of activity to the actor and society are an important part of the truth to be recognized in any realistic sex standard.

A biologist should not be criticized for failing to consider the "upper limits" of human personality; that is the special responsibility of religion. The publication of the Kinsey report challenges us to interpret sex in terms of the whole man as a child of God.

People now recognize that the sexual aspects of their nature are integral to life. The Church must lead them to see that the sexual aspects of their life are God created, too. The purposes of God in creation are revealed to a considerable extent in the yearnings of men. Dogma alone will not satisfy modern men and women in dealing with their sexual yearning. "God made male and female! God made me as I am! Why did He make me feel this way fifteen years before I can do anything about it?" These are the anguished words of a conscientious young Christian!

Teach the Christian use of sex

There are thousands of earnest men and women in the churches who ask for constructive guidance in discovering the Christian use of the power of sex in their lives. At present the Church, except in a few isolated cases, is unprepared to help them. Partly by the Kinsey



report, but mostly by the needs of men, the best minds of the Church need to be challenged to this search for the will of God.

This is not an exclusive assignment for specialists only. The church school teacher and the Christian parent cannot avoid the subject of sex. Their attitude toward that subject more than any specific information which they may provide becomes the formative influence in the life of children. One of the startling disclosures of Dr. Kinsey's interviews was the number of women who named the Bible as their first source of sex information. When we give the Bible to children and young people, we place in their hands some very confusing sex information! Dr. Kinsey's findings have brought out into the open what many Bible readers privately have suspected. Now Bible teachers will need to be prepared to explain *sexual behavior in biblical males and females!* Are there portions of the Bible that ought not be made available to children? Is the development of Christian character advanced or retarded by reading the entire Bible from "cover to cover?"

Focus of attention upon these problems will create another opportunity for stressing the historical approach to Bible study. A historical interpretation of the Bible not only enables us to deal with undesirable sexual behavior in the

Bible, but it provides the basis for rejecting proposals of similar sexual behavior for our time.

The questions asked by Dr. Kinsey concerned individual behavior, but by its very nature, sex is social, involving a person's need of and dependence upon others. A "realistic sex standard" must always consider inter-personal relationships: it cannot be based solely or mainly upon individual wishes or needs. The wide publicity given the Kinsey report will stimulate much discussion of the sexual relationship between men and women. Could there be a better opportunity to interpret Christian love in terms of the intimate relationships of men and women? Recent books by Dr. Paul E. Johnson, Dr. Derrick Bailey, Dr. Seward Hiltner, and others are very helpful. However, every Christian shares in this creative challenge as he forms friendships, dates his girl friend, marries and becomes a parent.

The Kinsey report will take its place in the long search of man for a fuller understanding of himself. In this quest, true religion has never suffered. The Kinsey report includes information directly useful to the Church in planning helpful services. Its greatest service, however, may well be the development it makes necessary in Christian thought and growth. In this sense it is a challenge to be welcomed.

## Some Myths About the Sex Offender

BY PAUL W. TAPPAN, PH.D., JUR. SC.D.  
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**E**VERY CONCEIVABLE approach has been recommended from some quarter in recent years to "meet the sex problem." Most of these have been tried somewhere, either legally or extralegally: increased publicity, the death penalty, doubling the prison sentence, life terms, denial of parole, police registration, psychoanalysis, castration, sterilization, shock treatment, state hospital custody for life or for indeterminate periods, brain surgery, group therapy, and many others.

Some "authorities," confused in their attempt to resolve at once problems of sex control that have beset man throughout the span of human history, recommend in one overheated breath the greatest possible severity of punishment for all sex deviates and in their next impetuous exhalation declare that the problem is medical and must be turned over at once and in its entirety to the psychiatrists.

These varying approaches to the handling of the sex offender problem stem from differing notions held about the sex offender, many of them fallacious and without the support of systematic studies in the field of medicine, psychology, and sociology. Some of the more commonly cherished but quite erroneous views about the sex offender are the following:

1. *That tens of thousands of homicidal sex fiends stalk the land.*—In fact the vast majority of the sex deviates are minor offenders, most of whom never come to official attention (e.g., there are 60 million homosexual acts performed in the United States for every 20 convictions for homo-

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sexuality in our courts). It has been carefully estimated by Dr. Alfred Kinsey that not more than 5 percent of our convicted sex offenders are of a dangerous variety, exercising force or injury upon a victim. Crime reports support this finding. Homicide associated with sex crimes is unusual.

There is no possible doubt about the prevalence of sexual deviation in the population. This is something quite different, however, from the "vicious sex murderers" commonly portrayed who, fortunately, are far less frequent in incidence than any of the categories of serious criminals who plague the states. The late Professor Edwin H. Sutherland attempted to evaluate the significance of atrocious sex crimes as measured by the prevalence of rape murders. The data he drew are of particular interest in revealing that the public has been misled in the notion that murder is commonly committed by "sex fiends." When the sex offender does commit homicide, it is very often a panic reaction of one who fears discovery rather than an expression of sexuality as such.

2. *That the victims of sex attack are "ruined for life."*—It sometimes appears that the relatives and friends of the victim are attempting to assure that the molested child or woman will indeed be ruined. And in some instances the individual does carry psychic scars after such an experience. Characteristically the damage is done far more, however, by the well-intentioned associates of the victim or by public authorities than by the aggressor. This is not to condone the offense, but merely to emphasize that its implicit danger has been grossly exaggerated and that the possible traumatizing of the individual is almost always a product of cultural and individual responses to the experience rather than because of the intrinsic emotional value of that experience itself.

Certain it is from the evidence in other societies that such experiences as rape, "carnal abuse," defloration, incest, homosexuality, or "indecent" exposure do not have the effects that are expected

in our culture; in fact, in many preliterate societies these acts are characteristic and expected events. This is merely to reiterate that it is the cultural situation which defines sexual behavior and individuals' response to it. More than this, however, it is apparent that the young individual in our own society who has not been exposed to an excess of parental and community hysteria about sex can absorb the experience of a socially disapproved sexual assault without untoward consequences. It is where severe neurotic fears have already been implanted or where they are imposed after the encounter that lasting injury may be done.

3. *That sex offenders are usually recidivists.*—

Sex offenders have one of the lowest rates as "repeaters" of all types of crime. Among serious crimes homicide alone has a lower rate of recidivism. Careful studies of large samples of sex criminals show that most of them get in trouble only once. Of those who do repeat, a majority commit some crime other than sex. Only 7 percent of those convicted of serious sex crimes are arrested again for a sex crime. Those who recidivate are characteristically minor offenders—such as peepers, exhibitionists, homosexuals—rather than criminals of serious menace. This question of recidivism is one of considerable importance in relation to state policy in handling the problem, since the danger to be anticipated from sex criminals is closely related to their repetition of offenses. The fact is, as revealed by official data, that most sex offenders do not repeat their crimes; they are not "habitual." Statistics from several sources bear out this conclusion.

In the reports of the Federal Bureau of Investigation data are provided each year for 25 types of offenses as to the percentage of persons arrested who had prior criminal records of any kind. Among the recidivism rates reported are those for rape and "other sex offenses." The sex offenders consistently rank very low among repeaters: rape



usually occupies the eighteenth to twentieth place on the list, with "other sex offenses" ranking one or two places higher. Moreover, in most instances of recidivists arrested for sex offenses, the prior convictions were not for sex crimes.

Federal data are borne out in the more detailed information prepared for the Report of the Mayor's Committee for the Study of Sex Offenses in New York City, on the felonious offenders convicted in the county courts there during the years 1930-1939. That study concludes that most offenders charged with sex felonies are without prior police records and that convicted sex offenders are less inclined to have had police records than other types of felons. Sixty-one percent, or 2,001 out of 3,295 convicted sex offenders, had no criminal records, as against 35 percent for all other types of felons. It was found that the recidivist sex offenders led in abduction (52 percent), whereas the recidivist rate for statutory rape was considerably less (34 percent). Moreover, the youthful age of a high percentage of those convicted for statutory rape and sodomy, along with their relatively low recidivist rates, led the Committee to the conclusion that these were "transitory episodes in the life of a considerable number of sex offenders."

Even more significant was the finding of the study that sex offenders who had prior records of sex crimes represented only 9 percent of the total of 3,295 offenders studied.

The New York data on prior arrests were supported by a further study of the postconviction careers of 555 offenders convicted of sex crimes in 1930. It was discovered that only one-third of these had reappeared in a police lineup during the ensuing 12 years, "convincing proof that sex crime is not habitual behavior with the majority of sex offenders." Moreover, among the 191 offenders who were rearrested, only one-fifth were again arrested for sex crimes: 93 percent of these 555 offenders avoided further sex crimes during the 12-year period; only 7 percent reverted.

Among the 40 offenders rearrested for sex crimes, 9 were acquitted or discharged and among the remaining 31 only 2 were convicted three times (of indecent exposure), and 4 were convicted twice.

A study conducted by Hulsey Cason and M. J. Pescor with 500 psychopathic inmates in the Medical Center for Federal Prisoners is also of interest relative to the problem of recidivism.<sup>1</sup> They found that 63 percent of these patients who had been released an average of 19.2 months had no subsequent record with the Federal Bureau of Investigation. Among those who were discharged under supervision, 71 percent had no subsequent record. This suggests that even among those offenders labeled psychopathic, a great majority are not habitual or repetitive. An interesting observation in this research was that 61 percent of these psychopaths were reported as having been obedient children, although it is usually considered among authorities that the psychopathic traits, when they are to appear at all, develop during childhood.

Data from the New Jersey Diagnostic Center reveal that between 60 and 70 percent of the sex cases referred there are first offenders. Similarly, among the psychopaths committed to St. Patrick's under the Minnesota law, it has been shown that only one-third had prior convictions for sex offenses. The State of California notes that the proportion of persons committed to prison for sex offense who were without prior commitment is over 50 percent, whereas for all men committed it was 26 percent. Similarly low proportions of recidivism have been noted elsewhere.

4. *That the minor sex offender, if unchecked, progresses to more serious types of sex crime.*—It is the consensus of psychiatrists, confirmed by crime statistics, that sex deviates persist in the

(Continued on page 36)

<sup>1</sup> Hulsey Cason and M. J. Pescor, "A Statistical Study of 500 Psychopathic Prisoners," *Public Health Reports*, 61:557, 1946. See also Cason and Pescor, "A Comparative Study of Recidivists and Non-Recidivists Among Psychopathic Federal Offenders," *Journal of Criminal Law and Criminology*, 37:236, 1946.



# ALBERT ELLIS, PH. D.

## the use of PSYCHOTHERAPY with homosexuals

### PSYCHOTHERAPY

Albert Ellis, Ph. D.

**V**IRTUALLY NOWHERE in the extensive literature on homosexuality is to be found an account of the treatment of a sizeable number of homosexuals with psychotherapy. Accordingly, the writer began in 1951 to keep detailed records on all individuals with severe homosexual problems who were seen in his private practice in New York City. A report on some of the data gathered in this connection will soon be published in a professional journal; in the meantime, a summary of this report will now be given.

During the years 1951 to 1955, largely because of my publications on homosexuality and my known sympathetic attitudes toward inverts, I saw 53 individuals (41 males and 12 females) who had distinct homosexual problems and who came for psychotherapy mainly because of their homosexuality. Of these, 40 patients were seen for five or more sessions; 29 for ten or more sessions; and 7 for more than 50 sessions.

In seeing the 40 individuals who were seen for five or more sessions, an active form of psychoanalytically oriented psychotherapy was employed, with the goal being as I have previously pointed out (1, 2, 3, 4) not one of trying to get the patient to

forego ALL homosexual activities, but to enable him to overcome the EXCLUSIVENESS, the FEAR, the FETTERISTIC FIXATION, or the OBSESSIVE-COMPULSIVENESS which prevents him from having satisfactory heterosexual contacts. The 40 homosexuals seen for psychotherapy, therefore, were considered to be distinctly or considerably improved when, during the course of therapy, they began to lose their fears of the other sex and fully to enjoy and be effective in heterosexual relations.

The patients seen were largely young people: 18 being under 25 years; 19 between 26 and 35; and 3 over 36 years. Thirty-one of the patients were single; 5 married, 4 divorced or separated. One had a grade school education; 10 were on the high school level; 23 had some college training; 6 had graduate work.

Of the 40 patients who were seen for five or more sessions of psychotherapy, 28 were males and 12 females. Of the 28 males, 11 were found to show considerable improvement in their heterosexual relations, 7 to show distinct improvement, and 10 to show little or no improvement. Of the 12 females, 8 were found to show considerable improvement and 3 distinct improvement.

The female patients, when com-

pared to the males, were found to be not as educationally advanced, to have had more previous heterosexual activity, and to be more desirous of making a better heterosexual adjustment. These differences did not prove to be statistically significant. At the same time, the female patients were found to be more improved as a result of treatment, to be more often married or divorced, and to be more seriously emotionally disturbed; and these differences did prove to be statistically significant.

Other relationships suggested by the data, but not proving statistically significant, were these: The better educated males seemed to improve more while being treated; the less disturbed males were more improved but the more disturbed females were more improved with treatment; individuals who had engaged in little or no heterosexual activity prior to treatment were more improved while undergoing psychotherapy; and the greater the length of the treatment, the more the tendency of the patients to improve in the course of it.

The one relationship that proved to be highly significant was that between the patients' desires to achieve heterosexual adjustment and their benefitting from psychotherapy. Those who entered therapy with little or moderate desire to overcome their homosexual problems (but who came, instead, mainly to work on other problems or to relieve their guilt over being homosexual) made some strides toward heterosexuality in 50 percent and considerable strides in 15 percent of the cases. Those who came to therapy with a considerable desire to surmount their homosexual problems became somewhat more heterosexual in 100 percent and considerably more heterosexual in 80 percent of the cases.

The fact that there was such a significant relationship between the improvement in heterosexual relations of the patients studied and their desire for such improvement certainly seems understandable enough. This is often true for all kinds of psychotherapy patients: those who really want to get better, and who will do the hard work that is required in the course of active psychoanalytically oriented therapy, almost invariably make considerable improvements, and often in a relatively short length of time. Homosexuals, in particular, who are essentially phobic in that they fear heterosexual participations and therefore take what seems to be the "easier" way out by engaging in homosexual activity, can, like most other phobics, overcome their emotional difficulties if they will (a) acquire insight into the origin of their fears and (b) get into action and begin to do the things they are afraid of doing. If, with the help of good motivation, they will permit a competent therapist to help, persuade, cajole, goad, and sometimes virtually force them to acquire this insight and to start doing what they fear, they will almost certainly succeed in overcoming their homosexual neurosis—or succeed in achieving satisfactory, eagerly sought after heterosexual relations. That, if anything, seems to be the main moral of this study.

In conclusion, it may be said that psychotherapeutic experience during the last several years with 28 males and 12 females with serious homosexual problems has conclusively indicated that exclusive homosexuality is certainly not constitutional, innate, or inherited. It is an acquired, or socially learned, pattern of behavior which can definitely be changed, and often in a surprisingly short per-

lode of time, if the individual is willing to work at an active psychotherapy process. In fact, on the basis of my current experience with inverts, I believe that it is no exaggeration to say that virtually every homosexual who wants to achieve satisfactory heterosexual relations may be enabled to do so if he will see a competent psychotherapist and work persistently at this goal.

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This article is an abstract of a scientific paper which is to be published soon in the *Journal of Consulting Psychology*.

*the law in Michigan is particularly severe....*

## the GROSS INDECENCY statutes

By Mackinneth Pingal

**T**HE "GROSS INDECENCY" statute under which Oscar Wilde was indicted by a grand jury and convicted in 1895 in England has its counterpart today, sad to relate, in the State of Michigan.

The English law of 1885 under which Wilde was sent to jail was first introduced in Parliament as "a Bill to make further provision for the protection of women and girls, the suppression of brothels and other purposes." It was first introduced and passed without any reference to "indecency" between males. Later, Section 11 was

inserted, which made "gross indecencies" between grown-up men either in public or in private a misdemeanor, with a minimum of 12 months and a maximum of 24 months in prison as the punishment. It did not apply to homosexual women. It was passed rather hurriedly and surreptitiously and there were those who thought it was aimed primarily at Oscar Wilde, whose name had become a household word in England for homosexuality.

It is a sad commentary that the State of Michigan today has on its books a "gross indecency" statute for both male and female homosexuals and which is made a felony instead

of a misdemeanor, as in the law under which Wilde was convicted after testimony from chambermaids and blackmailers. The Michigan "gross indecency" law for male homosexuals goes back as far as 1903 and until 1952 provided for "imprisonment in the state prison for not more than 5 years or by a fine of not more than \$2,500." (See 4 Mich. Comp. Laws 750.338, 1948.) In 1952 this law was amended to read: "Not more than 5 years or by a fine of not more than \$2,500, or if such person was at the time of the said offense a sexually delinquent person, may be punishable by imprisonment in the state prison for an indeterminate term, the minimum of which shall be 1 day and the maximum of which shall be life." (See 5A Mich. Comp. Laws 750.338, 1948; 1954 Supp.) Sec. 338a has similar language and the same punishment for the female homosexual in Michigan although the female statute goes back only to 1939. But in both cases the offense is made a felony. Sec. 338b has similar language and punishment for "gross indecency" between the male and female in private or in public. Nowhere is "gross indecency" defined, and it must be assumed that any sexual relations outside legalized heterosexual marriage in Michigan involve "gross indecency."

A "sexually delinquent" person in Michigan is defined as follows:

"The term 'sexually delinquent person' when used in this act shall mean any person whose

sexual behavior is characterized by repetitive or compulsive acts which indicate a disregard of consequences or the recognized rights of others, or by the use of force upon another person in attempting sex relations of either a heterosexual or homosexual nature, or by the commission of sexual aggressions against children under the age of 16." (5A Mich. Comp. Laws 750.10a, 1948; 1954 Supp.)

Please note the words "repetitive" OR "compulsive acts." Observe how dangerous to the Michigan invert's freedom the word "repetitive" can be. Imagine, too, the construction which can be put upon the words "compulsive" and "consequences."

It might be added that the Michigan sodomy statute was also amended in 1952. The 15 years' imprisonment was retained as the maximum period, and in addition "if such person was at the time of the said offense a sexually delinquent person, may be punishable by imprisonment in the state prison for an indeterminate term, the minimum of which shall be 1 day and the maximum of which shall be life." (See 5A Mich. Comp. Laws 750.158, 1948; 1954 Supp.)

But for all of Michigan's harshness there is still some consolation in the fact that the American Law Institute recently made strong recommendations against the above statutes in its Model Penal Code. (See Tentative Draft No. 4, Model Penal Code, April 25, 1955, p. 294.)

#### NEXT ISSUE

The April issue of the *REVIEW* will be mailed on March 25, and will appear on newsstands at the same time. Mailed to you in plain, sealed envelope, the price is only \$2.50 for a full year. Why not send your check and become a subscriber?



# CULTURE and the introvert

**C**CULTURE—the products and by-products of man's creative imagination, amassed in a tradition covering thousands of years—is so broad in its social meaning that we can seldom do more than regard a few of its facets at a time. Yet we frequently make the effort to see these facets as parts of an organized whole, and in doing this we become more and more impressed with what this culture reveals of man's inner, spiritual nature, and of man's potentialities for future development.

The chief obstacle to our grasp of cultural values as they relate to human evolution is our difficulty in seeing the physical environment and our own biological natures in proper perspective against the cultural forces which in this age have come to shape the course of human experience.

For many of us, the external object, the outward physical result, the immediate actions and reactions of mind or body, these things appear to constitute the "real" world. In general, we have not yet learned to live comfortably or realistically in the universe of natural and social principles, of ideas and ideals, which underlies all of our immediate sensations. Thus, the natural universe, together with our own biological and social evolution, seems often to be the aftermath of chance rather than the result of constituted design; and our efforts to bring logic into our personal and social lives are frequently tinged with a sense of futility—with a vague impressing of essential disorder which may possibly sweep aside all human plans.

Yet ever since humanity discovered itself to be a creative and self-

R. H. Crowther

determining agent in this world, man's mental and emotional life has come to be governed more and more by inner visions, hopes and plans, and by his own calculated actions. The history of religious and philosophical leadership is the history of minds who have valued the realities of man's subjective nature, and who have sought to inspire humanity at large with the sense of spiritual principles of which all immediate forms and activities are the product. Man is, so far as we know, in the unique position of being able to realize in himself the nature of both creature and Creator. According to religious authority it was with this character that man was endowed to begin with; and ever since, human progress has reflected the extent to which we can expand our consciousness into the ultimate reaches of experience which this character makes possible.

If this background of ideas is acceptable, then many of our modern psychological terms stand in need of serious revision. Psychology, in its effort to follow the methods of the exact, or mathematical sciences, has been constantly embarrassed by the fact that analytical and statistical methods, which have produced such superb results in our mastery of molecules, atoms, electrical energies, and even of many elemental phases of organic life, are inadequate to solving or even classifying the subjective problems of personality and behavior. Terms and concepts which at first seemed to have meaning, or at least convenience, in describing psychological data, have had to undergo a continual process of redefini-

tion. Moral and ethical values, at first ignored because they lay beyond the limits of analytical and statistical processes, are now coming into greater prominence, and there is taking place a gradual integration of psychological and religious ideas. This seems an excellent omen, both for the ethic of psychology, and for the ultimate efficacy of religious truth in molding the destiny of man. The two fields still appear to be widely divided, however, and new knowledge is being looked for which can bring about their eventual unity.

For the homophile who is interested in both religious and scientific values, there is an interesting relationship between the terms "introvert" and "invert". As commonly understood, the introvert is one who is preoccupied with subjective experiences, as distinguished from the apparent, external universe and his relationships to it. Usually the term "introvert" is applied to those in whom this tendency outbalances its opposite—those, therefore, who tend to withdraw from external realities into fantasies, and into non-social or even anti-social attitudes. By this usage, introversion has come to be synonymous with a somewhat defective or limited personality. However, introversion, from its basic definition, contains two very distinct aspects. There are introverts who become preoccupied with subjective values — with ideas, interpretations, principles etc., — because of positive interest and also capability in dealing intelligently with subjective material. At the other extreme there are those who are driven into a morbid and purposeless inversion, merely because of inability to cope with the objective universe, or to relate themselves successfully to the objective realities of social experience. It is clear that culturally

productive members of society can arise only from the former class.

In relation to sexuality, there appears to be a very direct, though not necessary connection between introversion and inversion, as the person affected—by the very nature of his disposition—tends to build up and accept erotic images identical with his own sexual character. Obviously, it is these mental images, not the blind sexual impulse itself, which determine a person's sexual inclinations. Introversion, narcissism, autoeroticism, inversion (or homoeroticism)—all these terms, even while distinct in their special applications, nevertheless seem to be related to one major direction or condition of consciousness.

Whether or not introversion will result in sexual inversion depends upon many factors whose immediate workings are already well understood by researchers in the field. Among these are the degree and type of introversion, the incidence of introvert tendencies in respect to the age of the person, and the family relationships of early childhood.

In judging various aberrations we are sometimes inclined to forget that all of the preconditioning factors of sexual behavior are established in very early years, when the child is not interested or even capable of understanding sexuality in a realistic way. A child has a highly active mental and emotional life, and keen sensibilities to environment for many years before adolescence. Sex, in the adult sense, is not among the countless impulses and sensations of which a child is aware from birth, and which he learns to adjust, one with another, in the natural course of personal development. It appears, in its developed form, into a personality-picture already crowded with memories, associations, knowledge in many forms, cultural leanings, and



personal likings or antipathies. In the complex educational and cultural environment of modern times, pre-adolescent consciousness is filled more and more with preconditioning images and influences. These continue to make more and more involved the problems of adolescent sexual adjustments.

It is logical to assume that a child whose family environment and native interest dispose him or her to strong cultural interests is likely to develop introspective tendencies at an early age. The impacts of art and music, of travel, of thoughtful adult conversation and instruction, make their keenest impressions during this period, and arouse the strongest emotions and cultural attractions. Under such circumstances, the most careful and sensible pre-adolescent guidance becomes mandatory. The young man or woman who never thought too seriously about anything until after the adolescent period risks for less chance of inversion than one of similar age who, in preadolescence, became engrossed in introspective thought. This is not to say that early introversion will invariably or even usually lead to active sexual inversion, or that a young child should be discouraged from taking an interest in the serious questions of ethics, art or science. Yet we must realize that all cultural values tend to stimulate subjective more than objective interests, to emphasize the inner conditions of consciousness rather than external appearances or relationships. This, in preadolescent years, before any sexual pattern has been set, can and often does predispose to some degree of inversion which will be actually experienced at the time of sexual maturity. Whether this degree of inversion will be great or small, whether it will

be suppressed or acted upon, whether it will even be brought in conscious knowledge or not, and whether or not it will result in personal or social maladjustments—these possibilities hinge upon many other factors of character and environment which are not dependent upon sexuality itself.

There are several reasons why serious religious interests often produce an unsettled attitude towards erotic experience, especially in cases where, for other reasons, the sexual bias is not clearly defined or established. Religious interests involve the most pressing personal questions which can occupy the human mind—questions of self-identity, of purpose, of time, change, mortality, permanence, etc. Not content with immediate experience, or with the appearances of things, the serious religious thinker, regardless of formal creed, is primarily engaged in seeking inner identity with the realities which underly his own and universal being. Outward differences appear to be of much less importance than inward unities and identities. There is a constant quest for sameness, for singleness, for constancy, for the unchanging—and because these qualities cannot be found in the kaleidoscope of sensory experience, thought must, of necessity, turn inward. This is the critical point, from which individual character will determine whether or not the ingoing impetus of thought will remain healthy, and become finally productive in terms of cultural value and social leadership. There is, of course, no general rule. The process of personality growth has as many degrees and variations as there are people, and it would be difficult to find, except among religious values, the standards of quality by which this process can be inspired, guided, and finally

measured by tests of individual worth. Introverted thought may find itself stopped short at a certain point, with morbid and undesirable results. Or it may climb on to reach that plane of ethical and spiritual certainties, and of creative imagination, from which have acted our greatest cultural and social leaders. Ideally, introversion follows this latter course. If, at first, it produces a withdrawal from the immediate realities of environment, this is only a necessary means towards that end when thought begins to emerge onto a level of knowledge wherein are seen the inner principles of growth and logic which unite all living things.

Somewhere, somehow, in the intricate picture of personality-growth, there arise in the mind the erotic images, which, in the adult, give actual directions to sexual behavior. No one with any sexual potency is exempt from the associations by which the mind gives direction to the sexual impulse. It seems well agreed that there is no one factor which determines whether these images will be hetero- or homoerotic in character. Indeed, it would be safe to say that not just a few, but every factor in preadolescent experience has some part to play in setting the stage for sexual behavior in adult life. Certainly the child-introvert will, at the time of adolescence, be unusually predisposed to accept homoerotic images. Heterosexual images may or may not outweigh them, but there is no reason why they ever should not, providing those responsible are able to set a desirable heterosexual example for the child, as to its future role of husband or wife, and providing the subject of inversion is placed in broad daylight and explained for exactly what it is, and providing that human sexuality

is disassociated from any implication of disgrace. It has been remarked before that it is not man's bodily needs or impulses that disgrace him, but his tendency to become dominated by them, at the expense of moral stature and at the expense of his usefulness to society.

Many of us have the misimpression that man's erotic interests and his religious interests are in necessary conflict. There have certainly been many allegations to this effect, from some religious quarters. It is very true that serious students of religious thought seek to become as independent as possible of sex as well as of any other animal appetite—not because these things are disgraceful, in themselves, but because they are a distraction from the subjective values of permanence and spiritual self-sufficiency in which such persons are primarily interested. However, no social rule can be justly or effectively imposed in this connection, except those forbidding actions which impose upon the rights, preferences, and opportunities of others. If education and social leadership cannot inspire rectitude in human conduct, then nothing can. History contains ample evidence that no other influence can produce lasting and effective results in this sphere.

If it can be said that introversion leads occasionally to active inversion, then it must be added that the active invert is, without exception, also of a predominately introvert nature and thus must, through introspective methods, reach for that inner stability which the mature heterosexual achieves through other processes. The introvert nature can be turned into a major asset, in fact the invert must use this asset actively, if it is to have effect as such. This use involves all studies, dis-

ciplines, or processes of thought which can increase human understanding, sharpen the cultural talents which are of social benefit, and widen fields of thought to that point where sexuality and its problems are seen in the right perspective against the great range of human interests and aspirations. If persons cannot be valuable as biological agents of reproduction, then they must become valuable as persons. There seems to be no alternative for them, other than to be valuable as neither, and thus remain without value at all.

Someone has said that the homosexual represents a "biological dead-end." There is a truth here, containing also an implication of uselessness which must be admitted if human nature is nothing more than a biological phenomenon. However, biological dead-ends can also sig-

nify spiritual beginnings, sometimes of the highest order. Some hold the view that organic life is only an expression, in this environment of atoms, of the spiritual realities of thought, substance, and creative power—that where biological necessity stops, there spiritual opportunity begins, in terms of all of those cultural endowments and qualities of character which make humanity human. There should be no room for discouragement or indifference, with so many social forces now at work to improve our knowledge of human nature in its sexual and other phases. No matter what human problems may be, knowledge and understanding counsel is becoming increasingly available, and will eventually produce a new social environment, free from the ignorance and prejudice of the past.

# homosexuality, morality and RELIGION

By Luther Allen

**M**OST SCIENTIFIC and scholarly books dealing with homosexuality agree that the source of the condemnation and persecution of homosexuals in the Western World can be traced directly to theological and ecclesiastical sources. Our secular laws and customs, the attitudes and opinions of the man in the street, for the most part, have their origin in the Judeo-Christian religious tradition. It is significant that the very word "sodomy" used in so many of the civil codes of our forty-eight states to designate homosexual acts, derives directly from the Old Testament. And the idea that homosexuality is a "crime against nature" has its origin in the writings of St. Paul. As nearly everyone knows these days, until the Eighteenth Century homosexuality was punishable by death. The precedents for hanging homosexuals and burning them at the stake are to be found first in Jehovah's extermination of the people of Sodom by fire and secondly in the Mosaic law as recorded in the book of Leviticus.

To establish my own point of view at the beginning, I will quote a bit from the French writer, Simone Weil, who, in her little book, *LETTER TO A PRIEST*, has written, "if some Hebrews of classical Jewry were to return to life and were to be pro-

vided with arms, they would exterminate the lot of us—men, women and children, for the crime of idolatry. They would reproach us for worshipping Baal and Astarte, taking Christ for Baal, and the Virgin for Astarte . . . But the cruelties bound up with the cult of Jehovah, the exterminations commanded by him, are defilements at least as atrocious (as the sexual debauches which accompanied rival religions). Cruelty is a still more appalling crime than lust."

"Cruelty is a still more appalling crime than lust."

The sound core of Christian morality lies in the following words from the book Matthew, Chapter 22, Verses 35 thru 40:

"Then one of them (the Pharisees), which was a lawyer, asked him a question, tempting him, and saying,

"Master, which is the great commandment in the law?

"Jesus said unto him, thou shalt love the Lord thy God with all thy heart, and with all thy soul, and with all thy mind.

"This is the first and great commandment.

"And the second is like unto it, Thou shalt love thy neighbor as thyself.

Everyone seriously interested in problems of sexual morality should read it . . .

ONE does not have all the answers. It does not sponsor pet theories, but it does survey various theories about homosexuality, past and present. ONE prints contributions from major figures in science and fiction, religion, psychology, philosophy — also, what "the man in the street" thinks.

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ONE MAGAZINE published by One, Inc. Monthly.

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"On these two commandments hang all the law and the prophets."

In the First Epistle of John, fourth chapter, sixteenth verse, we are told: "God is love; and he that dwelleth in love dwelleth in God, and God in him." God is also the truth. Love of truth is also love of God.

The devil is described as follows in the eighth chapter of the Gospel according to John, verse 44: "He was a murderer from the beginning, and abode not in the truth, because there is no truth in him. When he speaketh a lie, he speaketh of his own: for he is a liar, and the father of lies."

The conflict between God and the Devil is love versus hate, truth versus falsehood. In Christ's law of love we possess the touchstone by means for which we may test the validity of all other law, of all custom, of all individual behavior, including our own. In the moral and ethical sphere Christ's law of love must be the supreme authority, as the Constitution of the United States is the supreme law of our land. We have the right to examine the Mosaic law of the Old Testament in the light of Christ's supreme law. What we find there that is vindictive, tyrannical and murderous is not of God—because God is love. We have the right to examine the record of Christendom itself in the light of Christ's law of love. We have the right to reject in the name of God and in Christ's name all the persecutions, brutalities and murders perpetrated in those very names by Christianity. Nothing could be more diabolical than to lie and murder in the name of God and in the name of Christ. Any man who loves is on the side of God. Every man devoted to the search for truth is on the side of God.

But what is love? God is love. Therefore, love is the presence of

God in man. God is a mystery; who can fathom God? therefore, love is a mystery. Christ's law of love requires us to live out a mystery. Because God is love, love is sacred. There is no higher end than loving and being loved. Love is not a means to some other end. In itself it is the supreme purpose.

According to the Biblical account, God had no utilitarian purpose in creating the two sexes and sexual love. In the second chapter of Genesis we read: "And the Lord God said, It is not good that the man should be alone; I will make him an help meet for him." First, and foremost, Sex came into being because God recognized Adam's loneliness. Sexual love is in itself justified because it assuages loneliness.

After Eve had been created from Adam's rib, Adam said, "This is now bone of my bones, and flesh of my flesh: she shall be called Woman because she was taken out of man. Therefore shall a man leave his father and his mother, and shall cleave unto his wife: and they shall be one flesh."

Both homosexual and heterosexual seeks in the one he loves his own completion. Adam saw in Eve an alienated part of himself. To Adam, Eve was flesh of his flesh and of his flesh and by means of sexual love he sought to be reunited with his lost self, so that he and she might be one flesh. In sexual love the homosexual also seeks his own completion. He, too, needs and seeks another, an opposite, or at least a complementary being, to round him out. We have heard much, too much, about the "narcissism" of the homosexual. Let us not overlook the narcissism in Adam's words! After all, it was to heterosexual love that La Rochefoucauld was referring when he wrote that love is "egoisme a

deux". Let us, without the Frenchman's cynicism, accept the fact that sexual love is an extension of one's self-love. Let us remember that God created sexual love for the sake of man's happiness.

Christ did not forbid us to love ourselves. He tells us to love our neighbor as if he were a second self.

It is true that in the first chapter of Genesis God commanded the first man and the first woman to "increase and multiply". But God was not interested in man's utility. His aim was not that of the modern state. It was not his purpose to people the earth with tillers of the soil, with laborers, with artisans, with mariners, with soldiers. It was simply good that man should not be alone, that from the union of man and woman there should issue other men and women with a bit of the divine breath in them, capable of loving and being loved. When God issued that first first command there were only two human beings in the world. Since God is love, are we to suppose that he issues the same command, inexorably, to India today? In a world where overpopulation becomes a major cause of hellish wars does Love invariably demand, as in his Eden, "Increase and multiply"?

From the first God showed concern for the well-being of human individuals. In Christianity the human individual is the priceless thing. Overpopulation, as in Asia and in many parts of Europe, causes a devaluation of human life, a degradation of human individuals. Human beings with the breath of God in them come to be worth less in the market places than objects made of wood and iron and steel. Is it love to bring children into world when they are doomed to starvation and peonage? Is it love to bring to birth more sons and daughters than the

very land can nourish?

People have expressed alarm because of the apparent increase of homosexuality in the Western World. They forget that the birth rate, at least in the United States, has also increased by leaps and bounds. It seems to me that homosexuality, as an alternative form of love, an alternative means of assuaging human loneliness, is a sort of sexual and social safety valve rather than a menace. It seems to me that at least a considerable part of the value of homosexuality both to individuals and to society lies precisely in the fact that it relieves pressures which might otherwise become dangerous.

Love is a mystery. Yet it is a mystery about which many things may be known. We are taught that marriage is a sacrament. The Methodist minister, Albert E. Day, has written (in his book, AN AUTOBIOGRAPHY OF PRAYER) as follows about the role of sexual love in the spiritual life: "There is often failure among the advocates of celibacy to comprehend what a marriage of love can mean. There is a disregard of the fact that the union of bodies in such a marriage can be a true sacrament of the spirit in which husband and wife, completely giving themselves to each other, at the same time reach a new dedication of themselves and their love to God. There is also a complete lack of understanding of that gratitude which a husband and wife may know as their loneliness is ended in the perfect human comradeship of body, mind, and spirit; a gratitude which is so deep and profound as to become an opening in consciousness outward to the giver of such a gift."

It seems to me, in all sincerity, that the same words might be applied to the physical union of friends.

Can we discover in Christ's teachings any guide to the understanding



of the sacramental possibilities of friendship-love? Many years ago, when I was a boy, I read a light novel by Hugh Walpole called, I think, JEREMY AT CRALE. I Remember the book because of a single short sentence it contained. One of the characters said to another, "Friends feed each other." My mind moves immediately from that simple declarative sentence to thoughts of the Last Supper, the "love feasts" of the early Christians, and the central sacrament of the Christian faith, Communion.

In the sixth chapter of the Gospel according to John we read Christ's words, "my flesh is meat indeed and my blood is drink indeed. He that eateth my flesh and drinketh my blood, dwelleth in me, and I in him. As the living Father hath sent me, and I live by the Father; so he that eateth, even he shall live by me." As Adam said of Eve, "This is now bone of my bone and flesh of my flesh", so Christ might speak of those who eat and drink his flesh and blood: "And they shall be one flesh".

In the fourth chapter of his First Epistle John writes as follows:

"Beloved, let us love one another: for love is of God, and every one that loveth, is born of God, and knoweth God." In the same chapter John writes, "No man hath seen God at any time. If we love one another, God dwelleth and he in us, because he hath given us of his Spirit." Although God is unseen to us it is by means of loving one another, and by means of human-to-human love that we discover Him and learn that we are His. The love of friends, then, as well as the heterosexual love of spouses, does possess sacramental meaning and value, is likewise a gateway to knowledge of God's love.

Let us admit, how that no merely

fleshly, earthly love can ever satisfy the visionar y soul of man, be one's beloved male or female. The most perfect union of husband and wife, or of friend with friend can only take place within the unity of God, and the coupling of bodies and hearts in sexual love is but a beginning, a gateway to the knowledge of the One, within which all exists.

There is another Supper which I must mention here, Plato's SYMPOSIUM. Plato's banquet is a frankly homosexual gathering, the love discussed in the course of that meal is explicitly and exclusively homosexual. Yet the climax of that evening is Socrates' exposition of the idea that the love of two friends is the beginning of a development leading ultimately to love of God.

St. Paul charged that homosexual worships the creature more than the Creator. This is necessarily true only if one accepts the condemnation of homosexuality in Leviticus as the law of God given directly to Moses. In that case the homosexual, in loving a friend, defies God's law. If he sufficiently loved God he would obey that law. Therefore, it follows that he loves his friend more than he loves God. But, as I have pointed out, since God is love, he cannot be the author of the Twentieth Chapter of Leviticus. "Cruelty is a still more appalling crime than lust". And we have evidence that even the pagan Socrates found homosexual love a gateway to the love of God, a sacramental thing.

Moslem mystics have for many centuries approached God by the path of homosexual love. There exists a great literature of poetry which may be read either as homosexual love poetry or as religious song. The following is a poem by the Indian mystic Kabir who, although born a Moslem, became a

pupil of the Brahman wise man, Ramananda. The translation which I am about to quote is by Tagore.

"O Sadhu! the simple union is the my Lord, there has been no best.

"Since the day when I met with end to the sport of our love.

"I shut not my eyes, I close not my ears, I do not mortify my body;

"I see with eyes open and smile, and behold His beauty everywhere:

"I utter His name, and whatever I see, it reminds me of Him; whatever I do, it becomes His worship."

A. J. Arberry, in his book SUFISM has written, "Many anecdotes of the early Sufis relate how fond they were of quoting love-poetry, often in the first place of a purely human character, which they interpreted allegorically to accord with their own passionate spiritualism.... Fully to

understand the later poetry of Sufism... it is necessary to keep in mind how fundamental in Sufi thought is this allegory of love, and how readily in their minds human and Divine imagery is interchanged." Farther on Arberry writes, "Running through all the poets... there is an element of human affection, so that the visible object of regard, be he a handsome young Sufi or a revered preceptor, shares with God the poet's passionate addresses."

The Persian mystic Farid al-din Attar concludes one of his poems thus:

"Now will I draw aside the veil from Love,

"And in the temple of mine inmost soul

"Behold the Friend, Incomparable Love,

"He who would know the secret of both worlds

"Will find the secret of them both, is Love."

## WANTED:

Articles, manuscripts, letters, art suggestions, and other contributions to make the *Mattachine Review* a better magazine are needed, and the Society is counting on you for help! Send all such material to *Mattachine Review*, Post Office Box 1925, Los Angeles 53, Calif. Please include self-addressed envelope if return of manuscript is desired.



# READERS write

## Review Editor:

I have just received the 6th issue in which you ask, "Are We on the Right Track?" Well, up to now I thought you were very much so. But you have shattered all your good work by being completely hypocritical and giving up the entire cause you had worked for. This comes very simply by publishing the work of that neurotic of all neurotics, Dr. Ellis. He may think he has invented the word neurotic... (he is only) a good salesman to make you all admit you are as bad off as he claims and now you try to persuade your readers that we are neurotic. I had thought you acknowledged us human beings, as individuals whom you were fighting for the rights of, and trying to promote understanding. Now I see that all you are doing really is poking fun...and using us as a target for further ridicule by the public in general. You are not satisfied that we have a few different ideas from the majority of society, but want that majority to think we are ill and nuts too! How happy you must be to persecute us!

The situation is all so simple that I cannot see any valid reason for the hunting of reasons that will satisfy society for our existence. We are what we are because we were created that way by God. We are not sick and don't ask treatment; we seek only understanding that we are humans as are the rest. Our sexual desires are part of our nature... It is just as absurd to say we are neurotic as to say a gifted pianist is neurotic for pursuing music as a "phobia," as your gifted Dr. Ellis wishes to call it...—J. M., New York

*(Reader J.M.'s sharp criticism of Dr. Ellis' views is gratefully received, but we hesitate to comment that either is to be regarded as wrong or right. Critical letters are encouraged: they show that someone is thinking. However, J.M., don't expect everyone to agree with you, just as we don't expect everyone to agree with everything we publish. Our goal is to get at the TRUTH--good or bad. We deny that we are hypocrites sticking our heads in sand and blind to what is going on around us. But we shall not evade an issue simply because it may be controversial and Albert Ellis dared to face it. Our pages are open to many more such controversies, and to those of opposing views as well.--Editor)*

## Review Editor:

I still offer for what they are worth my humble best wishes and you may be assured of this sentiment on my part as long as Mattachine and the Review continue to perform their valuable services to our cause. I have noted with no surprise your plea to subscribers to help the Review continue its valiant service...no surprise because, not being entirely unfamiliar

mattachine REVIEW

with the financial problems that such a small-circulating (I cannot say SMALL; the Review is a GIANT in other ways) publication faces. Please accept my small contribution...

—Mr. P. R., Virginia

## Review Editor:

I congratulate you on the results already achieved during your first year and encourage you to do as well in the future... I should like to increase my subscription by a voluntary contribution, but exchange control regulations prevailing in this country do not allow this unfortunately...

—Mr. E. B., Paris, France

## Review Editor:

Kindly note a change in rates for our subscription: \$11 first class per year.

—Rolf, Editor, Der Kreis, Zurich.

## Review Editor:

It is difficult to get into "Hadrian and Antinous" (Nov.-Dec. 1955 issue of the Review) with any degree of enthusiasm when the author starts off with an inaccurate reference to Miss Yourcenar's fine work as "written by Hadrian just before he died," and then go on to note that "Mlle. Yourcenar has apparently done an excellent job by letting Hadrian do the writing." The fact is that Mlle. Yourcenar's work is completely her own—unlike your author, she has completely mastered all that is to be known of her subject.—Mr. E. L., New York

*(Admittedly, the Review and Author Mack Fingal stand corrected.--Editor)*

## Review Editor:

All in all, I've enjoyed the Review in 1955. My one criticism is that you are a little too literary. Not all of your readers are college graduates, you know... Some of us are just plain, ordinary laboring people with limited educations. So please steer clear of too much theory, six-syllable words and articles of literary, but not practical value.

—Mr. R. L., Texas

*(Thanks for the comment, and we'll try to comply. But it's hard to imagine that we can be "too rich for any Texan's blood"--Editor)*

## Review Editor:

My reaction to all six issues of the Review for 1955 is such that I feel ashamed for not having helped those in California more who have contributed so much free work as they held necessary full-time jobs. I believe that someday the caliber of the Review will dispel the knocks of both heterosexual and homosexual immature minds which have not considered it possible to encourage such a timely organization as yours. The Review is unbiased. This has been proved simply by the 1955 issues in which writers have aired both sides of controversies. In the democratic spirit of temperance, we wish to enlighten; to heal the doubts and frustration of those in far away places



who are lonely. Somehow we must alleviate fear in persons who live in dread of being found out. Here society loses, because they will not become identified with it. I could have completed a chapter in my community if certain persons had seen fit to live up to their true convictions. Self-employed homosexuals who have no fear of losing their jobs and other brave souls will have to bear the burden of effort until that happens.  
—Mr. H. S., Ohio

(Many letters and other business matters on the Review are delayed or sometimes undone because of lack of time and help... and unfortunately, perhaps, this help must come from our home base, San Francisco. But we hope to do better in 1956!--Ed.)

## SCANDAL IN BOISE: LET'S GET AT THE CAUSES

(Continued from page 2)

gation to the community? We are all citizens and enjoy the same rights and privileges of citizenship. But this is not a "one way street." The community also has a duty to each citizen and must protect the right of each citizen to think and act in ways which may be considered "peculiar." Of course, this does not apply to acts which are an affront to public decency, which involve the morals of minors, or which are forced on any individual. Certainly Judge Young should not, however, be laboring under the illusion that this "roundup" is going to wipe out homosexuality in Boise. Nor should he imagine that a prison sentence will "cure" the defendants of their homosexuality. For some reason, we humans don't act and react like machines.

We have to get at the root of this social problem before we can solve it judiciously, and I know of no community that has done so. Why shouldn't Boise take the challenge for the benefit of all? A great deal more education for parents and their children as well as community leaders, is needed. I know I speak for the Mattachine Society when I urge you to seek the truth in this matter wherever it may be found.

Sincerely yours,  
KEN BURNS,  
Chairman, Board of Directors,  
Mattachine Society, Inc.

The **MATTACHINE REVIEW** is published by the Mattachine Society, Inc., a non-profit, non-partisan organization founded in the public interest for the purpose of providing true and accurate information toward the solution of problems of human sex behavior.

## mattachine salutes

# New Deal For Deviates

The above heading was given to an editorial which appeared last Fall in the Canadian weekly, *Flash*, of Toronto, and the editorial—along with two letters which it prompted—are reproduced below.

Some readers will note that the editorial also appeared in a recent issue of *One* magazine. But because the stand taken by the Canadian newspaper is considered such an important precedent in American journalism by the commercial press, the Review joins in giving *Flash's* strong move widest possible publicity, and salutes it for a bold and humanitarian decision.

With a British Royal Commission and the powerful American Bar Association urging it, the day is not far distant when homosexual acts between consenting adults in private will no longer be a criminal offence in Britain and the United States.

Where does Canada stand in this world advance in legal thinking? What is this nation doing to bring our Criminal Code into line with modern medical opinion?

From the evidence we are doing nothing. Revisions of the Criminal Code during the last session of Parliament contained no reference to altering the sections governing sexual deviates. As in the past century insane people were beaten with clubs to "cure" them, Canada is still punishing people because they were born with blue eyes.

The homosexual was born that way. He cannot change even if he wants to, any more than he can change the color of his eyes. On this medical authorities are agreed. Why, then, is he punished for something he cannot help?

And why is the punishment so savage? When the bank robber is caught he may be given five years in prison. He comes out with the chance to live down his past.

No such fate awaits the detected homosexual. He is a marked man for life. He need not even have been convicted. As when McCarthyism was at its height in the United States, to be even accused is fatal.

But what does his "crime" consist of? It consists only of conduct which heterosexual adults consider repugnant or infantile. It harms nobody else but the homosexual, if it harms him.

Has Society a right to snoop into the private lives of individuals? If two consenting men or women decide to follow their inborn nature, is it anyone's business but theirs? Must we beat the cripple because he had polio as a child? If homosexuals affront nobody by what they do behind closed doors, should not their privacy be respected and protected as much as that of a husband and wife?

Expert opinion to-day believes it should. The Criminal Code says it should not. (The Criminal Code also says that bingo, lotteries and sweepstakes should be banned, but thousands of Canadians enjoy these entertainments.)

In Britain case after recent case involving laborers, noblemen, actors, bus drivers, clergymen, soldiers, doctors, farmers and clerks — men from all walks of life and of all grades of intelligence and ability — has convinced a growing body of opinion that present laws dealing with sexual deviates are not only useless but brutal as well.





Prosecution and imprisonment do not change the offender. He comes out of prison and goes straight back to repeat his "crime" until caught again. The only difference is that he is now more wary, more desperately determined not to be again found out.

The point is that what Society is stubbornly calling "criminal" behaviour in the belief that the homosexual acts that way out of malice or spite, is the only natural behaviour to him. He was born with blue eyes!

Sex deviates know the harsh punishment that is in store for them if they are detected. They have seen other deviates crucified, ruined socially and financially for following their nature.

So the deviate must lead two lives or do the impossible and stifle his sex urge. If the heterosexual man or woman was ordered by law to give up his sex or her sex urge, the heterosexual would fight to the death to defy that order. Yet Society coolly demands that the homosexual give up one of his strongest instincts with never a protest.

It is a cruel demand and an unfair one. It is an impossible demand. But it is made by law. A savage law. A law which compels thousands of human beings to live in constant terror of discovery and makes them the prize target of blackmailers. For to be even accused, let alone convicted, means utter ruin.

And the unending strain of leading a double life is too much for many individuals. There is grim irony in the fact that the Society whose unrealistic laws drive many sexual deviates to nervous breakdowns, often winds up paying the bill for their treatment in insane asylums for life.

This is what the British Royal Commission has found out and this is what the American Bar Association has echoed. The Royal Commission declared that so long as both parties were of age, both consented and their conduct was private, their conduct was no concern of the police or the courts. The American Bar Association flatly declared that if deviates were harming no one else, they should not be harmed themselves.

But both of these authoritative groups except only cases which fall within the above terms. Homosexual attacks on minors or attacks with violence on anyone, must still be punished severely.

In line with this expert opinion FLASH will no longer report court charges or trials where the three elements of age, consent and privacy are present. But this newspaper will go farther than that.

The present sections of the Canadian Criminal Code dealing with sex deviation need revision in the light of modern medical knowledge. Public opinion must be aroused to change these sections as it was

once aroused to change the laws which imprisoned people for debt or hung them for stealing a loaf of bread.

And so FLASH will campaign for those changes and report what both top authorities and our readers have to say on the subject. For only when those changes are made will thousands of Canadian men and women now living in constant fear of ugly, senseless persecution be relieved. This campaign may not be popular but it will be right. That's good enough for FLASH!

## THEN THE SOUND AND FURY BROKE LOOSE...

Sir: If we, who have a normal desire for the opposite sex, are required by Society to suppress our sexual urge until we are legally married, why should we make

homosexuals a privileged group by condoning their sexual relations without demanding that they be wed?

If, on the basis of the findings

of the British Royal Commission and the American Bar Association, this country should ever sanction the practice of homosexuality without requiring the parties involved to tie some marital knot, it must also sanction free sexual love between single men and women. Such a thing would, of course, lead to complete chaos, but it would be the only proper line of action if homosexuals enjoyed such privileges.

Should the activities of homosexuals ever be sanctioned in Canada, a special contract should be devised whereby homosexuals could be bound together as legal marital couples; and the same laws concerning age, consent, adultery and divorce should be applicable to such a union as it is to present marriages—with some revision, of course, in view of the unusual nature of such a union.

If homosexuals decline the possibility of binding themselves together in wedlock, it would be obvious that they didn't want to limit their sexual pleasures to any one party in the same way a husband and wife are limited; hence, we would be justified in concluding that their so-called "love" was actually a degenerate farce and should be considered no less reprehensible than promiscuous sexual activity on behalf of normal men and women who aren't married.

Back issues of FLASH clearly demonstrate that, unlike most normal lovers, homosexuals pass from one partner to another and sometimes even accept payment for their services like common prostitutes. Some are married men and women, widowers and widows and some even have children.

If we are to elevate that unnatural brand of love to the same plane as love between man and woman, let them be subject to the same laws and ethics that a husband and wife are subject to—

and that means no promiscuity by either partner.

**FRANK**

**Halifax**

(Editor's Note: Despite "laws and ethics," heterosexual unions are by no means free of promiscuity or adultery as a rising divorce rate shows).

Sir: Never did I expect to find myself in complete agreement with any article appearing in FLASH, but I feel I must offer you my sincere and heartfelt congratulations on your courageous and able editorial entitled "NEW DEAL FOR DEVIATES," as set forth in your Oct. 1 issue. That your opinion on this vital topic, so lucidly expressed, was timely, there can be no doubt, but that this very necessary mission of pleading the cause of the "normal" homosexual before an indifferent and very often biased public was not undertaken by one of the major publications in order to reach a wider reading public, is a matter for regret.

Still, your paper has paved the way for frank discussions of a subject which, through agitating the minds of more people each year, will eventually lead to a public demand for a change in our archaic penal code dealing with sex deviates.

As a congenital homosexual I vehemently protest against the barbaric injustice of imprisoning adults found guilty of homosexual practices in private with a consenting adult partner. If a prison term were to ensure a cure, no grounds for complaint would be valid; but it has been more than amply proven that those who have been confined to our penitentiaries for this offense have invariably been released with their so-called "vicious" propensities unchecked or aggravated, plus a bitter resentment against society for punishing them for a trait which is part of their nature and

which no amount of sagavery will eradicate.

Living, as we do, in the fear of detection with resulting ostracism, prison or blackmail, is it any wonder that many homosexuals develop neurotic tendencies leading to insanity or suicide?

It should not be thought that the majority of homosexuals are of the loose wrist, lipping vintage eager to parade his anomaly in the market place, like some of our less evolved brethren. Not a few of them are filling responsible posts in the business world, but their efforts in a measure are handi-

capped by the Sword of Damocles hanging over their heads.

Freed from the fear of persecution, I venture to predict that the majority of homosexuals would be a decided asset in the cultural life of any community, instead of living in abject fear of detection; for it must be remembered that when Nature takes away with one hand, she gives generously with the other, and so we find the fields of drama, painting, music and literature enriched by the labors of many of the despised homosexuals.

**INVERT**

**Vancouver**

### **New Newsstand in Denver**

*Scotty's Newsstand, 1659 California street, Denver, Colorado, now has copies of the Review from the July-August issue to date. It is located next to Mozart Club.*

### **Paterson, New Jersey, Shop Has Copies**

*Market Street Spot, 257 Market street, Paterson 1, New Jersey, now handles the Review, beginning with the October issue.*

### **COMMISSIONS FOR DISTRIBUTORS**

An attractive commission plan for persons willing to act as distributors for the Review to newsstands in their cities is open for all U.S. localities (except metropolitan areas of Los Angeles, San Francisco and New York City). Write direct to the Review if interested--these openings can become highly profitable spare time projects for chapters or individuals. No advance payment is required; magazines are sent on consignment basis only.

# **BOOKS**

## **Miss Mark's WELL is dry....**

"MY SISTER MY BELOVED" by Edwina Mark. The Citadel Press, New York, 1955. Reviewed here by Del Martin of San Francisco, this new book on the lesbian theme is not recommended by the reviewer who states that it is sensational instead of significant.



AS THE JACKET of this book says, "For the reader who is not afraid to learn, it may well prove a more than illuminating glimpse into the world of what most of us think of as 'abnormal'." The publisher could very well omit the quotes around the word abnormal; the book depicts characters who are just that. The alcoholic, the sadist, the masochist, the prostituted, the abortionist, the drug addict, the dope peddler, the incestuous, the murderer are all represented here.

It is a book of sensuality and sensationalism, rather well written for the type of book it is, but a far cry from Radcliffe Hall's "The Well of Loneliness" with which the publisher audaciously compares Miss Mark's first novel.

For too long now publishers have been managing to overrun the market with much mediocre and inferior material on the lesbian theme by tagging their new ware with a reference to the "Well". It is not only misleading; it is also downright libelous for these "sexsation" seekers to take a free ride on the reputation of Miss Hall's book.

Edwina Mark is 23 years old, unmarried, and lives in New York's Greenwich Village. It would seem she is having her fling. Perhaps when she becomes a little more mature and less impressed by the seamer side of life, she may turn her ability to write a simple and direct style to far better advantage. There are characters, and then there are "characters".

## **Devoid of Rhyme or Reason**

**DESPERATE ASYLUM.** Fletcher Flora.

Paper Bound. Lion Library. 40 cents. This book was reviewed by Jack Parrish. He says it is a little hard to understand why it was ever written.

A beautiful alcoholic lesbian meets a self-tortured gentlemen of the old school, who is impotent. Her brother, in the hopes of assisting

her to become normal, persuades her to marry him. They know a happily married heterosexual couple who experience safe and sane sex relations. She tells her husband all, drinks even more heavily, and he kills both her and himself. The heterosexual couple wonder if they shouldn't have tried to comprehend



what was ever wrong with them. They then experience safe and sane sex relations.

Donald Webster Cory suggests in *THE HOMOSEXUAL IN AMERICA* that the usual violent ending of most homosexual novels results from the writers' own personal frustrations,

rather than from a depiction of actual circumstances. This writer's first novel, *STRANGE SISTERS*, was marked by a certain morbidly macabre power. The second, judging from the gray pall that envelops it, must have been written during a manic-depressive phase.

## SOME MYTHS ABOUT THE SEX OFFENDER

(Continued from page 13)

type of behavior in which they have discovered satisfaction. Any thoroughly frustrated, rigidly repressed personality may conceivably explode into violence, it is true. There is no evidence, however, that this occurs more frequently among sex offenders than others; indeed there is good psychological ground to believe that individuals who experience some outlet of sexual tensions are less likely to need release of rage and aggression. Progression from minor to major sex crimes is exceptional, though an individual may engage at any given time in a variety of forms of sex outlets. We note from Kinsey's study the diversity of sexual outlet, but this does not suggest that the individual progresses, compulsively or otherwise, from minor to major sex crimes. On the contrary, as Dr. Manfred S. Guttmacher, chief medical officer of the Supreme Bench of Baltimore, Maryland, has noted from his broad experience in these cases:\*

The popular conception which, it seems to me, must be a basic postulate of these laws (sex psychopath statutes), that serious criminal sexual behavior evolves progressively from less serious sexual offenses, is false. Evidence points to the contrary. The individual who has found a method of releasing his neurotic tension, as for example in exhibitionism, has adopted this way of acting out his intrapsychic conflicts because it best meets his unconscious needs. He is conditioned to it and he is very unlikely to seek other methods to accomplish this end.

\* Manfred S. Guttmacher, *Sexual Offenses*. New York: W. W. Norton and Company, 1951, p. 131.

And Dr. Karl M. Bowman, superintendent of the Langley Porter Clinic in California says the following:<sup>3</sup>

It should be stated explicitly that persons convicted of serious sex crimes do not commonly begin with voyeurism and exhibitionism and work up to crimes of violence and murder. Sex offenders have the same tendency as do other criminals to stick to similar types of offense. It is well known that burglars seldom become forgers, and vice versa. Such criminals stick to a particular type of criminal behavior; the same is largely true of sex offenders.

5. *That it is possible to predict the danger of serious crimes being committed by sex deviates.*—

Reports from 75 prominent psychiatrists reveal a consensus that it is impossible to predict the occurrence of serious crime with any accuracy. This inability to predict is of special importance in relation to recent laws that are designed to constrain individuals who have committed no law violations as well as minor sex deviates and even juveniles.

To be sure, prognostic tests of various sorts have been employed to a limited extent in clinical research on sexual deviates and offenders; mainly Rorschach, Thematic Apperception Tests, the Electroencephalograph, and the amytol and pentothal drugs for brief narcosynthesis. The results of such work thus far is interesting but quite inconclusive: there appears to be some possibility of showing a correlation between certain sexual deviations and typical responses on Rorschach and there is limited indication of peculiar patterns of psychopaths, sexual and other types, on electroencephalographs, but these have not been shown to have predictive value for criminal behavior.

A California legislative committee on sex crimes concluded, after several months of study, that "it is practically impossible to predict, on the basis of any known criteria, what individuals will be implicated in serious sex crimes." This accords with the finding of the New Jersey Commission on

<sup>3</sup> Karl M. Bowman, Menas S. Gregory Lecture, New York University, Bellevue Medical Center, College of Medicine, January 24, 1951.

the Habitual Sex Offender which the author served in 1949 and 1950.

6. That "sex psychopathy" or sex deviation is a clinical entity.—Two-thirds of the psychiatric authorities consulted by the writer pointed to the wide disagreement among psychiatrists as to the meaning of the term, "sex psychopath." More than half of them maintained that this condition is not a sufficiently clear diagnostic entity to justify legislation concerning the type. Hospital authorities handling cases of sex psychopaths committed by the courts find, in fact, a wide variety of psychological types: neurotics, ~~psychotics~~, schizoids, feeble-minded, epileptics, constitutional homosexuals, alcoholics, and many who are normal. In different states the authorities look for different qualities as evidence of dangerous sexual psychopathy; the cases they adjudicate as such display varied forms of sex deviation and assorted types of personality organization.

The sex statutes recently enacted in 17 jurisdictions have been directed for the most part at "sex psychopaths" or "psychopathic personalities." New York and New Jersey are exceptions in more specifically delimiting the group covered. The statutory definitions by which the several jurisdictions have attempted to define the coverage of their psychopath laws have in fact made even more vague what was already quite unclear concerning the sorts of cases that were designed to be included. The general reluctance observed in applying the statutes may well result in part from uncertainty as to the sorts of cases that should be covered. The descriptive clauses in the enactments leave much to be desired either from the point of view of medical diagnosis or court application.

Insanity and feeble-mindedness are generally excluded by the terms of the laws, but there remains a virtually unlimited area of psychological variability that can be interpreted to come within their intended scope. The concepts employed to define the psychopath, such as mental disorder, mental illness, mental disease, emotional instabil-

ity, impulsiveness in behavior, and other similar qualities are far from specific in their meaning. This is particularly true if psychological deviation is viewed as a relative matter, with wide gradation from normal to abnormal, and with a majority of men somewhere in between. The more functional terms applied in some of the laws, suggesting a "propensity" to sex crimes, or lack of customary standards of good judgment, have very little utility for distinguishing the psychopath or the abnormal sex offender from other sexual deviates. Such expressions could easily be applied to sex offenders who are nonpathological in their psychological orientation.

7. That these individuals are lustful and oversexed.—From the point of view of their treatment and their dangerousness, it is important to realize that most of the sex deviates treated under the laws are undersexed rather than hypergonadal types. A majority are passive or nonaggressive. The problem is very rarely one of drives too strong to control, as commonly recommended programs of castration, sterilization, and close correctional custody would imply. A recent study of sex offenders at the Menlo Park Diagnostic Center in New Jersey found 54 percent of them to be distinctly sexually inhibited, 68 percent to display inadequate personalities, and 91 percent some measure of emotional immaturity.

Sexual deficiency is characteristic of exhibitionists and voyeurs and quite commonly of pedophiliacs, passive homosexuals, fetishists, and compulsive murderers. To put it somewhat differently, the drive to sex crime is most often psychic rather than physiological and in such cases must be treated, if at all, on the psychological level. With the exception of rape, which is a youthful and vigorous offense, the average age of sex offenders is significantly higher than that for other crimes (46.7 years compared with 29.3 years in California). These men are past their prime. As Guttacher has put it, "Sex offenses do not appear to



be due primarily to the heightened sexual thrust of adolescence, but rather to a failure to obtain normally a satisfying sexual adjustment as the years have passed." With a high age of onset of deviant, criminal sexual behavior and a low level of libidinal output, we find good reasons why—except for minor compulsive types—their rates of recidivism are low. This does not imply that their psychological problems have been solved by conviction in a criminal court, of course, but many do appear to respond to the danger of arrest and incarceration by more careful control in the expression of their impulses. For most sexual deviates the state can hope to accomplish little more than this deterrent function.

8. *That reasonably effective treatment methods to cure deviated sex offenders are known and employed.*—As compared with other types of psychological and constitutional abnormality, we are peculiarly at a loss in the handling of abnormal sex offenders. Methods of effective treatment have not yet been worked out. The states that have passed special laws on the sex deviate do not even attempt treatment. The "patients" are kept in bare custodial confinement. This point is central to the atrocious policy of those jurisdictions that commit noncriminals and minor deviates for indefinite periods to mental hospitals where no therapy is offered. Most psychiatrists indicate that psychotherapy of some sort should be given to sex offenders, but they are in agreement that professional staffing is not available to perform this work and that an unknown but undoubtedly very high percentage of deviates would not respond to such treatment. In private practice the treatment applied to the sex deviate by many psychiatrists is designed to help him accept his peculiarity without guilt feelings and to be more discrete in its expression. The point should be stressed that commitment of a sex deviate to a state mental hospital *does not imply clinical treatment*. These institutions lack the space, the personnel, the treatment methods, or even the desire to handle deviated

sex offenders who are nonpsychotic.

The California legislative committee on sex crimes, after surveying the various methods of treatment with which some experimental work has been done on sex deviates, found them all ineffectual or inconclusive as to effect with the possible exception of individual psychotherapy, "considered to be the most effective therapy but . . . admittedly the most expensive and . . . prohibitive on a large scale." Dr. Karl M. Bowman, who is doing experimental research on sexually deviated offenders, has said: "At the present time it must be admitted that the results of treatment are, on the whole, unsatisfactory. There is great need of developing better and simpler techniques."

9. *That the sex control laws passed recently in one-third of the states are getting at the brutal and vicious sex criminal and should be adopted generally to wipe out sex crime.*—Data secured from the several jurisdictions reveal that, although the laws have been passed in response to public fears about the dangerous and aggressive offenders, in fact these are the types less frequently brought under the statutes in actual administration. Most of the persons adjudicated are minor deviates, rarely if ever "sex fiends."

Under the Los Angeles Police Reports (1948) covering all sex offenses under California statutes except prostitution and rape, 1,983 persons were convicted of sex offenses of whom only 26 were remanded to the Adult Authority for a state prison term, the remainder drawing jail, fines, and suspended sentences. Here as elsewhere the courts were apparently not led to believe that the offenders were dangerous types.

Guttmacher, in his study of 172 cases referred for clinical report, notes that only one of the 36 cases of serious sex crimes (rape and forced sex relations with children) had ever been previously arrested for an adult sex crime. Albert Ellis finds in a New Jersey study that only 3 percent of 300

cases employed force or duress in their sex crimes sufficient to inflict injury.

10. *That civil adjudication of the sex deviate and indeterminate commitment to a mental hospital is similar to our handling of the insane and, therefore, human liberties and due process are not involved.*—This type of thinking has been used in several states to support long-term custody of minor deviates, many of them without a criminal charge. Under these laws the insane and mentally defective are specifically excluded. Those covered are in fact a variety of psychological types that have never before been exempted from criminal responsibility nor committable to mental hospitals. No sound reason has ever been advanced for committing a "peeper" to a mental hospital for an indeterminate period (or any period) of time where he will be segregated from his community and family in an unproductive existence at state expense. Nevertheless this has become common practice today under the recent legislation throughout the country. Regardless of the type of court employed to attain this result, it is in effect a serious punishment in which liberty and due process are vitally involved. Reasoning to the contrary is founded in a technical legalism of the most vicious sort.

11. *That the sex problem can be solved merely by passing a new law on it.*—Common sense must indicate to the contrary. Certainly experience with these laws reveals the futility of ineffectual legislation. In general the statutes appear to have served only the purpose of satisfying the public temporarily that "something is being done." In fact, fortunately, very little is being done under the sex psychopath laws in most states, but that little is worse in effect than leaving the offender to the operation of the traditional criminal law would have been. Thus far no problems have been resolved by the new sex laws that have been enacted. On the contrary, some extremely dangerous

precedents have been established (1) for adjudicating individuals without ordinary due process—even in six states without a criminal charge, (2) for indeterminate commitments to mental hospitals of individuals who are not insane and who deviate little or not at all from normal psychologically, and (3) for providing hospital custody to a growing body of minor sex deviates who are to be held until "cured" though without treatment, at great cost to the taxpayer and with serious diminution of the facilities available for those mental patients who are seriously disturbed.

As Dr. Winfred Overholser, superintendent of Saint Elizabeths Hospital in Washington, D. C., said several years ago before the passage of the recent convulsion of laws:<sup>4</sup>

Considerable improvement could be brought about in dealing with the problem of the sexual offender if existing laws were given a fair trial. Adequate mental examination before disposition and the establishment of court clinics for this purpose, the employment of psychiatrists in correctional institutions and a consideration of their findings by parole boards do not call for legislation. Eventual changes in the laws relating to the indeterminate sentence and the establishment of a "treatment tribunal" may be found to be desirable, but no one should deceive himself that he is helping to solve the crime problem by joining the hue and cry for new laws, which may be passed without study at the behest of popular clamor, only to be promptly forgotten.

<sup>4</sup> Winfred Overholser, "The Challenge of Sex Offenders—Legal and Administrative Problems," *Mental Hygiene*, 22:20, 1938.

*The preceding article was reprinted from the magazine, FEDERAL PROBATION, a journal of correctional philosophy and practice, June 1955. The magazine is published by the Administrative Office of the United States Courts, in cooperation with the Bureau of Prisons of the Department of Justice, Washington, D. C. The author, Dr. Tappan, now on the faculty of New York University, was chairman of the U. S. Board of Parole (on leave from NYU) 1953-1954. He is author of Delinquent Girls in Court (1947) and Juvenile Delinquency (1949) and is editor of Contemporary Correction (1951).*



## Foreign Publications

**»VENNEN«** Monthly magazine, published in Denmark. Articles in Danish, German and English. Subscriptions, \$3.50 by regular mail, \$4.50 first class sealed. Address: Vennen, Postbox 809, Kobenhavn Ø, Denmark.

**International JOURNAL OF SEXOLOGY** Quarterly (Aug.-Nov.-Feb.-May). Published by Dr. A. P. Pillay, O.B.E., M.B.B.S., at Whiteway Building, Bombay 1, India. Subscription rates in North America \$4. per year, \$1.50 per single copy, postpaid (Payable in advance).

**Der Ring** Monthly in German. Subscriptions are \$5 per year. Address: Der Ring, Bodtgerstrasse 14, Hamburg 13, Germany.

**Der Weg** Monthly in German, with some English. Subscriptions should be addressed to Der Weg zu Freundschaft und Toleranz, Colonaden, 5, Hamburg 36, Germany.

**I.C.S.E. newsletter** (6 times per year) Mimeographed news organ of the International Committee for Sexual Equality, English edition. Subscription, \$3.00 per year. Address: Postbox 542, Amsterdam, Holland.

**Wetenschap** Monthly magazine in Dutch. Subscription \$4 per year. Published by Cultuur en Ontspanningscentrum, Postbox 1564, Amsterdam, Holland.

**ARCADIE** Monthly literary and scientific review. Articles in French, some English. Subscriptions \$9 per year. Address: Arcadie, c/o Cercle de France, 162 Rue Jeanne d'Arc, Paris XIII<sup>e</sup>, France.

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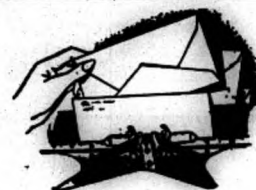
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